



# **AGENDA**

## **Ordinary Council Meeting**

**Tuesday, 17 October 2023**

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

**Date: Tuesday, 17 October 2023**

**Time: 10:00 AM**

**Location: Council Chambers, Estates Building Cressy Street  
Deniliquin**

**Philip Stone  
Chief Executive Officer**

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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 Chief Executive Officer or Mayor.

**4. ACKNOWLEDGEMENT OF COUNTRY**

The Edward River Council acknowledges and embraces the Traditional Owners of the Lands within the Edward River Council area - the Wamba Wamba/Perrepa Perrepa Peoples – and pay our respects to their elders, past, present, and emerging. The Edward River Council also recognises the diversity of different cultures within our community and their contribution.

**5. STATEMENT OF PURPOSE****6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS****7. CONFIRMATION OF MINUTES****7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING HELD 19 SEPTEMBER 2023**

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

**RECOMMENDATION**

That Council accept the Draft Minutes of the Ordinary Council Meeting held 19 September 2023 as a true and correct record.

**BACKGROUND****ISSUE/DISCUSSION****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**

The NSW Local Government Act requires local councils to meet at least ten (10) times each calendar year, each time in a different month.

**ATTACHMENTS**

Draft Minutes Ordinary Council Meeting 15 August 2023

**Attachment 1 - Draft Minutes for Ordinary Council Meeting 10-00 AM - Tuesday, 19 September 2023**



# **MINUTES**

## **Ordinary Council Meeting**

**Tuesday, 19 September 2023**

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

**Date: Tuesday, 19 September 2023**  
**Time: 10:00 AM**  
**Location: Council Chambers, Estates Building Cressy Street  
Deniliquin**

**Philip Stone**  
**Chief Executive Officer**

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TUESDAY, 19 SEPTEMBER 2023

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**ORDINARY COUNCIL MEETING MINUTES****TUESDAY, 19 SEPTEMBER 2023**

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**1. OPENING MEETING**

Meeting opened at 10am

**2. ATTENDANCE**

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

In attendance: Chief Executive Officer, Director Corporate Services, Director Infrastructure, Acting Chief Financial Officer, Chief Financial Officer, Senior Governance Officer, Executive Assistant

Gallery: 3

**3. LIVE STREAMING STATEMENT****4. ACKNOWLEDGEMENT OF COUNTRY****5. 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.

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

Nil

**7. CONFIRMATION OF MINUTES****7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 15 AUGUST 2023**

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

**RESOLUTION 2023/0919/7.1**

That Council accept the Draft Minutes of the Ordinary Council Meeting held 15 August 2023 as a true and correct record.

**CARRIED**

**8. DISCLOSURES OF INTERESTS**

Nil

**9. MAYORAL MINUTE(S)**

Nil

**10. URGENT ITEMS OF BUSINESS**

Nil



**ORDINARY COUNCIL MEETING MINUTES****TUESDAY, 19 SEPTEMBER 2023****10.1. ELECTION PROCEDURES: MAYOR AND DEPUTY MAYOR ELECTION**

Mayor Cr Peta Betts vacated the Chair at 10.05am

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

**RESOLUTION 2023/0919/10.1**

That Council, in accordance with the Local Government (General) Regulation 2021:

1. Note that the Chief Executive Officer will assume the Meeting chair as Returning Officer until the conclusion of the election
2. Determine that the method of voting for the election of the Mayor and Deputy Mayor, should the Returning Officer receive more than one nomination for either role, be by Ordinary Ballot (secret ballot)
3. Elect a Mayor for the remainder of the Council term
4. Elect a Deputy Mayor for the remainder of the Council term.

**CARRIED**

**Election of Mayor**

Three nominations were received for the position of Mayor:

Cr Marc Petersen - Nominated by Cr Shirlee Burge and seconded by Cr Marc Petersen - confirmed acceptance of nomination

Cr Peta Betts - Nominated by Cr Paul Fellows and seconded by Cr Linda Fawns - confirmed acceptance of nomination

Cr Harold Clapham - Nominated by Cr Marc Petersen and seconded by Cr Shirlee Burge - confirmed acceptance of nomination

Nominees were then given the opportunity to address Council.

As three nomination were received, the first round of votes will see the candidate with the least number of votes removed from the ballot.

Cr Marc Petersen received the least number of votes.

Following the second round of votes, Cr Peta Betts was re-elected Mayor of Edward River Council.

**Election of Deputy Mayor**

Cr Paul Fellows - Nominated by Cr Peta Betts and seconded by Cr Tarria Moore - confirmed acceptance of nomination

Cr Pat Fogarty - Nominated Cr Marc Petersen and seconded by Cr Harold Clapham - confirmed acceptance of nomination

Nominees were then given the opportunity address Council.

Cr Paul Fellows was re-elected as Deputy Mayor

Mayor, Cr Peta Betts returned to the Chair at 10.39am.

Cr Shirlee Burge asked to be excused and left the Chambers at 10.40am and did not return.

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## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

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**11. REPORTS OF COMMITTEES****11.1. MINUTES OF THE ARTS AND CULTURE ADVISORY COMMITTEE MEETINGS 8 AUGUST AND 4 SEPTEMBER 2023**

Moved: Cr Tarria Moore

Seconded: Cr Pat Fogarty

**RESOLUTION 2023/0919/11.1**

That Council:

1. Receives the draft Minutes of the Arts and Culture Advisory Committee meeting held on 8 August 2023 and the extraordinary meeting held on 4 September 2023.
2. Consider the recommendation of the extraordinary meeting held on 4 September being the funding of a consultant to develop an arts and culture strategy with the committee as a key stakeholder, through a \$20K budget allocation in the 2024/25 Operational Plan and Budget, for delivery in the 24/25 financial year.
3. Endorse the resolutions of the Arts & Culture Advisory Committee meetings held on 8 August 2023 and 4 September 2023.

**CARRIED****11.2. DRAFT MINUTES AUDIT RISK AND IMPROVEMENT COMMITTEE - 10 AUGUST 2023 AND 12 SEPTEMBER 2023**

Moved: Cr Harold Clapham

Seconded: Deputy Mayor Cr Paul Fellows

**RESOLUTION 2023/0919/11.2**

That Council:

1. Receives the draft Minutes of the Audit, Risk & Improvement Committee meeting held on 10 August 2023, and endorse the resolutions of that meeting
2. Receives the draft Minutes of the extraordinary Audit, Risk & Improvement Committee meeting held on 12 September, and endorse the resolutions of that meeting.

**CARRIED****11.3. DRAFT MINUTES EDWARD RIVER VILLAGE COMMITTEE MEETING 29 AUGUST 2023**

Moved: Cr Tarria Moore

Seconded: Cr Linda Fawns

**RECOMMENDATION**

That Council note the draft minutes of the Edward River Village Committee meeting held Tuesday 29 August 2023.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

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**12. REPORTS TO COUNCIL****12.1. 2023-24 SCHEDULE OF ORDINARY COUNCIL MEETINGS**

Moved: Cr Tarria Moore

Seconded: Deputy Mayor Cr Paul Fellows

**RESOLUTION 2023/0919/12.1**

That Council adopt the proposed 2023-24 Schedule of Ordinary Council Meetings:

- 17 October 2023
- 21 November 2023
- 5 December 2023 (in place of Councillor Briefing)
- 20 February 2024
- 19 March 2024
- 16 April 2024
- 21 May 2024
- 18 June 2024
- 16 July 2024
- 20 August 2024
- 17 September 2024 (following election)

**CARRIED****12.2. DETERMINATION OF NUMBER OF COUNCILLORS FOR 2024-2028 TERM OF OFFICE**

Moved: Cr Fawns

Seconded: Cr Sampson

**RESOLUTION 2023/0919/12.2**That Council, in accordance with section 224(2) of the *Local Government Act 1993* determine the number of Councillors for the 2024-2028 term of office to be nine (9), including the Mayor.**CARRIED****12.3. REVISED CODE OF CONDUCT AND PROCEDURE FOR ADMINISTERING THE CODE OF CONDUCT**

Moved: Cr Linda Fawns

Seconded: Deputy Mayor Cr Paul Fellows

**RESOLUTION 2023/0919/12.3**

That Council adopt the revised Code of Conduct and Procedures for the Administration of the Code of Conduct for Edward River Council.

**CARRIED**Members of the Gallery left at 10.57am

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**ORDINARY COUNCIL MEETING MINUTES****TUESDAY, 19 SEPTEMBER 2023**

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**12.4. 2022-23 DRAFT FINANCIAL STATEMENTS FOR PRESENTATION TO AUDIT**

Moved: Cr Harold Clapham

Seconded: Deputy Mayor Cr Paul Fellows

**RESOLUTION 2023/0919/12.4**

That Council

1. Establish internally restricted reserves for the Conargo Hall Committee Bob White bequest funds (\$2.636m) and the 2023-24 Financial Assistance Grant received in advance(\$6.972m) and to include these in the 2022-23 draft financial statements
2. Review the Draft Financial Statements for 2022-23, incorporating the General-Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules.
3. Recommend that they be presented for audit.
4. Note that the Audited Financial Statements will be provided to ARIC and Council in late October.

**CARRIED****12.5. LOCAL GOVERNMENT GRANTS COMMISSION FINANCIAL ASSISTANCE GRANTS CORRESPONDENCE**

Moved: Cr Marc Petersen

Seconded: Cr Pat Fogarty

**RESOLUTION 2023/0919/12.5**

That Council note:

1. The correspondence received from the Local Government Grants Commission, advising that councils 2023-24 FA Grants estimated entitlement is \$6.987m, compared to the 2022-23 final entitlement of \$6.689m, an increase of \$298k (4.5%).
2. That the Local Government Grants Commission requested the enclosed letter be tabled at the next Council meeting and,
3. The Commissions concern about the unpredictability the practice of advance payments creates for councils.

**CARRIED****12.6. INVESTMENTS AND RESERVES REPORT-AUGUST 2023**

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

**RESOLUTION 2023/0919/12.6**

That Council:

1. Note and receive the August 2023 report on Investments totalling \$45,430,600 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of August 2023 was \$140,324.
3. Note that total interest earned for the year to 31 August 2023 is \$279,266.

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**ORDINARY COUNCIL MEETING MINUTES****TUESDAY, 19 SEPTEMBER 2023**

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4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

**CARRIED**

**12.7. UNRECOVERABLE RATES**

Moved: Cr Linda Fawns

Seconded: Cr Tarria Moore

**RESOLUTION 2023/0919/12.7**

That Council:

1. Notes the unrecoverable rates for 47 unclaimed properties in the Edward River Council LGA and approves the write-off of \$291,582.40 under reg 131(4)(d) of *Local Government (General) Regulation 2021* as per attachment one.
2. Notes that the rates or charges written off under that regulation does not prevent council from taking legal proceedings to recover the amounts owed.
3. Agrees to write to the Minister of Local Government and the Treasurer, requesting that the *Local Government Act 1993* section 556 (1) be amended to include unclaimed properties as land that is exempt from rates
4. Investigates potential solutions to this issue.

**CARRIED**

**12.8. DEVELOPMENT SERVICES ACTIVITY REPORT AUGUST 2023**

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

**RESOLUTION 2023/0919/12.8**

That Council receive and note the August 2023 Development Services Activity Report.

**CARRIED**

**12.9. MAJOR PROJECTS REPORT - AUGUST 2023**

Moved: Cr Marc Petersen

Seconded: Cr Shannon Sampson

**RESOLUTION 2023/0919/12.9**

That Council receive and note the Major Projects Program – Progress Report for August 2023

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

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**12.10. EDWARD RIVER GROWTH STRATEGY ADVISORY COMMITTEE**

Moved: Cr Marc Petersen

Seconded: Cr Linda Fawns

## RECOMMENDATION

That Council:

1. Establishes a Committee of Council, being the Growth Strategy Committee, comprised of all councillors, for the purpose of project oversight of the development of the Edward River Growth Strategy.
2. Revise the previously tabled draft Terms of Reference to make clear the purpose, scope and composition of the Committee
3. Notes that Committees for which all the members are Councillors must conduct their meetings in accordance with Councils Code of Meeting Practice

**LOST**

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

**RESOLUTION 2023/0919/12.10**

That Council:

1. Establishes a Committee of Council, being the Growth Strategy Committee, comprised of no more than seven people, which includes two Councillors. Cr Harold Clapham and Cr Shannon Sampson will sit on this committee, for the purpose of project oversight of the development of the Edward River Growth Strategy.
2. Revise the previously tabled draft Terms of Reference to make clear the purpose, scope and composition of the Committee
3. Notes that Committees must conduct their meetings in accordance with Councils Code of Meeting Practice

**CARRIED****12.11. RESOLUTIONS OF COUNCIL**

Moved: Cr Pat Fogarty

Seconded: Deputy Mayor Cr Paul Fellows

**RESOLUTION 2023/0919/12.11**

That Council note the information in the Resolutions of Council as at 8 September 2023.

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

**12.12. MAYOR, COUNCILLOR, CEO MEETINGS AUGUST 2023**

Moved: Cr Marc Petersen

Seconded: Cr Harold Clapham

**RESOLUTION 2023/0919/12.12**

That Council

1. Note meetings attended on behalf of Council by the Mayor, Councillors and Chief Executive Officer during the month of August 2023.
2. Continue to advise the Chief Executive Officer's Executive Assistant of their meeting diaries and activities attendance.

**CARRIED****13. NOTICES OF MOTIONS****13.1. NOTICE OF MOTION - PROTECT WATER SUSTAINABILITY OF REGIONAL IRRIGATION COMMUNITIES**

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

**RESOLUTION 2023/0919/13.1****NOTICE OF MOTION**

I, Cr Harold Clapham, hereby give notice of the following motion to be resolved by Edward River Council and put to the LGNSW 2023 conference.

MOTION:

That Council adopts the following motion to be submitted to the Local Government NSW Conference:

**Protect water sustainability of regional irrigation communities.**

That Local Government NSW calls on the Australian Government to acknowledge that water buy-back has a detrimental effect upon local communities.

1. Acknowledge the Adverse Socio-Economic Impact: The Australian Government should openly acknowledge that water buybacks have an adverse socio-economic impact on regional communities. This recognition is the first step towards addressing the issue and finding sustainable solutions.
2. Commitment to Financial Support: In the event that water buybacks proceed, it is imperative that the Federal Government commits to providing financial support to assist affected regional communities in their transition. This support should be designed to help local economies adapt to the changes brought about by water buybacks.
3. At a minimum, Tie Assistance to Water Value: The level of structural assistance provided to impacted communities should be directly tied to the value of the water purchased from those Local Government Areas (LGAs). This ensures that communities are adequately compensated for the resources that are being extracted from their regions.

Dated this eighth day of September 2023

Signed by Cr Harold Clapham

**CARRIED**

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ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

**13.2. NOTICE OF MOTION - LETTER OF SUPPORT FOR A PUBLIC POST OFFICE BANK IN AUSTRALIA**

As Cr Shirlee Burge was not in the Council Chambers, this notion of motion will be taken to the October 2023 Ordinary Council meeting.

**NOTICE OF MOTION**

I, Cr Shirlee Burge, hereby give notice of the following motion to be resolved by Edward River Council:

**MOTION:**

That Council write a letter of support for the campaign for a public post office bank in Australia to the Federal Member for Farrer and the Australian Citizens Party

**14. QUESTIONS WITH NOTICE**

Nil



## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

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**15. CONFIDENTIAL MATTERS**

Moved: Cr Tarria Moore

Seconded: Cr Marc Petersen

**RESOLUTION 2023/0919/15**

That Council move into Confidential Council at .... to discuss the following items:-

**15.1. Contract C2023-02 Operation and Management of Deniliquin Regional Sports and Entertainment Centre**

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:

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

**15.2. Contract C2021-20 Transfer Station Waste Disposal**

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:

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

**15.3. Contract C2022-07 Road Reconstruction - Joint Council Sealed Roads - Package 1**

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:

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

**15.4. Contract C2022-08 Deniliquin Skate Park**

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:

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

**15.5. Contract C2023-03 Supply of Crushed Rock to Nominated Stockpiles**

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:

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

**CARRIED**

## ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

**15.1. CONTRACT C2023-02 OPERATION AND MANAGEMENT OF DENILQUIN REGIONAL SPORTS AND ENTERTAINMENT CENTRE**

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

**RESOLUTION 2023/0919/15.1**

That Council:

1. Accepts the tender submitted by Deniliquin Sports Park Incorporated for Contract C2023-02 Operation and Management of the Deniliquin Regional Sports and Entertainment Centre for a three-year period ending 30 September 2026 and for the tender price of \$85,000+GST for the 2023/24 financial year, and
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/08 Operation and Management of the Deniliquin Regional Sports and Entertainment Centre, and
3. Allocates an additional \$42,000 in the 2023/24 Operational Plan for management fees relating to the Operation and Management of the Deniliquin Regional Sports and Entertainment Centre.
4. Ensure contract requirements are met.

**CARRIED****15.2. CONTRACT C2021-20 TRANSFER STATION WASTE DISPOSAL**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Tarria Moore

**RESOLUTION 2023/0919/15.2**

That Council:

1. Accepts the tender submitted by Country Waste Services Pty Ltd for Contract C2021/20 – Transfer Station Waste Disposal for a period of three years at the schedule of rates for 2023/24 of:
  - (a) \$8.52/week + GST for each bin hire,
  - (b) \$2.78/km + GST for travel, and
  - (c) \$97.20/bin + GST for each bin pick up.
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2021/20 Transfer Station Waste Disposal.

**CARRIED**

**ORDINARY COUNCIL MEETING MINUTES****TUESDAY, 19 SEPTEMBER 2023**

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**15.3. CONTRACT C2022-07 ROAD RECONSTRUCTION - JOINT COUNCIL SEALED ROADS - PACKAGE 1**

Moved: Cr Tarria Moore

Seconded: Cr Marc Petersen

**RESOLUTION 2023/0919/15.3**

That Council:

1. Accepts the tender submitted by Bild Infrastructure Pty Ltd for Contract C2022/07 – Road Reconstruction - Joint Council Sealed Roads - Package 1 for the value of the schedule of rates tender of \$1,353,238 + GST,
2. Authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/07 Road Reconstruction - Joint Council Sealed Roads - Package 1, and
3. Delegate the Contract Superintendent authority to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site.

**CARRIED**

Chief Executive Officer left the Chambers at 12.41pm and returned at 12.43pm

**15.4. CONTRACT C2022-08 DENILQUIN SKATE PARK**

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

**RESOLUTION 2023/0919/15.4**

That Council:

1. Accepts the tender submitted by Independent Concrete Construction Pty Ltd for Contract C2022/08 - Deniliquin Skate Park for the lump sum of \$405,090 inclusive of GST,
2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/08 - Deniliquin Skate Park, and
3. Authorises the Contract Superintendent to approve variations on the contract up to a maximum value of 10% of the contract sum.

**CARRIED**

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 SEPTEMBER 2023

**15.5. CONTRACT C2023-03 SUPPLY OF CRUSHED ROCK TO NOMINATED STOCKPILES**

Moved: Deputy Mayor Cr Paul Fellows

Seconded: Cr Shannon Sampson

**RESOLUTION 2023/0919/15.5**

That Council:

1. Accepts the tenders submitted by Andrew Goldman Excavations Pty Ltd and EB Mawsons & Sons Pty Ltd for Contract C2023/03 for Supply of Crushed Rock to Nominated Stockpiles, and
2. Places all accepted tenders on a panel of contractors for the Supply of Crushed Rock to Nominated Stockpiles.

**CARRIED**

**15.6. RETURN TO OPEN COUNCIL**

Moved: Cr Linda Fawns

Seconded: Cr Marc Petersen

**16. CLOSE OF MEETING**

The meeting closed at 1.06pm

## **8. DISCLOSURES OF INTERESTS**

## **9. MAYORAL MINUTE(S)**

## **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 THE HEALTH SERVICES ADVISORY COMMITTEE MEETING - 25 SEPTEMBER 2023**

**Author: Executive Assistant to the Chief Executive Officer**

**Authoriser: Chief Executive Officer**

### **RECOMMENDATION**

That Council:

1. Receive the draft minutes of the Health Services Advisory Committee meeting held 25 September 2023
2. At its September meeting, the Committee resolved to recommend that Council:
  1. Dissolve the Health Services Advisory Committee, due to lack of suitable membership (in particular, consumers of health services), lack of a clear focus, dynamics of the group and continued operation of the Committee outside of its adopted Terms of Reference
  2. Supports, in principle, the 'One Good Street' project
  3. Continues to advocate for funding to extend the runway length to 1600m to cater for larger medical craft for emergency medical retrievals
  4. Facilitates a recruitment strategy for health care professionals, particularly doctors, in consultation with key stakeholders
  5. Reviews and updates its Doctors and Registered Nurses Attraction Policy to include all health professionals.

### **BACKGROUND**

The Health Services Advisory Committee (the Committee) is an advisory group established in accordance with Council's 'Strategic Review of the Committee Framework and Community Facility Management Model'.

The role of the Health Services Advisory Committee, in accordance with its adopted Terms of Reference, is to:

- To act in an advisory capacity to Council regarding health services;
- To aid the Council with the development of its advocacy strategy and action plan.
- Make recommendations to the Council regarding priority actions identified by the committee, in the form of formal recommendations.

The Committee is required to adhere to the adopted Code of Conduct.

## **ISSUE/DISCUSSION**

At its September meeting, the Committee considered:

1. Progress with its actions as committed in previous meetings. Of particular note was the Blue Tree Project, whereby the Committee noted the importance of publicly confirming its support for the project following inaccurate and misleading reporting on social media and in the community where the committee was named as being unsupportive. The Chair noted in the minutes that she had received a phone call from a distressed community member in response to this social media post.

## **STRATEGIC IMPLICATIONS**

### **COMMUNITY STRATEGIC PLAN**

The establishment of the Health Services Advisory Committee supports the achievement of the following strategy as articulated in the Community Strategic Plan:

3. Encouraging growth through partnerships

#### 3.4 Health

## **FINANCIAL IMPLICATIONS**

Support of Council committees requires staffing support, which is included in the salaries and wages adopted budget for 23-24.

## **LEGISLATIVE IMPLICATIONS**

Nil.

## **ATTACHMENTS**

1. Minutes of the Health Services Advisory Committee 25 September 2023

**Attachment 1 - Minutes for Health Services Advisory Committee 17\_30 PM - Monday 25  
September 2023(1)**



# **MINUTES**

## **Health Services Advisory Committee**

**Monday, 25 September 2023**

**Commencing at 5:30 PM**

**Council Chambers, Estates Building 180 Cressy  
Street, Deniliquin**



Health Services Advisory Committee  
Monday, 25 September 2023

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Health Services Advisory Committee  
Monday, 25 September 2023

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### 1. Meeting Open

The Chair opened the meeting at 5:41pm.

### 2. Attendance and Apologies

#### **Present**

Deb Stockton – Chair; Lourene Liebenberg; Dr Albert Liebenberg; Alison Thorne; Cr Shirlee Burge; Dr Marion McGee; Craig McColm

#### **Attending**

Mayor Cr Peta Betts (virtually); Phil Stone – Chief Executive Officer; Shelley Jones – Director Corporate Services

#### **Apologies**

Moved: Albert Liebenberg

Seconded: Alison Thorne

#### **RESOLUTION 2023/0925/2**

That the apology from Cr Fogarty be received.

**CARRIED**

#### **Resignation**

Moved: Dr Marion McGee

Seconded: Cr Burge

#### **RESOLUTION 2023/0925/2.1**

That the resignation of Sarah Campbell is received.

**CARRIED**

### 3. Acknowledgement of Country

The Chair delivered an Acknowledgement of Country.

### 4. Confirmation of Previous Minutes

#### 4.1. Minutes of the Previous Meeting held 29 May 2023

Moved: Craig McColm

Seconded: Lourene Liebenberg

#### **RESOLUTION 2023/0925/4.1**

That the minutes of the previous Health Services Advisory Committee meeting held 29 May 2023 be moved as a true and correct record.

**CARRIED**

Health Services Advisory Committee  
Monday, 25 September 2023

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## 5. Actions Arising

### 5.1. Actions from Previous Meetings

Moved: Deb Stockton

Seconded: Lourene Liebenberg

#### **RESOLUTION 2023/0925/5.1**

That the Committee note the progress of actions from previous meetings, with particular reference to The Blue Tree Project, where the Committee noted the importance of publicly confirming its support for the project following inaccurate and misleading reporting on social media and in the community whereby the committee was named as being unsupportive.

#### **CARRIED**

#### **Note to the Minutes - Blue Tree Project**

The Chair reported to the committee that she had received a distressing call from a community member who was responding to a social media post that claimed the Committee were unsupportive of the project. The Chair reminded the Committee of its obligations under Council's Code of Conduct.

## 6. Reports

The Chair called a recess at 6:39pm.

Cr Burge left the meeting at 6:41pm.

The Chair resumed the meeting at 6:47pm.

Health Services Advisory Committee  
Monday, 25 September 2023

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6.1. Report from the Chair - Future options for Health Services Advisory Committee

Moved: Deb Stockton

Seconded: Lourene Liebenberg

**RESOLUTION 2023/0925/6.1**

That the Health Services Advisory Committee recommend to council that the committee be dissolved.

**CARRIED UNANIMOUSLY**

6.2. One Good Street Project

Moved: Dr Marion McGee

Seconded: Dr Albert Liebenberg

**RESOLUTION 2023/0925/6.2**

That the Health Services Advisory Committee recommends Council support in principle the "One Good Street" project.

**CARRIED**

6.3. Runway Length at Airport Impacting on Emergency Medical Retrievals

Moved: Dr Marion McGee

Seconded: Dr Albert Liebenberg

**RESOLUTION 2023/0925/6.3**

That the Health Services Advisory Committee recommend to Council that they continue to advocate for funding to continue the airport upgrade works to extend the runway length to 1600m in order to cater for larger medical craft for emergency medical retrievals.

**CARRIED**

6.4. Recruitment Strategy for Health Care Professionals - Particularly Doctors

Moved: Dr Marion McGee

Seconded: Craig McColm

**RESOLUTION 2023/0925/6.4**

That the Health Services Advisory Committee:

1. Recommend that Council facilitate a recruitment strategy for health care professionals, particularly doctors in consultation with key health stakeholders.
2. Recommend that Council review and update its Doctors and Registered Nurses Attraction Policy to include all health professionals.

**CARRIED**

Health Services Advisory Committee  
Monday, 25 September 2023

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[6.5. Consideration of all other business](#)

Moved: Dr Marion McGee

Seconded: Craig McColm

**RESOLUTION 2023/0925/6.5**

That the Health Services Advisory Committee forfeit all other items in the agenda as unnecessary given the resolution to dissolve the committee at item 6.1.

**CARRIED**

[6.6. General Business](#)

Nil.

[6.7. Meeting Close](#)

The Chair closed the meeting at 7:47pm.

## 12. REPORTS TO COUNCIL

### 12.1. 2023-24 COMMUNITY GRANTS PROGRAM - RECOMMENDED FUNDING ALLOCATION

**Author: Manager Community & Economy**

**Authoriser: Director Corporate Services**

#### RECOMMENDATION

That Council allocate the full 2023-24 Community Grants program budget as follows:

1. Deniliquin Mental Health Awareness Group \$3,000
2. Deniliquin Community Gardens Inc. \$3,000
3. Outback Theatre for Young People \$2,000
4. Deniliquin South Public School P&C \$3,000
5. South West Music Conservatorium \$1,600
6. Rotary Club of Deniliquin \$3,000
7. Deniliquin Playgroup Inc. \$3,000
8. U3A Deniliquin \$2,999
9. Deniliquin Stadium Incorporated \$3,000

#### BACKGROUND

Edward River Council coordinates an annual Community Grants Program where not-for-profit community organisations, groups and associations are invited to apply for grants for projects, equipment, events or exhibitions which contribute positively to the Edward River community.

In previous years, grants were awarded up to \$5,000. Given the reduction in funding in the 2023-24 budget, the program was adjusted for grants to be awarded up to the value of \$3,000.

This year's program attracted 15 funding applications for a total of \$43,499.00. A summary of the previous programs is included below for reference. It is worth noting that despite the reduction in total amount of funding able to be applied for, council only received two less applications than the previous financial year funding round (15 applications in 2023-24 as opposed to 17 in 2022-23).

Program	Applications received	Total Amount Sought	Budget available
<b>2023-24 Community Grants</b>	15	\$43,499.00	\$25,000
<b>2022-23 Community Grants</b>	17	\$66,598.84	\$50,000
<b>2021-22 Community Grants</b>	25	\$94,962.00	\$50,000
<b>2020-21Community Grants</b>	30	\$116,041.80	\$45,000
<b>2019-20 Community Grants</b>	41	\$161,756.00	\$50,000

This year's program opened for applications on 18 July 2023 and closed on 29 August 2023, and was advertised in the Community News section of the Pastoral Times, Finley and Hay newspapers, Edge FM radio and on social media.

Applicants were provided the opportunity to seek guidance on their application in advance of submission. All applications were considered final upon submission. All unsuccessful applicants receive detailed feedback on their submission.

Each application in the 2023-24 grant round was individually assessed by a panel of two Council Officers and two Councillors using the following assessment criteria:

Criteria	Description	Weighting
Community Benefit	What social, economic or environmental benefit does the project provide to the community?	50%
Sustainability	Does the project require ongoing funding, and if so, how will it be funded?	10%
Innovation	Will the funding solve an issue in a new or unique way?	10%
Inclusivity	Has the applicant considered the needs of community members who suffer financial, social or physical disability?	10%
Partnership	Is the Applicant and/or another partner participating in or contributing to the project	20%

## ISSUE/DISCUSSION

Council received 15 applications valued at \$43,499.00 for the 2023-24 Community Grants program and full allocation of the 2023-24 budget allocated is recommended, being \$24,599.

This year's Assessment Panel comprised Councillors Moore and Petersen, Manager Community & Economic Development and the Coordinator Financial Services, who met on 6 September to assess and review the applications against the evaluation criteria in order to make a recommendation to council for funding.

Nine projects have been recommended for funding in the 2023-24 funding round as follows:

Applicant Name	Project Title/Description	Funds Requested	Funding Recommended by Panel	In Kind Contribution Recommendation by Panel	Officer Notes
Deniliquin Mental Health Awareness Group	Mental Health First Aid Course for 20 community members	\$3,000	\$3,000	Nil	
Deniliquin Community Gardens Inc.	Garden Shelter – Stage 2 Construction Phase	\$3,000	\$3,000	Nil	
Deniliquin Sporting Car Club	Solar Panel Installation	\$3,000	Nil	Nil	Incomplete application
Outback Theatre For Young People	Blighty School Mural	\$3,000	\$2,000	Nil	Recommend funding artist/mural cost, but not internal costs (i.e. project management)
Deniliquin Little Athletics	Deniliquin Little Athletics Carnival	\$2,000	Nil	Ground preparation ahead of carnival	Recurring activity – not eligible for funding. (In kind support funded)
Deniliquin South Public School P&C	Obstacle course Stage 3	\$3,000	\$3,000	Nil	
South West Music Conservatorium	Children's Concert	\$3,000	\$1,600	Nil	Recommend funding artist fee, but not internal costs (i.e. venue hire and sound production)
Rotary Club of Deniliquin	Community Food Pantry by Salvation Army –	\$3,000	\$3,000	Nil	



Applicant Name	Project Title/Description	Funds Requested	Funding Recommended by Panel	In Kind Contribution Recommendation by Panel	Officer Notes
	Commercial Refrigeration				
Edward River Art Society	Preloved Art Exhibition fundraising Event for Navorina / Motor Neurone Disease	\$3,000	Nil	Nil	Incomplete application
Navorina Nursing Home Auxiliary	New Outdoor Furniture Set	\$3,000	Nil	Nil	Incomplete application
Deniliquin Playgroup Inc.	Purchase of new resources for Playgroup	\$3,000	\$3,000	Nil	
Murray River Police District	Primary Aged Student Disco	\$3,000	Nil	Nil	Incomplete application
U3A Deniliquin Inc.	Be Self Sufficient & Artistic Workshops	\$2,999	\$2,999	Nil	
Deniliquin Stadium Incorporated	Table Tennis Playing Flooring for new club	\$3,000	\$3,000	Nil	
Deniliquin Genealogy Society	Purchase of new computer and research equipment	\$3,000	Nil	Nil	Incomplete application

## STRATEGIC IMPLICATIONS

Council's Community Grants program is consistent with the strategic intent to develop community capacity among the communities of Edward River Council. The grants program focuses on supporting community organisations to provide programs and projects that respond to local needs and make a positive contribution to achieving community development outcomes.

**COMMUNITY STRATEGIC PLAN**

The delivery of the Community Grants program assists in achieving the following objectives of the Community Strategic Plan:

- 2. An open and connected community
- 2.3 Cultural and personal links
- 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**

The facilitation of the program has resourcing impacts on staff which are funded through the existing 2023-24 operational plan and budget. \$25,000 has been allocated for the 2023-24 Community Grants Program in Council's 2023-24 operational budget.

**LEGISLATIVE IMPLICATIONS**

Funding agreements will be signed by both parties clearly outlining the obligations of both Council and the grant recipient.

Each grant recipient must ensure their project is compliant with any legislative requirements.

This year's funding deed has been amended to include a clause that allows for Council to waive reparation for defaults in extenuating circumstances.

**ATTACHMENTS**

2023-24 Community Grant Program Funding Guidelines



**Edward  
River**  
COUNCIL

# **Community Grants Program**

**2023/24**

**Funding Guidelines**

## **Customer Service Centre**

180 Cressy Street (PO Box 270)  
Deniliquin NSW 2710  
[www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au)



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## 1 Introduction

Edward River Council's Community Grants Program provides grants up to \$3,000 to not-for-profit community organisations, groups and associations for projects, equipment, events, exhibitions, or performances which contribute positively to the Edward River community cultural needs and aspirations.

Applications for Council's Community Grants Program close **5.00pm on Tuesday, 29 August 2023**.

Before submitting an application for funding, applicants should read this Application Guide, which provides an overview of Council's Community Grants Program, as well as Edward River Council's Grants Policy and Grants Framework, both of which can be accessed from Council's website at [www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au) or from Council's Customer Service Centre at 180 Cressy Street, Deniliquin.

## 2 Objectives

The Community Grants Program aims to:

- Foster support across a range of pursuits and interest areas including health and welfare, education, arts and culture, sports and recreation, youth, ageing, environment and access and equity; and
- Assist Council to deliver identified objectives, priorities and strategies that align with the Community Strategic Plan.
- Be responsive to emerging themes, issues, and trends
- Support not-for-profit community groups to provide a range of opportunities for residents;
- Provide equitable opportunity for the community to seek funding assistance from council;
- Strengthen communities with local responses to identified community needs;
- Facilitate support for initiatives that strengthen the community through opportunities for participation, development, inclusion, and sustainability;

## 3 Funding Eligibility

Applicants seeking funding through the Community Grants Program must meet the following eligibility criteria:

- Be submitted by not-for-profit community organisations, groups, and associations;
- Provide direct benefits to the residents of the Edward River Local Government Area (LGA);
- Be able to demonstrate financial viability;
- Have adequate public liability insurance and appropriate health and safety policies in accordance with the funding agreement;
- Be able to demonstrate a contribution in the form of funds, services, or in-kind support;
- Be based in the Edward River LGA or have significant benefit for Edward River LGA residents;
- Be able to plan effectively and be well organised;



- Have no outstanding grant acquittals or outstanding debts owing to council;
- Be submitted by the due date. Only one application can be submitted per funding round.

Applicants must:

- Apply on the appropriate application form,
- Demonstrate how funds will be used for the purpose of exercising Council's functions,
- Meet all specific eligibility requirements and criteria in the Grants Policy and Grants Framework,
- Sign and comply with the Funding Agreement accepting the conditions of funding, and
- Provide any required acquittals to Council for grant funding received, by the specified date.

Funding assistance **will not** be considered for the following:

- A group who has failed to acquit a previous community grant for a funded project by the due date;
- Applications for retrospective funding;
- Recurrent costs, salaries, and on-costs;
- Insurance, such as (but not limited to) Public Liability insurance;
- Social excursions, e.g. bus trips or picnics;
- Applicants applying to another Council funding stream for a grant for the same activity;
- Late or incomplete applications;
- Production of newsletters;
- Activities that duplicate existing services;
- Individuals and parties for political purposes;
- Commercially (profit) based groups/organisations;
- Academic research, coursework or fee, or projects seeking financial support for research, studio work or activities that will be submitted for academic assessment;
- Projects that demonstrate a significant budget surplus; and
- Repayment of debt.

#### 4 Funding Principles

As detailed in Council's Grants Framework, priority will be given to applications that respond to identified community needs and align with the vision, objectives, priorities and strategies as expressed in the Community Strategic Plan.

The Community Grants Program will prioritise support where:

- Applicants must be based in the Edward River Local Government Area (LGA) or the project must provide significant benefits for the residents of the Edward River LGA;
- The applicant is not already in receipt of substantial funding/in-kind support from Council;
- The proposed activity or project is innovative or unique for the Edward River LGA;
- The proposed activity incorporates collaboration/partnerships with other groups;



- The proposed activity maximises community benefit;
- The proposed activity or project meets any identified Council priorities; and
- The proposed activity demonstrates sustainability; and
- The proposed activity enables access and inclusion in accordance with Council's Disability Inclusion Action Plan.

## 5 Application Assessment

As detailed in Council's Grants Framework, all applications received for Council's Community Grants Program will be assessed against the following criteria:

Criterion	Description	Weighting
Community Benefit	There is a clearly identified and demonstrated local need for the project. The project addresses the social, economic, or environmental needs of residents in the Edward River area.	50%
Partnership	The applicant and/or another partner is participating in or contributing to the project (e.g. financial or in-kind support, letters of support, multiple project partners).	20%
Innovation	The project will solve an issue in a new or unique way. There are no similar projects or programs occurring within the Edward River LGA.	10%
Inclusivity	The applicant has considered the needs of community members who experience financial, social, or physical disability.	10%
Sustainability	The project benefits will be ongoing after the grant has been expended. No ongoing funding will be required from Edward River Council.	10%

## 6 Terms and Conditions

Organisations that are successful in obtaining funding through Council's Community Grants Program will be required to enter into a Funding Agreement with Council, which will outline the conditions under which the grant will be made available.

Council may make funding conditional and subject to specific conditions being met, including:

- Funds must be used for the purpose for which the assistance was granted, unless written permission for a variation has been obtained from Council prior to the activities being undertaken.
- You as project manager must obtain all appropriate permits, approvals, and insurance relating to the project.
- The assistance of Edward River Council must be acknowledged in all event related promotions. Council's logo must appear on all promotional material. Artwork



featuring Council's logo must also be approved by Council's Governance and Communications Officer.

- Any events or functions celebrating the launch or implementation of the funding outcomes or project will need to involve Councillors or their representatives.
- A final report to Council post-event, including an event budget summary, must be produced for your project.

Failure to abide with the terms of conditions of the Funding Agreement will render an organisation ineligible for future funding.

## 7 Submission

Applications must be submitted on the approved form, which can be accessed on Council's website at [www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au).

Completed applications must be addressed to the Manager Community and Economic Development and submitted to Council by **5.00pm on Tuesday, 29 August 2023** by:

- Email: [council@edwardriver.nsw.gov.au](mailto:council@edwardriver.nsw.gov.au)
- Post: PO Box 270, Deniliquin NSW 2710

## 8 Enquiries

For further information regarding Council's Community Grants Program or for assistance in completing and submitting your application, contact Council's Community and Economic Development team on (03) 5898 3000 or via email at [council@edwardriver.nsw.gov.au](mailto:council@edwardriver.nsw.gov.au).

## 9 Application Form

All applications must be completed using the approved Application Form. When completing the Application Form, please print clearly using BLOCK LETTERS in black pen and tick the appropriate boxes.

Applicants must complete all four parts of the Application Form:

- Part A: Applicant Details
- Part B: Project Details
- Part C: Project Budget
- Part D: Checklist and Certification



## **12.2. LOCAL HERITAGE FUND APPLICATIONS ROUND 2, 2023/24**

**Author:** Manager Development Services

**Authoriser:** Director Infrastructure

### **RECOMMENDATION**

That Council funds the following projects as part of the Local Heritage Fund 2023-2024:

1. 267 Harfleur St, Local Heritage Fund contribution \$2500, and
2. 112 End St, Local Heritage Fund contribution \$7500.

### **BACKGROUND**

The Local Heritage Fund (LHF) has been established by Council with the assistance of Heritage NSW - Community Heritage (Small Heritage Grants) Program. The aim of the program is to encourage positive work on heritage throughout the local government area, with funding being directed towards Heritage listed items buildings within the Heritage Conservation area and for buildings supported by the Heritage advisor as being of heritage significance.

As reported to Council on 15 August 2023 the first round of funding under LHF 2023/24, received two (2) applications and both applications were successful in receiving funding.

It was subsequently determined to invite applications for a second round of funding under the Local Heritage Fund. The Round 2 Fund was advertised in the local paper and on Council's website and closed on the 27 September 2023. Two (2) applications were received. Applicants must meet the criteria for funding as set out by Heritage NSW and projects must be completed by 30 April 2024 to receive funding.

The applications were assessed by Council's Heritage Advisor. The applications were assessed for eligibility against the NSW Heritage Local Heritage Fund criteria and recommendations for funding were made as detailed in the recommendations above.

Details of the applications and assessments made are provided in Attachments 1 and 2.

### **ISSUE/DISCUSSION**

Heritage NSW provides funding through the Local Government Heritage Grants Program to support projects that identify, conserve and promote heritage in the Council area.

Generally, applications are invited on an annual basis only, however, the 2 year funded program (2023-25) offered greater flexibility in funding allocation, and it was therefore possible to offer a second round of funding for the 2023/24 period.

.

### **STRATEGIC IMPLICATIONS**

Supporting and conserving public and privately owned Heritage within the ERC local government area is in line with Council's strategic plan.

### **COMMUNITY STRATEGIC PLAN**

1. Shaping the Future:
  - 1.2 Quality built environment,
  - 1.3 Enhanced Active and Passive Open Spaces,
2. An open and connected community:

2.3 Cultural and personal links,

4. Delivering community assets and services:

4.1 Vibrant villages and towns.

### **FINANCIAL IMPLICATIONS**

Funding has been received from Heritage NSW under the Local Government Heritage Grants Fund. Council has allocated funding in the 2023/24 budget for Local Heritage management to support the Local Heritage Fund.

### **LEGISLATIVE IMPLICATIONS**

Council has an obligation under the Environmental Planning and Assessment Act and the Local Environmental Plans to conserve and enhance local and state heritage items.

### **ATTACHMENTS**

Attachment 1 - Summary & Assessments - Local Heritage Grant Applications 2023-24

Attachment 2 - Report - Local Heritage Fund Application 2023-24

**EDWARD RIVER COUNCIL**  
**REPORT**

To: Edward River Council 29 Sept 2023  
By: Noel Thomson – Heritage Advisor  
Subject: Local Heritage Fund Applications 2023-2024

**LOCAL HERITAGE FUND APPLICATIONS 2023-2024 - Round 2**

Funding is available from Edward River Council for 'listed' heritage items and buildings within the Conservation Areas as per Edward River Council Local Environmental Plan, or a building supported by Council's heritage advisor as being of heritage significance. Further to receipt of Round 2 Applications to Edward River Council Local Heritage Fund for 2023-24 and on review of the two applications received, the following comments/recommendations are provided;

2023-24/03 External painting to residence, 267 Harfleur St, Deniliquin

Application submitted by Owner is for the 'restoration' and external painting to this mid 20<sup>th</sup> century timber residence that is located outside Deniliquin Heritage Conservation Area, however is significant due to its original form, condition and appearance and painting in new colour scheme meets the criteria of the heritage fund.

Recommendation is for the external painting to this residence be undertaken to heritage advisor requirements, with funding of \$2,500 acceptable for this heritage project.

2023-24/04 External painting to mainstreet building, 112 End St, Deniliquin

Submission by Owner is for the external painting (after completing repairs to the façade) of important mainstreet heritage listed (I20) "Burchfields Garage" with NT noting the works suit the criteria of the fund.

Recommendation for the repainting of the historic front facade to the mainstreet building be undertaken as per heritage advisor requirements, with funding of \$7,500 acceptable for this important heritage project. NT notes that approval as per LEP Clause 5.10 (3) will be required to satisfy Council requirements.

Note: Refer attached Summary and Assessment Forms for further information

Trusting the foregoing advice is of assistance at this time.



NOEL THOMSON FRAIA  
EDWARD RIVER COUNCIL HERITAGE ADVISOR

## Attachment 2 - Summary & Assessment LHF



### Local Heritage Grant Applications – 2023/2024 (available funds = \$10,000) – **ROUND 2**

	Assess No.	Property Address	Applicant	Conservation Works	A heritage item or an item included in a heritage conservation area	Total \$ Estimate Value of Project	\$ Amount Sought	Recommended \$ Grant	Applicant contribution \$	DA / Approval Required Yes / No
1.	1549	267 Harfleur Street, Deniliquin		External painting to residence	No	\$7,350	\$3,625	\$2,500	\$4,850	No
2.	1088	112 End Street, Deniliquin		External painting to mainstreet building	Deniliquin LEP 2013 Heritage item (I20) "Burchfields Garage"	* \$20,000	\$10,000	\$7,500	\$12,500	Yes - Minor Works LEP 5.10 (3)
						* Estimate as NO quote received				
<b>Totals</b>						<b>\$27,350</b>	<b>\$13,625</b>	<b>\$10,000</b>	<b>\$17,350</b>	

Local Heritage Grant Applications – 2023/2024 (available funds = \$10,000.00) – **ROUND 2**

Assess No.	Property Address	Applicant	Conservation Works	A heritage item or an item included in a heritage conservation area	Total \$ Estimate Value of Project	\$ Amount Sought	Recommended \$ Grant	DA Required Yes / No
1. <b>RANKING 2</b>	267 Harfleur Street, Deniliquin		External Painting	<del>Deniliquin LEP 2013</del> <b>45</b>	\$8,250.00	\$4,125.00	<b>\$ 2,500</b>	<b>NO</b>
2. <b>1</b>	112 End Street, Deniliquin		External Painting	Deniliquin LEP 2013 <b>Heritage Item (120)</b>	<b>\$20,000</b>	\$10,000.00	<b>\$ 7,500</b>	<b>NO</b>
Totals					<b>\$28,250</b>	<b>\$14,125</b>	<b>\$ 10,000</b>	

EDWARD RIVER COUNCIL  
LOCAL HERITAGE FUND  
ASSESSMENT FORM 2023-2024

Project Name <b>EXTERNAL PAINTING OF RESIDENCE 267 HARFLEUR ST, DENILIQUIN</b>		Project No. <b>2023-24/03</b>	
My Project is for	Assess the heritage listing for the proposed project application	Score 100	Assessor Specialist Comments
	SHR Heritage listed item/s	35	
	LEP Heritage listed item/s	12	-
	Item/s in Heritage Conservation Area	10	-
	Significant item	8	-
		5	5
Sub Total			5
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25	
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance--	12	-
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance-- a) Repair of original features and/or b) Painting in period colour and styles	8	-
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5	5
Sub Total			5
Common Selection Criteria	Assess the project against ALL of these criteria	20	
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6	4
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5	4



Project Name	Score	Assessor	Specialist	Comments		
Innovation & Leadership	5		3			
Capacity & Commitment	2		2			
	2		2			
	Sub Total		15			
<b>Project</b>	<b>20</b>					
Assess the quality and completeness of the project application						
Project scope	5		5	Quote 1 Quote 2		
Project costings	5		5	\$7350 \$8250		
Photos	5		5			
Greater than \$ for \$ contribution	5		5			
	Sub Total		20			
	TOTAL		45	ADJUSTED TOTAL		
<b>Funding</b>						
Access the funding requested						
Total Project cost	\$	\$7,350				
Requested amount	\$	\$3,675				
Applicant contribution	\$	\$3,675				
Recommended amount	\$	\$2,750				
<b>Assessors summary comments</b> THIS IS A MID 20th CENTURY WEATHERBOARD HOUSE ON A CORNER BLOCK THAT SHOWS CHARACTERISTICS OF THE ERA, IS IN ORIGINAL FORM AND IS IN NEED OF PAINTING, WHICH SUITS CRITERIA FOR LHF GRANT.						
<b>Name</b>	<b>NOEL THOMSON ERL HERITAGE ASSessor</b>		<b>Date</b>	29 SEPT 2023		
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)						
TO CONFIRM THE PAINT COLOUR SCHEME PRIOR TO COMMENCING WORKS ON SITE						

EDWARD RIVER COUNCIL  
LOCAL HERITAGE FUND  
ASSESSMENT FORM 2023-2024

Project Name		Project No.	
112 END ST, DEMILQUIN		2023-24 / 04	
Assess the heritage listing for the proposed project application		Score 100	Assessor
My Project is for		35	
	SHR Heritage listed item/s	12	-
	LEP Heritage listed item/s	10	10
	Item/s in Heritage Conservation Area	8	-
	Significant item	5	5
		Sub Total	15
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25	
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance--	12	12
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance-- a) Repair of original features and/or b) Painting in period colour and styles	8	-
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5	-
		Sub Total	12
Common Selection Criteria	Assess the project against ALL of these criteria	20	
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6	5
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5	5



Project Name	Score	Assessor	Specialist	Comments
Innovation & Leadership	5		5	
Capacity & Commitment	2		2	
	2		2	
	Sub Total		19	
Project	20			
Assess the quality and completeness of the project application				
Project scope	5		5	
Project costings	5		1	NO QUOTES
Photos	5		5	
Greater than \$ for \$ contribution	5		5	
	Sub Total		15	
	TOTAL			ADJUSTED TOTAL

Funding	Access the funding requested	\$	\$ 20,000*	Estimate as No quotes received
Total Project cost		\$	\$ 10,000	
Requested amount		\$	\$ 10,000	
Applicant contribution		\$	\$ 7,500	
Recommended amount		\$		

Assessors summary comments  
 THIS IS AN IMPORTANT FORMER GARAGE THAT IS HERITAGE LISTED IN THE 'MAIN STREET' AND HAS PREVIOUSLY RECEIVED LHF GRANT FOR THE FACADE RESTORATION AND EXTERNAL PAINTING WILL COMPLETE THE FACADE WORKS AND IS APPROPRIATE FOR LHF FUNDING

Name	NOEL THOMSON EPC HERITAGE ADVISOR	Date	29 SEPT 2023
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)			

MINOR WORKS APPLICATION FOR THE EXTERNAL PAINTING TO THE HERITAGE ITEM AS PER LEP CLAUSE 5.10(3) PRIOR TO COMMENCING ON SITE.

## **12.3. SOUTHERN RIVERINA COUNTRY UNIVERSITIES CENTRE**

**Author: Chief Executive Officer**

**Authoriser: Chief Executive Officer**

### **RECOMMENDATION**

That Council:

1. That Council continue to support the development of the Southern Riverina Country Universities Centre (CUC) and endorse the work undertaken by the Steering Committee to apply for the Regional University Study Hubs grant on behalf of four Local Government Areas, Edward River, Hay Shire, Berrigan Shire and Murray River Councils.
2. Acknowledge the development of the CUC Southern Riverina Board which will provide the overarching governance structure for the project.
3. Endorse the CEO to approach members of the community to be on the Board for the CUC Southern Riverina.
4. Nominate Cr \_\_\_\_\_ to apply for a position on the Board to represent the Edward River Council.

### **BACKGROUND**

This report updates Council on the progress of the Steering Committee in working on the Country Universities Centres (CUC) Southern Riverina proposal and seeks Council support for the Steering Committee to submit a grant application to the Regional University Study Hubs grant round 1.

At its ordinary council meeting in February 2022, council resolved the following:

That Council:

1. Writes to the Minister for Skills and Training, The Hon. Alister Henskens, MP, MLA, indicating strong support from Edward River Council for the creation of a Country Universities Centre in Deniliquin to improve local tertiary education opportunities for the Edward River region and surrounds.
2. Indicates in the letter of support that increased tertiary education opportunities for the Edward River Region are a key priority for the community
3. Provides copies of the letter of support to the following NSW parliamentarians:
  - a. The Hon. Sarah Mitchell, MLC, Minister for Education and Early Learning,
  - b. The Hon. Paul Toole, MP, MLA, Deputy Premier and Minister for Regional New South Wales
  - c. Mr Justin Clancy, MP, MLA, Member for Albury
  - d. The Hon. Stephanie Cooke, MP, MLA, Minister for Emergency Services and Resilience
  - e. Mrs Helen Dalton, MP, MLA, Member for Murray
  - f. The Hon Sussan Ley, Member for Farrar, Minister for the Environment, and
  - g. Senator Perin Davey, Senator for NSW, Nationals Whip in the Senate
4. Issues a press statement encapsulating the letter of support.
5. Write to other local community groups and peak bodies seeking additional letters of support for the potential Country Universities Centre

Since this resolution, Council staff have undertaken surveys and garnered strong community and business support for a CUC locally and a steering committee has been established to give effect to a business case for regional clustered Riverina CUC across four municipalities - Edward River (Deniliquin), Berrigan (Finley), Hay(Hay) and Murray River (Moama). The steering committee, chaired by eminent Deniliquin businessman, Mr Bruce Simpson, FAICD, consists of a representative group from all four local government areas to develop a business case for the CUC. The steering committee envisaged that it would establish a single board to govern the CUC if the proposed model is successfully funded.

Recently An opportunity has presented itself to apply to the Federal Government's [Regional University Study Hubs – 2023 Application Round](#) program. Program objectives are to:

- Enable students in rural, regional and remote Australia to access and complete higher education without having to leave their community.
- Meet a demonstrated gap in support for study in a regional, rural or remote community.
- Support students who wish to stay in their community while they complete their course of study.
- Enhance the experience of students studying within their own community.
- Encourage strong links between the hubs and other organisations in the area, including other support services that students may access and industry.
- Complement, rather than replace, existing and planned university investments and activities in regional areas, such as satellite campuses and study centres.

Each hub reflects the community it serves and is established with consideration of the:

- geographic location of the study hub in relation to the community,
- population size, demographic and cultural needs of the local community,
- local industry and businesses in the area and the skills they need and
- location of local TAFE and VET providers

The Steering Committee have been unified on ensuring the funding application must include all four sites (Finley, Deniliquin, Hay and Moama), rather than allow for competition amongst the four sites, which would undermine the process to date.

As part of the application process, CUC Central will establish a skills based, not for profit Board. The skills required of Board members are included at Attachment 1.

A draft constitution is also being prepared based on previous established bodies corporate under which 17 other CUCs currently operate. The draft constitution is included at Attachment 2.

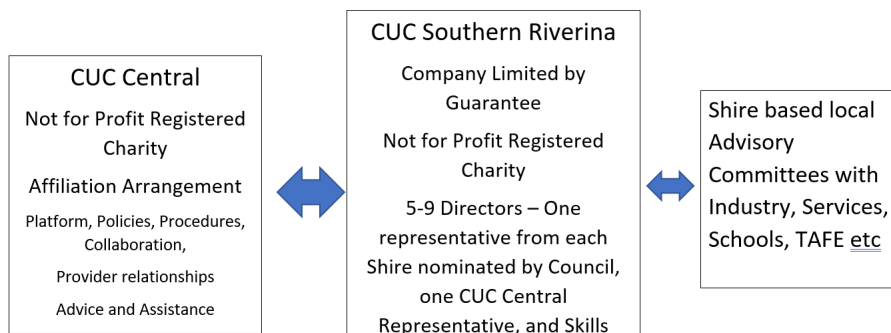
The proposed governance structure of the CUC Southern Riverina is set out below.

- Like the 17 other CUCs, the CUC Southern Riverina will be established as a company limited by guarantee and registered as a charity with the Australian Charities and Not for Profits Commission and the ATO. CUC Central will arrange for the incorporation and registrations upon notification of success in the Commonwealth funding round.
- It will therefore be important we have Directors selected prior to submission of the application.
- Also to be established, though after the establishment of the Board, will be the local Advisory Committee. It is envisaged one for each LGA will be required, with a Board

member from each LGA chairing the Advisory Committee. The Advisory Committees in this way will ensure local representation is possible directly to the Board.

- No positions on either the Board or the Advisory Committee will be paid roles.

#### Governance Model for CUC Southern Riverina



The CUC Southern Riverina Ltd entity establishes and operates the Centre. It will employ the local staff under a Centre Manager that will operate the Centre, and the Centre Manager reports to the CUC Southern Riverina Board which is responsible for the Centre's governance and strategy. CUC Southern Riverina will have an Affiliation Agreement with CUC Central under which CUC Central provides supports as it does to all the other CUC Centres, which are all similarly locally governed and operated.

## ISSUE/DISCUSSION

Recently An opportunity has presented itself to apply to the Federal Government's [Regional University Study Hubs – 2023 Application Round](#) program. Program objectives are to:

- Enable students in rural, regional and remote Australia to access and complete higher education without having to leave their community.
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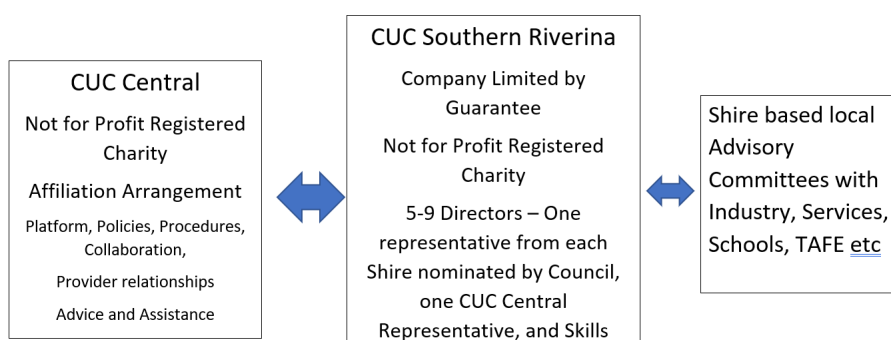
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- No positions on either the Board or the Advisory Committee will be paid roles.

#### Governance Model for CUC Southern Riverina



The CUC Southern Riverina Ltd entity establishes and operates the Centre. It will employ the local staff under a Centre Manager that will operate the Centre, and the Centre Manager reports to the CUC Southern Riverina Board which is responsible for the Centre's governance and strategy. CUC Southern Riverina will have an Affiliation Agreement with CUC Central under which CUC Central provides supports as it does to all the other CUC Centres, which are all similarly locally governed and operated. At the time of writing this report, a Business Case is still in draft and being finalised by the Country Universities Centre team as the lead body. The funding has been made available as a direct result of the Australian Universities Accord Panel interim report.

At the last Steering Committee meeting, all LGAs were represented and agreed to engage Katrina Tehan to assist with writing the grant application. Each Council will provide a quarter of the cost for Katrina to undertake this work. It is estimated this will probably cost each Council about \$1,500, though more definitive pricing should be available at the meeting.

The Business Case will be provided to Council for information as soon as it is finalised.

Given all LGAs have been able to identify existing buildings, the capital expenditure for the project should be minimal and will form part of the funding application in total. The funding application is intended to fund the project from establishment through to its operational costs through to 2027, by which time it is expected the group will be well established in their communities.

Those projects successful in this round are expected to be opened in the 2024-2025 financial year.

**STRATEGIC IMPLICATIONS**

Councils support for a Country Universities Centre, if successful, will provide a step change in tertiary study options in the local region, supporting Council's strategic growth agenda.

**COMMUNITY STRATEGIC PLAN**

This report provides support to the following community strategic plan items:

3. Encouraging growth through partnerships

3.1 Education

3.2 Economic development

**FINANCIAL IMPLICATIONS**

Aside from staff time, the grant application will cost Council approximately \$1500.

**LEGISLATIVE IMPLICATIONS**

There are no legislative implications to this report.

**ATTACHMENTS**

1. Country Universities Board Skills Matrix
2. Country Universities Centre Southern Riverina draft Constitution

**Attachment 1 - Board skills matrix**



## **Country Universities Centre Southern Riverina**

### **Board Skills Matrix Tool**

Country Universities Centre Southern Riverina  
Board Skills Matrix Tool  
Date: 6 October 2023



Industry, knowledge / experience	Director #	Director #	Director #	Director #	Director #	Director #	Director #
Knowledge of education sector							
Knowledge of higher education public policy direction							
Knowledge of, or experience working with, the local community							
Experience working with government, Commonwealth, State, Local							
Technical skills / experience							
Accounting / Finance							
Law							
Marketing							
Information Technology							
Human Resource Management							
Senior Management							
Strategy development / implementation							
WHS							
Corporate governance							

Country Universities Centre Southern Riverina  
Board Skills Matrix Tool  
Date: 6 October 2023

Auditing / compliance							
Risk management							
Policy development							
Relevant Qualifications or other experience							

## **Attachment 2 - DRAFT Constitution - CUC Southern Riverina Ltd**

### **DRAFT Constitution**

#### **CUC Southern Riverina Ltd**

ACN **XXX XXX XXX**

**A Public Company Limited by Guarantee**

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## 1 Definitions and interpretation

### 1.1 Definitions

In this Constitution, unless a contrary intention appears:

**ACNC Act** means the *Australian Charities and Not-for-profits Commission Act 2012* (Cth).

**Alternate Director** means an individual appointed as an alternate director under clause 23.1.

**Annual General Meeting** has the same meaning as the term 'AGM' in the Corporations Act.

**ASIC** means the Australian Securities and Investments Commission.

**Company** means CUC Southern Riverina Ltd being an Australian public company limited by guarantee established under the Corporations Act which bears the ACN XXX XXX XXX.

**Constitution** means this constitution as amended from time to time.

**Corporations Act** means the *Corporations Act 2001* (Cth).

**Director** means an individual holding office as director of the Company.

**Director Identification Number** has the same meaning it has in the Corporations Act.<sup>1</sup>

**Directors** means some or all of the Directors acting as a board.

**General Meeting** means a meeting of the Members of the Company and includes an Annual General Meeting.

**Insolvency Event** occurs where:

- (a) an order is made or a resolution is passed by creditors for the winding up, dissolution or external administration of the Member;
- (b) the Member enters into any arrangement, compromise or composition with or assignment for the benefit of its creditors or any class of them; or
- (c) a controller, receiver, receiver and manager, official manager or other external administrator is appointed to the Member.

**Legal Capacity** means, in relation to an individual, that the individual is at least 18 years of age, and that:

- (a) in the Directors' reasonable assessment, the individual is capable of understanding the nature and effect of their participation in the Company's affairs without the need of special assistance or explanation;
- (b) in the Directors' reasonable assessment, the individual is able to receive and understand communications and express their will in relation to the Company's affairs; or

<sup>1</sup> At the time of registration of this Company, section 9 provides that a Director Identification Number means a director identification number given under:

- (a) section 1272; or
- (b) section 308-5 of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth).



- (c) their person or estate is not liable to be dealt with under the laws relating to mental health:
  - (i) on a permanent or ongoing basis;
  - (ii) in an involuntary manner; or
  - (iii) on a court ordered basis.

**Member** means a person entered on the Register of the Company as a member.

**Object** means the object of the Company as set out in clause 2.

**Region** means the Local Government Areas of Berrigan, Edward River, Hay and Murray River.

**Register** means the register of members under the Corporations Act and if appropriate includes a branch register.

**Registered Office** means the registered office for the time being of the Company.

**Related Body Corporate** has the same meaning it has in the Corporations Act.

**Representative** means an individual appointed to represent a corporate Member at a General Meeting in accordance with the Corporations Act.

**Rule** means a rule made by the Directors in accordance with clause 17.

**Schedule** means a Schedule to this Constitution.

**Secretary** means an individual appointed as a secretary of the Company in accordance with clause 18.2.

**Special Resolution** has the same meaning it has in the Corporations Act.<sup>2</sup>

**Tax Act** means the *Income Tax Assessment Act 1997* (Cth).

**Virtual Meeting Technology** has the same meaning it has in the Corporations Act.<sup>3</sup>

## 1.2 Interpretation

In this Constitution, unless a contrary intention appears:

- (a) words importing any gender include all other genders;
- (b) the singular includes the plural and vice versa;
- (c) a reference to a clause is a reference to a clause in this Constitution unless otherwise stated;
- (d) a reference to a law includes regulations and instruments made under the law;

<sup>2</sup> At the time of registration of this Company, section 9 provides that a Special Resolution is a resolution:

- (a) of which notice has been given to the Members in accordance with clause 8.3; and
- (b) that has been passed by at least 75% of the votes cast by Members entitled to vote on the resolution.

<sup>3</sup> At the time of registration of this Company, section 9 provides that Virtual Meeting Technology means any technology that allows a person to participate in a meeting without being physically present at the meeting.



- (e) a reference to a law or a provision of a law includes amendments, re-enactments or replacements of that law or the provision, whether by a state, a territory, the Commonwealth of Australia or otherwise;
- (f) a reference to a meeting includes a meeting by technology provided the technology gives the persons entitled to attend the meeting, as a whole, reasonable opportunity to participate without being physically present in the same place, and includes a General Meeting:
  - (i) at one or more physical venues;
  - (ii) at one or more physical venues and using Virtual Meeting Technology; or
  - (iii) using Virtual Meeting Technology only;
- (g) a reference to a person being present in person includes an individual participating in a meeting as described in clause 1.2(f);
- (h) a reference to a person being present includes an individual participating in a meeting in person or through a proxy, attorney or Representative;
- (i) a reference to a "place" includes the place or location where a General Meeting may be held, is held or is taken to be held under the Corporations Act if Virtual Meeting Technology is used in holding the meeting;
- (j) a reference to a person includes a natural person, corporation or other body corporate;
- (k) "writing" and "written" includes printing, typing and other modes of reproducing words in a visible form including, without limitation, any representation of words in a physical document or in an electronic communication or form or otherwise; and
- (l) Australian dollars, dollars, A\$ or \$ is a reference to the lawful currency of Australia.

### 1.3 Signing and electronic communication

Where, by a provision of this Constitution, a document including a notice is required to be signed or communicated, that requirement may be satisfied in any manner permitted by the applicable law of a state, a territory, or the Commonwealth of Australia relating to electronic signing and transmission of documents.

### 1.4 Corporations Act

- (a) In this Constitution unless the contrary intention appears:
  - (i) expressions in this Constitution that deal with a matter dealt with by a particular provision of the Corporations Act have the same meaning as they have in the Corporations Act;
  - (ii) "section" means a section of the Corporations Act; and
  - (iii) while the Company is a registered charity under the ACNC Act:
    - (A) subject to clause 1.4(a)(iii)(B), the provisions of the Corporations Act in Part 2G.2 and Part 2G.3 apply as if section 111L(1) of the Corporations Act was not enacted; and
    - (B) if one of those provisions includes a reference to ASIC, including a reference to lodge any document with, or seek consent or approval from ASIC, that particular requirement does not apply to the Company.





- (b) The provisions of the Corporations Act that apply as replaceable rules are displaced by this Constitution and accordingly do not apply to the Company.

### 1.5 Headings

Headings are inserted for convenience and are not to affect the interpretation of this Constitution.

## 2 Object of the Company

The Object of the Company is to pursue the following charitable purposes:

- (a) to advance education by facilitating, delivering, promoting and providing access to university and higher education, including but not limited to:
  - (i) serving as the primary point of contact for the delivery of university education and higher education in the Region;
  - (ii) facilitating and promoting education and career pathways between schools, vocational education and training providers, universities, higher education providers and industry;
  - (iii) coordinating and supporting research and partnerships, especially those which assist in the sustainable development of the Region; and
  - (iv) promoting and assisting lifelong learning and raising (Regional) community aspirations;
- (b) to act as trustee and to perform and discharge the duties and functions incidental thereto where this is incidental or conducive to the attainment of the Object; and
- (c) to do such other things as are incidental or conducive to the attainment of the Object, including the establishment of a public fund.<sup>4</sup>

## 3 Powers

The Company has the legal capacity and powers of:

- (a) an individual;
- (b) a body corporate under the Corporations Act; and
- (c) where the Company is a trustee, the trustee under the relevant trust instrument and laws related to trusts and trustees.

## 4 Application of income for Object only

### 4.1 Application of income and property

The income and the property of the Company, however derived:

- (a) must be applied solely towards the promotion of the Object; and
- (b) may not be paid or transferred to the Members, in whole or in part, either directly or indirectly by way of dividend, bonus, benefit or otherwise.

<sup>4</sup> A public fund is a fund for receiving gifts from the public that is required to be established and maintained by certain deductible gift recipient categories from time to time under the Tax Act.

**4.2 Payment in good faith**

Clause 4.1 does not prevent payment, directly or indirectly, in good faith to a Member:

- (a) of reasonable remuneration for services to the Company in the ordinary course of business;
- (b) for goods supplied by the Member to the Company in the ordinary course of business;
- (c) of fair and reasonable interest on money borrowed by the Company in the ordinary course of business from the Member at a rate not exceeding that fixed for the purposes of this clause 4.2(c) by the Company in a General Meeting;
- (d) of reasonable rent or equivalent payment (including licence fees) for use of premises let by the Member to the Company; or
- (e) in furtherance of the Object.

**5 Winding up****5.1 Guarantee by Members**

- (a) Each Member undertakes to contribute an amount not to exceed \$1 to the Company's property if the Company is wound up while they are a Member, or within 1 year after they cease to be a Member.
- (b) On winding up of the Company, this contribution is for:
  - (i) payment of the Company's debts and liabilities;
  - (ii) the costs of winding up; and
  - (iii) adjustment of the rights of the contributories among themselves.

**5.2 Application of property**

- (a) Subject to clause 4.2(e), if any property remains on the winding up or dissolution of the Company after satisfaction of all its debts and liabilities, then, subject always to clause 5.3, that property may not be paid to or distributed among the Members but must be transferred to one or more funds or institutions:
  - (i) that have charitable purposes similar to, or inclusive of, the Object; and
  - (ii) are not-for-profit entities whose governing documents prohibit the distribution of its income and property among its members (if it has members) to at least the same extent as imposed on the Company under this Constitution.
- (b) The funds or institutions will be determined by the Members at or before the time of dissolution.

**5.3 Application of property if deductible gift recipient**

- (a) Where the Company has been endorsed as a deductible gift recipient under Subdivision 30-BA of the Tax Act:
  - (i) as an entity; or
  - (ii) in relation to a fund or institution it operates;



and

- (iii) the Company is wound up;
- (iv) the fund or institution is wound up; or
- (v) the endorsement under Subdivision 30-BA of the Tax Act is revoked;

then, after satisfaction of all debts and liabilities, any surplus:

- (vi) gifts of money or property for the principal purpose of the Company;
- (vii) contributions of money or property as described in item 7 or item 8 of the table in section 30-15 of the Tax Act in relation to a fundraising event held for the principal purpose of the Company; and
- (viii) money received by the Company because of such gifts or contributions

must be transferred to one or more funds or institutions that comply with clause 5.2 and are each deductible gift recipients.

- (b) Where the Company operates more than one fund or institution for which it is a deductible gift recipient and its endorsement under Subdivision 30-BA of the Tax Act is revoked only in relation to one of those funds or institutions then it may transfer any surplus assets of that fund or institution remaining after payment of all liabilities to any other fund or institution for which it is endorsed as a deductible gift recipient.

## **6 Membership**

### **6.1 Number of Members**

- (a) The minimum number of Members of the Company will be 1.
- (b) The Members at the date of registration of the Company and any person the Directors admit to membership under clause 6.2 are the Members of the Company.

### **6.2 Admission as a Member**

The Directors may admit any person as a Member if the person is eligible under clause 6.3 and makes an application in accordance with clause 6.4.

### **6.3 Membership criteria**

To be eligible to be a Member, a person must:

- (a) be nominated by an existing Member;
- (b) consent in writing to become a Member; and
- (c) agree to be bound by this Constitution.

### **6.4 Membership process**

- (a) The application for membership must be:
  - (i) in such form as the Directors may from time to time prescribe, signed by the applicant and returned to the Company as directed on the form; and
  - (ii) accompanied by the membership fee, if any, prescribed by the Directors.



- (b) Each application for membership must be considered by the Directors within a reasonable time after the application is made.
- (c) When an applicant has been accepted or rejected for membership the Secretary must notify the applicant of the decision of the Directors within a reasonable period.

#### **6.5 Directors' discretion to admit or refuse admission as a Member**

The Directors have the discretion to refuse any person admission as a Member without giving any reason for refusing.

#### **6.6 Registration as Member**

If the Directors accept an application for membership, as soon as practicable, the Directors must cause the name of the person to be entered in the Register.

#### **6.7 Membership fees**

The Members must pay such membership fees as prescribed from time to time by the Directors.

#### **6.8 Register**

- (a) The Company must establish and maintain a Register. The Register must be kept by the Secretary and must contain:
  - (i) for each current Member:
    - (A) name;
    - (B) address;
    - (C) any alternative address nominated by the Member for the service of notice; and
    - (D) date the Member was entered on to the Register.
  - (ii) for each person who stopped being a Member in the last 7 years:
    - (A) name;
    - (B) address;
    - (C) any alternative address nominated by the Member for the service of notices; and
    - (D) date the membership started and ended.
- (b) The Company must provide access to the Register in accordance with the Corporations Act.

### **7 Ceasing to be a Member**

#### **7.1 Cessation of membership**

A Member ceases to be a Member on:

- (a) in the case of an individual, death or, in the case of a body corporate, its ceasing to exist;
- (b) resignation by written notice to the Company having immediate effect or with effect from a specified date in the notice;
- (c) failing to pay any fee that may be prescribed by the Directors from time to time within 12 months after the fee was due and payable;



- (d) failing to respond to correspondence sent by the Company to the contact details entered on the Register for the purpose of confirming their membership and/or contact details within 3 months of the date of correspondence and the Directors determine, in their discretion, to remove the Member's name from the Register;
- (e) in the case of an individual, not having Legal Capacity;
- (f) in the case of a body corporate, immediately before the Member becoming subject to an Insolvency Event;
- (g) in the case of an individual, becoming bankrupt or insolvent or making an arrangement or composition with creditors of a person's joint or separate estate generally;
- (h) the passing of a resolution by the Directors or Members in General Meeting in accordance with clause 7.2; or
- (i) that Member ceasing to be a Director.

## **7.2 Termination of membership**

- (a) Subject to this Constitution, the Directors or Members in General Meeting may at any time terminate the membership of a Member if the Member:
  - (i) refuses or neglects to comply with this Constitution or any applicable Rules made by the Directors;
  - (ii) engages in conduct which in the opinion of the Directors is unbecoming of the Member or prejudicial to the interests of the Company; or
  - (iii) fails to pay any debt due to the Company within a period of 3 months after the date for payment (such debt not including a fee referred to in clause 7.1(c)).
- (b) For a decision of the Directors or the Members in General Meeting under clause 7.2(a) to be effective, the general nature of the allegations made against the Member must be notified to the Member in writing and the Member must be given a reasonable opportunity to respond.
- (c) If a dispute arises regarding the termination of a Member's membership under this clause 7.2, the dispute resolution procedure contained in clause 28 must be followed and, for the purposes of clause 28.1, written notification under clause 7.2(b) will be the notice of the dispute (as defined in clause 28.1).

## **7.3 Limited liability**

The Members have no liability as Members except as set out in clause 5.1.

## **8 General Meetings**

### **8.1 Annual General Meetings**

Annual General Meetings are to be held in accordance with the Corporations Act.

### **8.2 Convening a General Meeting**

The Directors may convene and arrange to hold a General Meeting when they think fit and must do so if required to do so under the Corporations Act.

**8.3 Notice of a General Meeting**

- (a) Notice of a General Meeting must be given in accordance with the Corporations Act and served in accordance with clause 33.
- (b) A Director is entitled to receive notice of and to attend all General Meetings and is entitled to speak at those meetings.

**8.4 Calculation of period of notice**

In computing the period of notice under clauses 8.3 and 8.6(c), both the day on which the notice is given or taken to be given and the day of the meeting convened by it are to be disregarded.

**8.5 Cancellation or postponement of General Meeting**

- (a) Where a General Meeting is convened by the Directors they may by notice, whenever they think fit, cancel the meeting or postpone the holding of the meeting to a date and time determined by them.
- (b) This clause 8.5 does not apply to a meeting convened in accordance with the Corporations Act by Members, by the Directors on the request of Members or to a meeting convened by a Court.

**8.6 Notice of cancellation or postponement of a meeting**

- (a) Notice of cancellation, postponement or change of place of a General Meeting must state the reason for cancellation or postponement and be given:
  - (i) to each Member individually; and
  - (ii) to each other person entitled to be given notice of a General Meeting under the Corporations Act.
- (b) A notice of postponement of a General Meeting must specify:
  - (i) the postponed date and time for the holding of the meeting;
  - (ii) a place for the holding of the meeting which may be either the same as or different from the place specified in the notice convening the meeting; and
  - (iii) if the meeting is to be held in 2 or more places, the technology that will be used to facilitate the holding of the meeting in that manner.
- (c) The number of days from the giving of a notice postponing the holding of a General Meeting to the date specified in that notice for the holding of the postponed meeting must not be less than the number of days' notice of the General Meeting required to be given under clause 8.3.

**8.7 Business at postponed meeting**

The only business that may be transacted at a General Meeting the holding of which is postponed is the business specified in the original notice convening the meeting.

**8.8 Proxy at postponed meeting**

Where by the terms of an instrument appointing a proxy:

- (a) the proxy is authorised to attend and vote at one or more General Meetings to be held on or before a specified date; and





- (b) the date for holding the meeting is postponed to a date later than the date specified in the instrument of proxy;

then, by operation of this clause 8.8, that later date is substituted for and applies to the exclusion of the date specified in the instrument of proxy, unless the Member appointing the proxy gives to the Company at its Registered Office notice in writing to the contrary not less than 48 hours before the time to which the holding of the meeting has been postponed.

#### **8.9 Non-receipt of notice**

The non-receipt of notice of a General Meeting or the convening, cancellation or postponement of a General Meeting by, or the accidental omission to give notice of a General Meeting or the convening, cancellation or postponement of a General Meeting to, a person entitled to receive notice does not invalidate any resolution passed at the General Meeting or at a postponed meeting or the convening, cancellation or postponement of a meeting.

### **9 Proceedings at General Meetings**

#### **9.1 Number of a quorum**

- (a) A majority of Members or 10 Members, whichever is the lesser number, present are a quorum at a General Meeting.
- (b) In determining whether a quorum is present, each individual attending as a proxy appointed under clause 9.15 is to be counted, except that:
  - (i) where a Member has appointed more than one proxy, only one is to be counted; and
  - (ii) where an individual (whether a Member or not) is attending holding more than one proxy, that individual is to be counted only once.

#### **9.2 Requirement for a quorum**

- (a) An item of business may not be transacted at a General Meeting unless a quorum is present when the meeting proceeds to consider it.
- (b) If a quorum is present at the time the first item of business is transacted, it is taken to be present when the meeting proceeds to consider each subsequent item of business unless the chairperson of the meeting (on the chairperson's own motion or at the request of a Member or proxy who is present) declares otherwise.

#### **9.3 If quorum not present**

If within 15 minutes after the time appointed for a meeting a quorum is not present, the meeting:

- (a) if convened at the request of Members, is dissolved; and
- (b) in any other case, stands adjourned to the same day in the next week and the same time and place, or to such other day, time and place as the Directors appoint by notice to the Members and others entitled to notice of the meeting.

#### **9.4 Adjourned meeting**

At a meeting adjourned under clause 9.3(b), 2 Members present at the meeting are a quorum. If a quorum is not present within 15 minutes after the time appointed for the adjourned meeting, the meeting is dissolved.

**9.5 Appointment and powers of chairperson of General Meeting**

If the Directors have elected one of their number as chairperson of their meetings under clause 22.1, that person is also entitled to preside as chairperson at a General Meeting.

**9.6 Absence of chairperson at General Meeting**

If a General Meeting is held and:

- (a) a chairperson has not been elected by the Directors; or
- (b) the elected chairperson is not present within 15 minutes after the time appointed for the holding of the meeting or is unable or unwilling to act;

then the following persons may preside as chairperson of the meeting (in order of precedence):

- (c) the deputy chairperson if a Director has been so elected by the Directors under clause 22.1; or
- (d) a Director or Member elected by the Members present in person to preside as chairperson of the meeting.

**9.7 Conduct of a General Meeting**

- (a) The chairperson of a General Meeting:
  - (i) has charge of the general conduct of the meeting and of the procedures to be adopted at the meeting;
  - (ii) may require the adoption of any procedure which is, in the chairperson's opinion, necessary or desirable for proper and orderly debate or discussion and the proper and orderly casting or recording of votes at the General Meeting; and
  - (iii) may, having regard where necessary to the Corporations Act, terminate discussion or debate on any matter whenever the chairperson considers it necessary or desirable for the proper conduct of the meeting.
- (b) A decision by the chairperson under this clause 9.7 is final.

**9.8 Adjournment of a General Meeting**

- (a) The chairperson of a General Meeting may at any time during the meeting adjourn the meeting or any business, motion, question, resolution, debate or discussion being considered or remaining to be considered by the meeting either to a later time at the same meeting or to an adjourned meeting at any time and any place, but:
  - (i) in exercising the discretion to do so, the chairperson may, but need not, seek the approval of the Members present; and
  - (ii) only unfinished business is to be transacted at a meeting resumed after an adjournment.
- (b) Unless required by the chairperson, a vote may not be taken or demanded by the Members present in person or by proxy in respect of any adjournment.



**9.9 Notice of an adjourned General Meeting**

It is not necessary to give any notice of an adjournment or of the business to be transacted at any adjourned General Meeting unless it is adjourned for 1 month or more. In that case, notice of the adjourned meeting must be given as in the case of an original meeting.

**9.10 Questions decided by majority**

Subject to the requirements of the Corporations Act, a resolution at a General Meeting is taken to be carried if a simple majority of the votes cast on the resolution are in favour of it.

**9.11 Equality of votes – no casting vote for chairperson**

If there is an equality of votes, either on a show of hands or on a poll, then the chairperson of the meeting is not entitled to a casting vote in addition to any votes to which the chairperson is entitled as a Member or proxy or attorney or Representative, and consequently the resolution fails.

**9.12 Voting at a General Meeting**

- (a) At any General Meeting a resolution put to the vote of the meeting must be decided on:
  - (i) a show of hands; or
  - (ii) where the meeting is being conducted by Virtual Meeting Technology, such other similar method as determined by the chairperson,unless a poll is properly demanded, and the demand is not withdrawn.
- (b) A declaration by the chairperson that a resolution has, on a show of hands, been carried or carried unanimously, or by a particular majority, or lost, is conclusive evidence of the fact.
- (c) Neither the chairperson nor the minutes need state and it is not necessary to prove the number or proportion of the votes recorded in favour of or against the resolution.

**9.13 Poll**

If a poll is demanded at a General Meeting:

- (a) it must be taken in the manner and at the date and time directed by the chairperson and the result of the poll is the resolution of the meeting at which the poll was demanded;
- (b) on the election of a chairperson or on a question of adjournment, it must be taken immediately;
- (c) the demand may be withdrawn; and
- (d) the demand does not prevent the continuance of the meeting for the transaction of any business other than the question on which the poll has been demanded.

**9.14 Votes of Members**

- (a) Every Member has one vote.



- (b) Subject to this Constitution, including clause 9.14(c):
  - (i) on a show of hands at a General Meeting, each Member present in person and each other person present as a proxy of a Member has one vote; and
  - (ii) on a poll at a General Meeting, each Member present in person has one vote and each person present as proxy of a Member has one vote for each Member that the person represents.
- (c) If the proxy has 2 or more appointments that specify different ways to vote on the resolution, the proxy must not vote on a show of hands.

#### **9.15 Right to appoint proxy**

- (a) Subject to the Corporations Act, a Member entitled to attend a General Meeting is entitled to appoint another person (whether a Member or not) as proxy to attend in the Member's place at the meeting. A proxy has the same right as the Member to speak and vote at the meeting and may be appointed in respect of more than one meeting.
- (b) The instrument appointing a proxy must be in writing signed by the appointor or their attorney duly authorised in writing or, if the appointor is a corporation, either under seal or signed by an officer or attorney duly authorised.
- (c) The instrument appointing a proxy will be deemed to confer authority to demand or join in demanding a poll.
- (d) A Member is entitled to instruct their proxy to vote in favour of or against any proposed resolutions. The proxy may vote as they think fit unless otherwise instructed.
- (e) The instrument appointing a proxy may be in the form set out in Schedule 1 to this Constitution.
- (f) The instrument appointing a proxy (along with a certified copy of the power of attorney or other authority, if any, under which it is signed) must be received at:
  - (i) the Registered Office;
  - (ii) such other place within the state or territory in which the Company has its Registered Office, or to an email address, as is specified for that purpose in the notice convening the meeting; or
  - (iii) if the notice convening the meeting specifies other electronic means by which a proxy document may be received by the Company, by those other electronic means,not less than 48 hours before the time for holding the meeting or adjourned meeting or, in the case of a poll, not less than 24 hours before the time appointed for the taking of the poll. Documents received after this time will not be treated as valid.
- (g) The Company receives a document referred to in clause 9.15(f):
  - (i) if the document is given by other electronic means as specified for that purpose in the notice convening the meeting, when the document is received by the Company as prescribed by the Corporations Act; and
  - (ii) otherwise, when the document is received at:



- (A) the Registered Office; or
- (B) a place specified for the purpose in the notice of meeting.

**9.16 Validity of vote in certain circumstances**

Unless the Company has received written notice of the matter before the start or resumption of a General Meeting at which a person votes as a proxy, attorney or Representative, a vote cast by that person is valid even if, before the person votes:

- (a) the appointing Member dies;
- (b) the Member revokes the appointment or authority; or
- (c) the Member is mentally incapacitated.

**9.17 Objection to voting qualification**

- (a) An objection to the right of a person to attend or vote at a General Meeting or adjourned meeting:
  - (i) may not be raised except at that meeting or adjourned meeting; and
  - (ii) must be referred to the chairperson of that meeting, whose decision is final.
- (b) A vote not disallowed under the objection is valid for all purposes.

**10 Circular resolutions of Members**

- (a) Subject to clause 10(b), the Members may pass any resolution that the Corporations Act or this Constitution requires or permits to be passed at a General Meeting in the manner set out in this clause without holding a General Meeting.
- (b) A resolution under this clause 10 cannot be used:
  - (i) for a resolution to remove an auditor, appoint a Director or remove a Director under section 203D of the Corporations Act;
  - (ii) for passing a special resolution; or
  - (iii) where the Corporations Act or this Constitution requires a meeting to be held.
- (c) A resolution under this clause 10 is passed if each Member entitled to vote on the resolution signs a document containing a statement that they are in favour of the resolution set out in the document. Separate copies of a document may be used for signing by Members if the wording of the resolution and statement is identical in each copy.
- (d) The resolution is passed when the last Member signs.
- (e) The Company must notify the auditor (if any) as soon as possible that a circular resolution has or will be put to Members, and set out the wording of the resolution. A failure to do so does not invalidate the resolution.

**11 Sole Membership**

Where the Company only has one Member:

- (a) clauses 6.7, 8, 9 and 10 do not apply to the Company; and



- (b) the Company may pass a resolution by the Member recording it and signing the record and recording it in the minute book of the Company.

## **12 Directors**

### **12.1 Number of Directors**

The number of Directors must be such number between 3 and 9 as the Members determine. In the absence of any such determination, the number of Directors will be 5.

### **12.2 Directors elected at General Meeting**

The Company may, at a General Meeting at which:

- (a) a Director retires or otherwise vacates office; or
  - (b) a Director vacancy exists by operation of clause 12.1 or otherwise,
- by resolution fill the vacated office by electing an individual to that office.

### **12.3 Qualification of Directors**

- (a) To be eligible for the office of Director an individual must:
  - (i) have a Director Identification Number; and
  - (ii) subject to clause 12.3(b), consent in writing to act as a Director.
- (b) Where an individual is seeking election at a General Meeting for the first time, the signed consent must be lodged at the Registered Office at least 28 days (or such other period as determined by the Directors) before the date fixed for the holding of the General Meeting.
- (c) In the event that it is required under a law, regulation or guideline applicable to the Company<sup>5</sup>, the Company must ensure that a majority of the Directors are individuals who have the requisite level or degree of responsibility to the general public.

### **12.4 Terms and retirement of a Director**

- (a) Subject to clause 12.4(b), a Director is elected for a term of 2 years.
- (b) At each Annual General Meeting, any Director who has held office for 2 years or more since last being elected, must retire from office but subject to clause 12.5 is eligible for reappointment. A retiring Director holds office until the conclusion of the meeting at which that Director retires.
- (c) The Members may by ordinary resolution increase or decrease the period of time for which a Director holds office under clause 12.4(a).
- (d) In addition to the right to remove Directors under section 203D of the Corporations Act, the Members may by ordinary resolution remove any Director before the expiration of that Director's period of office, and may by an ordinary resolution appoint another person in the place of that Director.

<sup>5</sup> Such as where the Company or its public fund is endorsed as a deductible gift recipient and this is a condition for such endorsement.

**12.5 Reappointment of a Director**

A Director is entitled to seek reappointment as a Director on 3 occasions provided that a Director's period of continuous service to the Company does not exceed a period of 8 years, excluding any period of service under clause 12.6, unless the Members, by ordinary resolution in General Meeting or unanimous written resolution, elect to waive this requirement for a particular Director.

**12.6 Casual vacancy**

- (a) The Directors may at any time appoint any person meeting the requirements of clause 12.3 to be a Director to fill a casual vacancy, provided the total number of Directors does not exceed the number determined in clause 12.1.
- (b) A Director appointed under clause 12.6(a) holds office until the conclusion of the next Annual General Meeting but is eligible for election at that meeting.

**12.7 Appointment of officers**

The Directors are to appoint the other officers with such frequency as the Directors from time to time determine.

**13 Remuneration of Directors**

The Directors must not be paid any remuneration for their services as Directors.

**14 Expenses of Directors**

- (a) A Director is entitled to be reimbursed out of the funds of the Company for such reasonable travelling, accommodation and other expenses as the Director may incur when travelling to or from meetings of the Directors or a committee of Directors or when otherwise engaged on the business of the Company.
- (b) Any payment to a Director must be approved by the Directors.

**15 Vacation of office of Director**

In addition to the circumstances in which the office of a Director becomes vacant under the Corporations Act, the office of a Director becomes vacant if the Director:

- (a) ceases to be eligible under clause 12.3;
- (b) resigns from the office by notice in writing to the Company having immediate effect or with effect from a specified date in the notice;
- (c) is not present at 3 successive meetings of the Directors without leave of absence from the Directors;
- (d) does not have Legal Capacity;
- (e) becomes insolvent or bankrupt, compounds with their creditors, or assigns their estate for the benefit of their creditors;
- (f) becomes prohibited, disqualified or removed from being a Director by reason of any order of any court of competent jurisdiction or regulator; or
- (g) dies.

**16 Powers and duties of Directors****16.1 Directors to manage the Company**

The Directors are to manage the business of the Company and may exercise all the powers of the Company that are not, by the Corporations Act or by this Constitution, required to be exercised by the Company in General Meeting.

**16.2 Specific powers of Directors**

Without limiting the generality of clause 16.1, and subject to any trusts relating to the assets of the Company, the Directors may exercise all the powers of the Company to:

- (a) borrow or raise money;
- (b) charge any property or business of the Company; and
- (c) give any security for a debt, liability or obligation of the Company or of any other person.

**16.3 Compliance with duties**

While the Company is a registered charity under the ACNC Act, each Director must comply with the duties described in governance standard 5 as set out in the regulations made under the ACNC Act and such other obligations as apply under the ACNC Act or the Corporations Act from time to time.

**16.4 Delegation**

- (a) The Directors may resolve to delegate any of their powers to:
  - (i) a committee in accordance with clause 27;
  - (ii) a Director;
  - (iii) an employee of the Company on terms and subject to any restrictions to be decided by the Directors; or
  - (iv) any other person on terms and subject to any restrictions to be decided by the Directors.
- (b) The power may be delegated for such time as determined by the Directors and the Directors may at any time revoke or vary the delegation.
- (c) The delegate must exercise the powers delegated in accordance with any directions of the Directors, and the exercise of the power by the delegate is as effective as if the Directors had exercised it.
- (d) The Directors may continue to exercise any power they have delegated.

**17 Rules**

Subject to this Constitution, the Directors may from time to time by resolution make and rescind or alter Rules which are binding on the Directors and Members for the management and conduct of the business of the Company.



**18 Chief Executive Officer, Secretary and Public Officer****18.1 Chief Executive Officer**

- (a) The Directors may appoint a Chief Executive Officer on such terms and conditions (including as to remuneration) as they think fit.
- (b) The Directors may delegate any of their powers to the Chief Executive Officer and the Chief Executive Officer must exercise those powers:
  - (i) in accordance with the terms and subject to any restrictions or the directions of the Directors; and
  - (ii) so as to be concurrent with, or to the exclusion of, the powers of the Directors,and may revoke the delegation at any time.
- (c) The Chief Executive Officer may be invited to attend all meetings of the Directors, but may not hold the office of a Director and is not entitled to vote.

**18.2 Secretary**

- (a) There must be at least one Secretary who is to be appointed by the Directors.
- (b) The Directors may suspend or remove a Secretary from that office.
- (c) A Secretary holds office on the terms and conditions (including as to remuneration) and with the powers, duties and authorities, as determined by the Directors. The exercise of those powers and authorities and the performance of those duties by a Secretary are subject at all times to the control of the Directors.

**18.3 Public Officer**

The Directors must appoint a person as Public Officer of the Company in accordance with the *Income Tax Assessment Act 1936* (Cth).

**19 Appointment of attorney**

- (a) By power of attorney, the Directors may appoint any person to be an attorney of the Company, with such powers, authorities and discretions of the Directors as the Directors think fit and for such purposes, period and conditions as determined by the Directors.
- (b) A power of attorney granted under clause 19(a) may contain any provisions for the protection and convenience of the attorney and persons dealing with the attorney that the Directors think fit and may also authorise the attorney to delegate (including by way of appointment of a substitute attorney) all or any of the powers, authorities and discretions of the attorney.

**20 Conflicts of interest****20.1 Disclosure of conflict of interest**

A Director must disclose the nature and extent of any actual or perceived material conflict of interest in a matter that is being considered at a meeting of Directors (or that is proposed in a circular resolution):

- (a) to the Directors; or



- (b) if all of the Directors have the same conflict of interest, to the Members at the next General Meeting, or at an earlier time if reasonable to do so.

#### **20.2 Disclosure recorded in minutes**

The disclosure of a conflict of interest by a Director must be recorded in the minutes of the meeting.

#### **20.3 Material personal interest**

Each Director who has a material personal interest in a matter that is being considered at a meeting of the Directors (or that is proposed in a circular resolution) must not, except as provided under clause 20.4:

- (a) be present at the meeting while the matter is being discussed; or
- (b) vote on the matter.

#### **20.4 Present and voting**

A Director with a material personal interest in a matter may still be present and vote if:

- (a) their interest arises because they are a Member of the Company and the other Members have the same interest;
- (b) their interest arises in relation to remuneration as a Director of the Company;
- (c) their interest relates to an insurance contract that insures, or would insure, the Director against liabilities that the Director incurs as a Director of the Company (see clause 34.2);
- (d) their interest relates to a payment by the Company under clause 34.1, or any contract relating to an indemnity that is allowed under the Corporations Act;
- (e) ASIC makes an order allowing the Director to vote on the matter; or
- (f) the Directors who do not have material personal interest in the matter pass a resolution that:
  - (i) identifies the Director, the nature and extent of the Director's interest in the matter and how it related to the affairs of the Company; and
  - (ii) states that those Directors are satisfied that the interest should not stop the Director from voting or being present.

### **21 Proceedings of Directors**

#### **21.1 Directors' meetings**

- (a) The Directors may meet together for conducting business, adjourn and otherwise regulate their meetings as they think fit.
- (b) A Director may at any time, and the Secretary must on the written request of a Director, convene a meeting of the Directors.

#### **21.2 Questions decided by majority**

A question arising at a meeting of Directors is to be decided by a majority of votes of Directors present and entitled to vote, and that decision is for all purposes a decision of the Directors.



**21.3 Alternate Director and voting**

- (a) A person who is present at a Directors' meeting as an Alternate Director:
  - (i) is entitled to participate and vote in the appointor's place if the appointor would have been entitled to vote and does not participate in that meeting; and
  - (ii) has one vote for each person for whom they have been appointed as Alternate Director.
- (b) If that person is also a Director, then that person also has one vote as a Director in that capacity.

**22 Chairperson and deputy chairperson of Directors****22.1 Election of chairperson and deputy chairperson**

The Directors may elect from their number a chairperson and a deputy chairperson of their meetings and may also determine the period for which the persons elected as chairperson and deputy chairperson are to hold office.

**22.2 Absence of chairperson at Directors' meeting**

If a Directors' meeting is held and:

- (a) a chairperson has not been elected under clause 22.1; or
- (b) the chairperson is not present within 10 minutes after the time appointed for the holding of the meeting or is unable or unwilling to act;

then the deputy chairperson, if elected under clause 22.1, must be the chairperson of the meeting or, if the deputy chairperson is not present, the Directors present must elect one of their number to be a chairperson of the meeting.

**22.3 No casting vote for chairperson at Directors' meetings**

In the event of an equality of votes cast for and against a resolution, the chairperson of the Directors' meeting does not have a second or casting vote, and consequently the resolution will not be passed.

**23 Alternate Director****23.1 Appointment**

- (a) Subject to the Corporations Act, a Director may appoint a person, with the approval of the Directors, to be an Alternate Director in the Director's place during such period as the Director thinks fit. The approval of the Alternate Director's appointment may be withdrawn by the Directors at any time.
- (b) Subject to the Corporations Act, an appointment of an Alternate Director must be effected by a notice in writing signed by the Director who makes or made the appointment, and delivered to the Company.

**23.2 Notice**

An Alternate Director is entitled to notice of all meetings of the Directors.

**23.3 Alternate Director's powers**

An Alternate Director may exercise all the powers of the appointor except the power to appoint an Alternate Director and, subject to the Corporations Act, may perform all the duties of the appointor except to the extent that the appointor has exercised or performed them.

**23.4 Alternate Director responsible for own acts and defaults**

Whilst acting as a Director, an Alternate Director:

- (a) is an officer of the Company and not the agent of the appointor; and
- (b) is responsible to the exclusion of the appointor for the Alternate Director's own acts and defaults.

**23.5 Alternate Director and remuneration**

An Alternate Director is entitled to receive from the Company any remuneration or benefit of the Director in whose place the Alternate Director is standing.

**23.6 Termination of appointment of Alternate Director**

The appointment of an Alternate Director may be terminated at any time by the appointor even if the period, if any, of the appointment of the Alternate Director has not expired, and terminates in any event if the appointor ceases to be a Director.

**23.7 Termination in writing**

The termination of an appointment of an Alternate Director must be effected by a notice in writing signed by the Director who made the appointment and delivered to the Company.

**23.8 Alternate Director and number of Directors**

An Alternate Director is not to be taken into account separately from the appointor in determining the number of Directors.

**24 Quorum for Directors' meeting**

- (a) At a meeting of Directors, the number of Directors whose presence in person is necessary to constitute a quorum is as determined by the Directors, and, unless so determined, is a majority of Directors holding office.
- (b) The Directors may act despite a vacancy in their number. If their number is reduced below the minimum fixed by clause 12.1, the Directors may, except in an emergency, act only for the purpose of filling vacancies to the extent necessary to bring their number up to that minimum or to convene a General Meeting.

**25 Circular resolutions of Directors**

- (a) The Directors may pass a resolution without a Directors' meeting being held in the manner set out in this clause.
- (b) A circular resolution is passed if each Director entitled to vote on the resolution signs a document containing a statement that they are in favour of the resolution set out in the document. Separate copies of a document may be used for signing by Directors if the wording of the resolution and statement is identical in each copy.
- (c) The resolution is passed when the last Director signs.

**26 Validity of acts of Directors**

All acts done at a meeting of the Directors or of a committee of Directors, or by a person acting as a Director, are taken as valid as if the relevant person had been duly appointed or had duly continued in office and was qualified and entitled to vote, even if it is afterwards discovered that:

- (a) there was a defect in the appointment or continuance in office of a person as a Director or of the person so acting; or
- (b) a person acting as a Director was disqualified or was not entitled to vote.

**27 Committees****27.1 Delegation to committees**

- (a) The Directors may delegate any of their powers, to a committee consisting of one or more Directors and such other persons as they think fit and may revoke the delegation at any time.
- (b) A committee to which any powers have been delegated under clause 27.1(a) must exercise those powers:
  - (i) in accordance with the terms and subject to any restrictions and any directions of the Directors; and
  - (ii) so as to be concurrent with, or to the exclusion of, the powers of the Directors,

and a power so exercised is taken to have been exercised by the Directors.

**27.2 Meetings of committees**

A committee may meet and adjourn as it thinks proper.

**27.3 Chairperson of a committee**

The members of a committee may elect one of their number as chairperson of their meetings. If a meeting of a committee is held and:

- (a) a chairperson has not been elected; or
- (b) the chairperson is not present within 10 minutes after the time appointed for the holding of the meeting or is unable or unwilling to act;

then the committee members involved may elect one of their number to be chairperson of the meeting.

**27.4 Determination of questions**

- (a) Questions arising at a meeting of a committee are to be determined by a majority of votes of the members present and voting.
- (b) In the event of an equality of votes, the chairperson of the meeting does not have a casting vote.

**28 Dispute resolution****28.1 Handling a dispute**

Where there is a dispute, grievance or other disagreement between a Member and the Company, whether arising out of the application of this Constitution, the Rules or otherwise (**Dispute**), then either party must, prior to the commencement of any proceedings in a Court or Tribunal or before any authority or board, notify the other in writing of the nature of the Dispute, and the following must occur:

- (a) the Member and the Company must in the period of 14 days from the service of the notice of the Dispute (**Initial Period**) use their best endeavours to resolve the Dispute;
- (b) if the Company and the Member are unable to resolve the Dispute within the Initial Period, then the Dispute must be referred for mediation to a mediator agreed by the Member and the Company;
- (c) if the disputants are unable to agree on a mediator within 7 days of the expiration of the Initial Period, the Member or the Company may request the chairperson of Resolution Institute<sup>6</sup> to nominate a mediator to whom the Dispute will be referred;
- (d) the costs of the mediation must be shared equally between the Member and the Company; and
- (e) where:
  - (i) the party receiving the notice of the Dispute fails to attend the mediation required by clause 28.1(b);
  - (ii) the mediation has not occurred within 6 weeks of the date of the notice of the Dispute; or
  - (iii) the mediation fails to resolve the Dispute;

then the party serving the notice of Dispute will be entitled to commence any proceedings in a Court or Tribunal or before any authority or board in respect of the Dispute.

**28.2 Urgent interlocutory relief**

The procedure in clause 28.1 will not apply in respect of proceedings for urgent interlocutory relief.

**29 Execution of documents**

Documents executed for and on behalf of the Company must be executed by:

- (a) 2 Directors;
- (b) a Director and the Secretary; or
- (c) such other persons as the Directors by resolution appoint from time to time.

<sup>6</sup> Resolution Institute is a not-for-profit organisation facilitating dispute resolution – further information can be found at [www.resolution.institute](http://www.resolution.institute).

**30 Accounts**

- (a) The Directors must cause proper financial records to be kept and, if required by a law, regulation or guideline applicable to the Company or otherwise considered by the Directors to be appropriate, cause the accounts of the Company to be audited or reviewed accordingly.
- (b) The Directors must distribute to the Members copies of the annual financial reports of the Company accompanied by a copy of the report of the auditor or reviewer (as required) and report of Directors in accordance with the requirements of a relevant law, regulation or guideline.

**31 Seals****31.1 Safe custody of common seals**

The Directors must provide for the safe custody of any seal of the Company.

**31.2 Use of common seal**

If the Company has a common seal or duplicate common seal:

- (a) it may be used only by the authority of the Directors, or of a committee authorised by the Directors to authorise its use; and
- (b) every document to which it is affixed must be signed by a Director and be countersigned by another Director, a Secretary or another person appointed by the Directors to countersign that document or a class of documents in which that document is included.

**32 Inspection of records****32.1 Inspection by Members**

Subject to the Corporations Act, the Directors may determine whether and to what extent, and at what times and places and under what conditions, the accounting records and other documents of the Company or any of them will be open to inspection by the Members (other than Directors).

**32.2 Right of a Member to inspect**

A Member (other than a Director) does not have the right to inspect any document of the Company except as provided by law or authorised by the Directors or by the Company in General Meeting.

**33 Service of documents****33.1 Document includes notice**

In this clause 33, a reference to a document includes a notice.

**33.2 Methods of service**

- (a) The Company may give a document to a Member or Director:
  - (i) personally;
  - (ii) by sending it by post to the address for the Member or Director in the Register or an alternative address nominated by the Member or Director;



- (iii) by sending it to an electronic address nominated by the Member or Director; or
  - (iv) by any other method of service provided by the Corporations Act.
- (b) A Member or Director may give a document to the Company:
  - (i) by serving it on the Company at the Registered Office;
  - (ii) by sending it by post to the Registered Office; or
  - (iii) by sending it to the electronic address nominated by the Company.
- (c) A Member may elect to be sent notices of General Meetings and certain other documents that are required or permitted to be sent to a Member by the Company under the Corporations Act either in physical form; or in electronic form by notifying the Company of the election.
- (d) Except in relation to service of a document referred to in clause 9.15(f), a document is taken to be given:
  - (i) if it is sent by post, on the 3<sup>rd</sup> business day after the date of its posting;
  - (ii) if it is sent by electronic transmission:
    - (A) by properly addressing and transmitting the electronic transmission; and
    - (B) if the document is properly addressed and transmitted in accordance with clause 33.2(d)(ii)(A), on the day following its transmission; and
  - (iii) if it is given in any other way permitted under the Corporations Act, then when it is taken to have been given under the Corporations Act.

### **33.3 Evidence of service**

A certificate in writing signed by a Director or a Secretary stating that a document was sent to a Member or Director by post or electronic transmission on a particular date is prima facie evidence that the document was so sent on that date.

## **34 Indemnity and insurance**

### **34.1 Indemnity**

- (a) The Company must indemnify any current or former Director, Secretary or executive officer of the Company or of a Related Body Corporate of the Company out of the property of the Company against:
    - (i) every liability incurred by the person in that capacity; and
    - (ii) all legal costs incurred in defending or resisting (or otherwise in connection with) proceedings, whether civil or criminal or of an administrative or investigatory nature, in which the person becomes involved because of that capacity;
- except to the extent that:
- (iii) the Company is forbidden by law (including the Corporations Act) to indemnify the person against the liability or legal costs;



- (iv) an indemnity by the Company of the person against the liability or legal costs would, if given, be made void by any law; or
- (v) the person is entitled to be, and is actually, indemnified by another person (including an insurer under any insurance policy).
- (b) The indemnity is a continuing obligation and is enforceable by a person even though they are no longer a Director, Secretary or executive officer of the Company, or of a Related Body Corporate of the Company.

#### 34.2 Insurance

The Company may pay or agree to pay, whether directly or through an interposed entity, a premium for a contract insuring a person who is or has been a Director or Secretary or executive officer of the Company or of a Related Body Corporate of the Company against liability arising out of conduct by the person in that capacity (**Relevant Conduct**), including a liability for legal costs, unless:

- (a) the Company is forbidden by law to pay or agree to pay the premium in respect of the Relevant Conduct (whether or not the law applies in the particular case); or
- (b) the contract would, if the Company paid the premium, be made void by any law (including the Corporations Act).

#### 34.3 Contract

The Company may enter into an agreement with a person referred to in clauses 34.1 and 34.2 with respect to the matters covered by these clauses. An agreement entered into in accordance with this clause 34 may include provisions relating to rights of access to the books of the Company conferred by the Corporations Act or otherwise by law.

#### 35 Amendment to Constitution

- (a) Subject to clause 35(c), this Constitution may only be amended by Special Resolution.
- (b) While the Company is a registered charity under the ACNC Act, the Members must not pass a Special Resolution that amends this Constitution if passing it causes the Company to no longer be a charity.
- (c) Any modification of this Constitution takes effect on the date the Special Resolution is passed or any later date specified, or provided for, in the resolution.



**Schedule 1**

Appointment of Proxy - (see clause 9.15(e))

**CUC Southern Riverina Ltd****ACN XXX XXX XXX**

I/We, ..... (name)

of ..... (address)

being a member/members of the abovenamed Company hereby appoint

..... (name)

of ..... (address)

or in their absence ..... (name)

of ..... (address)

as my/our proxy to vote for me/us on my/our behalf at the meeting of the members of the Company to be held on the ..... day of ..... 20 ..... and at any adjournment of that meeting.

[TO BE INSERTED IF DESIRED] This form is to be used in favour of / against the resolution (Strike out whichever is not desired)

[INSERT DETAILS OF SPECIFIC RESOLUTIONS IF DESIRED]

Signed: .....

Name: .....

Dated: .....

This notice must be returned to CUC Southern Riverina Ltd ACN XXX XXX XXX at:

[ADDRESS/EMAIL ADDRESS/FAX No]

by [TIME] on [DATE]

[INSERT SPECIFIC DETAILS ENSURING THAT THE TIME IS 48 HOURS BEFORE THE TIME FOR THE MEETING]



## **12.4. SIGNING OF SISTER CITY AGREEMENT - LOZOVA CITY, UKRAINE**

**Author: Chief Executive Officer**

**Authoriser: Chief Executive Officer**

### **RECOMMENDATION**

That Council approve the signing of a Sister City Agreement between Edward River Council and Lozova City, Ukraine and conduct a signing ceremony via video conference on 17 October 2023 at a mutually convenient time to be determined.

### **BACKGROUND**

On 17 May 2022, Council adopted a Mayoral Minute seeking interest from Edward River residents, industry groups and peak bodies to support Ukrainian refugees with job opportunities and accommodation and potentially instigate both a humanitarian and economic opportunity for our region.

While this initiative was implemented, and there was strong support in the community, particularly by the agricultural sector, no refugees from Ukraine have been placed in our community to date.

Since this project was initiated, Mayor Betts has informally met the Ukrainian Ambassador, His Excellency Vasyl Myroshnychenko. This informal meeting was followed up with a conversation with His Excellency about what support could be provided by the Edward River Council to the people in Ukraine and it was suggested that the beginnings of a friendship between our Council and another city could be explored, facilitated by the Ukrainian Embassy in Canberra.

At the August briefing, councillors were updated on the results of a productive meeting between the Mayor and CEO and representatives from the Ukrainian embassy, Ms Yana Mokhonchuk and Mr Mytsyk Vsevolod, via video conference . After assessing Edward River's economic, geographic and demographic profile, Ms Mokhonchuk proposed a friendship agreement be explored between Lozova City, in Kharkiv Region, Ukraine and Edward River.



### ISSUE/DISCUSSION

Following the August councillor briefing, the mayor and CEO met with Mayor of Lozova, Mr Serhiy Zelensky (pictured below, top) and his Secretary (CEO) (pictured, below bottom) Mr Yuriy Kushnir via video conference on 7 September 2023. The meeting was assisted by a translator and was friendly and respectful and both mayors outlined and reiterated their willingness to establish a fruitful and productive inter-city relationship based on cultural exchange, and potential economic benefit.



**Mayor, Lozova City, Zelensky**



**Secretary Kushnir**

Both mayors provided presentations on the demographic and economic profiles of their respective regions and discussions were held around the nature of a relationship between the two municipalities.

Lozova City Lozova has a well-established industrial and agricultural sector. It has a large railway hub and is a transport and trade centre for the region. The city endured a difficult period when it fell under Russian occupation for a month. However, Lozova has now been fully liberated and is under Ukrainian rule once again. The town is now embarking on a journey toward reconstruction and revitalisation.

There was general agreement that the two cities can build on the following items, with potentially cultural exchange being the first step:

1. Cultural Exchange - e.g. Experiencing each country's culture through mutual visits and presentations.
2. Establishing Economic Relations - e.g. skills exchange, new technologies, education exchange and trade
3. Implementation of Joint Projects - e.g. reconstruction from war damage, environmental and economic projects and life improvement and social.

Following the meeting, it is recommended that a Sister City Agreement be developed for signing via video conference at the October Council meetings. The attached documents, with the same wording in both English and Ukrainian and a resolution of the council is considered to give effect to the relationship. Following a successful resolution, a video linked signing ceremony would be held at a time that is suitable to both time zones. It is also proposed to invite Mr Bill Hetherington to the signing ceremony in recognition of his efforts in this area.

## **STRATEGIC IMPLICATIONS**

Signing of a Sister City Agreement with Lozova may have positive effects on strategic growth of the Edward River community and provide a global aspect to our profile in Australia.

## **COMMUNITY STRATEGIC PLAN**

Signing a Sister City Agreement supports Council achieving the following Community Strategic Plan objectives:

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
2. An open and connected community
  - 2.1 Transport and freight links
  - 2.2 Communications and technology links
  - 2.3 Cultural and personal links
3. Encouraging growth through partnerships
  - 3.1 Education
  - 3.2 Economic development
  - 3.3 The Edward River Experience
  - 3.4 Health

**FINANCIAL IMPLICATIONS**

Costs of cultural exchange visits or projects to foster relationships would be required to be considered in future Council operational plans and budgets

**LEGISLATIVE IMPLICATIONS**

There are no legislative implications in this report

**ATTACHMENTS**

1. Lozova City Presentation
2. Sister City Agreement - English
3. Sister City Agreement - Ukrainian







# LOZOVA URBAN TERRITORIAL COMMUNITY

## BASIC INFORMATION ABOUT THE COMMUNITY



**Year of foundation - 1869**



**Population community - 87724 people**

urban population - **69460** (79,2%)

rural population - **18264** (21,3%)

children's population - **14896 persons**

**Population Lozova city - 53126 people**



**Total area territory - 1424,9 km<sup>2</sup>.**

(4.6% of the territory of Kharkiv region)

Lozova City area territory - 26,54 km<sup>2</sup>.



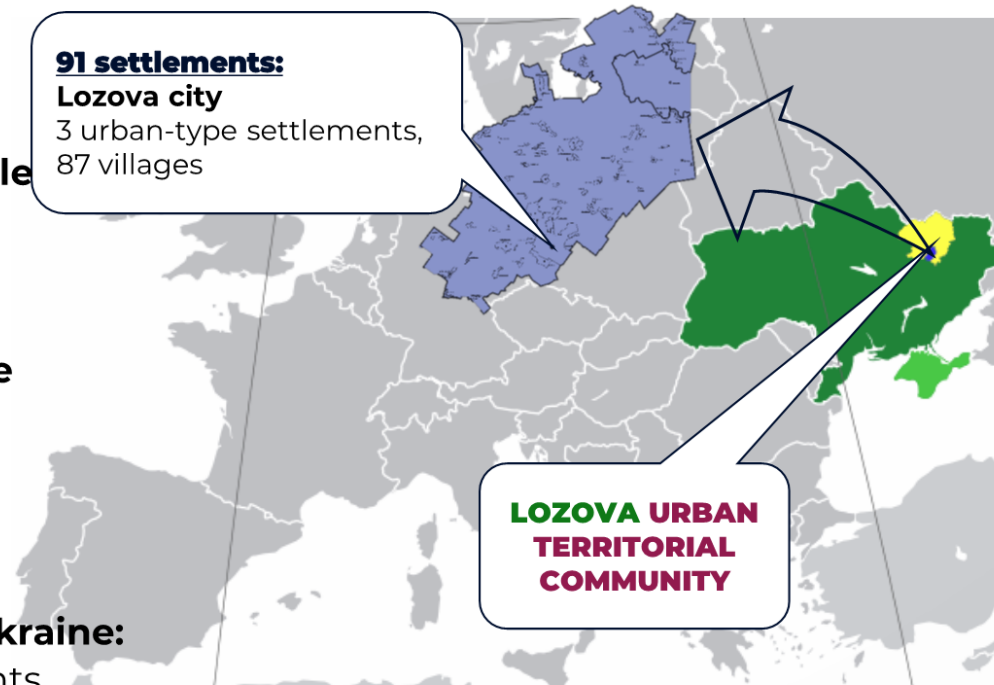
**One of the largest communities in Ukraine:**

- the **fifth** by the number of settlements,
- **eleventh** by territory;
- **forty-second** in terms of inhabitants.

### **91 settlements:**

**Lozova city**

3 urban-type settlements,  
87 villages



**LOZOVA URBAN  
TERRITORIAL  
COMMUNITY**

### **LOCATION:**

**48.88528153820377, 36.31805655943926**

<https://goo.gl/maps/UJzZRgJ7wo5ZvJjJ9>



# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMMUNITY INSTITUTIONS

### ADMINISTRATIVE AND SOCIAL SERVICES

**5 social institutions,**

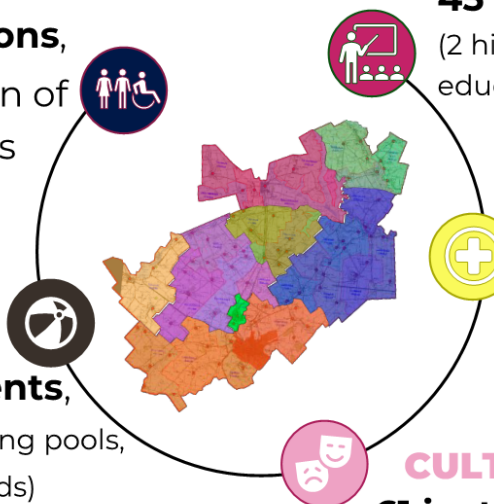
center for the provision of administrative services



### SPORT

**3 establishments,**

(2 stadiums, 2 swimming pools, 24 sports grounds)



### EDUCATION

**45 establishments**

(2 higher, 1 vocational and technical, 23 general education, 17 preschool, 2 out-of-school)



### MEDICINE

**35 medical institutions**

(2 hospitals, 2 polyclinics, 7 outpatient clinics, paramedic stations)



### CULTURE

**61 institutions**

(20 houses of culture, 19 village clubs, 26 libraries, 3 music schools, 2 museums, art school)

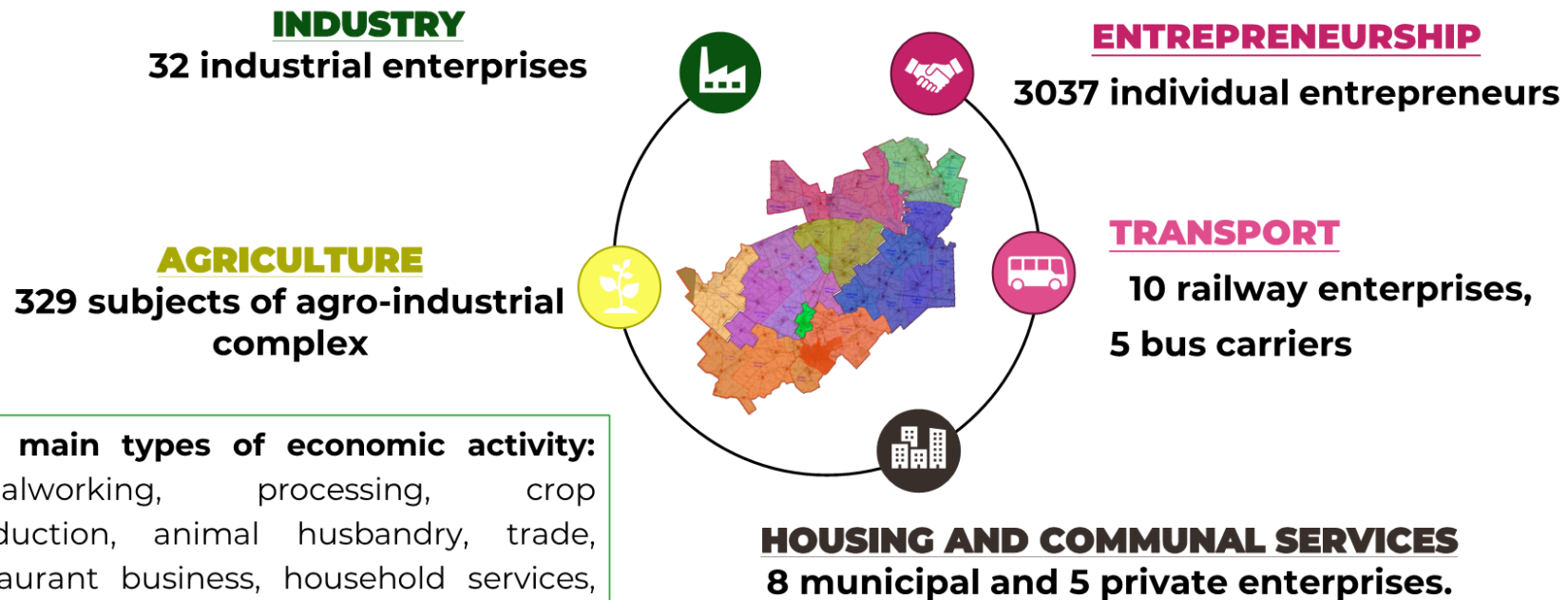






# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMMUNITY ECONOMY





## LOZOVA URBAN TERRITORIAL COMMUNITY

### FEATURES OF THE COMMUNITY

#### COMMUNITY BENEFITS

combines industrial and agricultural traditions;

it has a full range of utilities.

accumulates urban potential and rural identity;



#### COMMUNITY OF UNIQUE PEOPLE

*powerful human resources;*

*best practices in various spheres of community life:*

*best practices of community development;*

*educational achievements;*

*sports victories;*

*various creative achievements in the field of culture.*





# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMMUNITY and WAR

The community was subjected to missile strikes 30 times.



### DESTROYED:

Lozova City Palace of Culture

Lozovsky Lyceum No8

11 individual houses



### DAMAGED:

137 apartment buildings

239 individual houses

50 critical infrastructure facilities

52 social objects





## LOZOVA URBAN TERRITORIAL COMMUNITY

### COMMUNITY and WAR



Organized 4 compact accommodation points for 279 IDPs



**Accepted 12571 immigrants**  
(9687 families)  
of them: children - **2969**  
*persons with disabilities - 655*

#### Created:

humanitarian and logistics HUB,  
9 volunteer centers,  
20 places of issue of humanitarian assistance.



**Humanitarian aid was provided**  
for internally displaced persons  
and community residents



Partially **provided uninterrupted power**  
supplies to the critical  
infrastructure enterprise



**We purchased building materials** and  
carried out priority  
**restoration work**







# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMPLETED COMMUNITY PROJECT



overhaul of the  
Lozova City Palace of  
Culture



Reconstruction with  
energy saving of  
Lozovsky Lyceum No4,  
repair of the pool  
premises

reconstruction of  
youth sports school  
"YUNIST"



creation of a social  
dormitory for IDPs in  
the house No17 of the  
microdistrict 1 Lozova





# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMPLETED COMMUNITY PROJECTS



reconstruction with  
energy saving of  
Lozovsky NVK  
General  
educational  
institution - Preschool  
educational  
institution



construction of a  
bypass road in Lozova

reconstruction of the  
receiving department  
and  
overhaul of obstetric  
and gynecological  
department of MNPE  
"Lozova territorial  
medical association"



repair and energy  
efficiency measures in  
preschool educational  
institution No14  
"Svitanok"

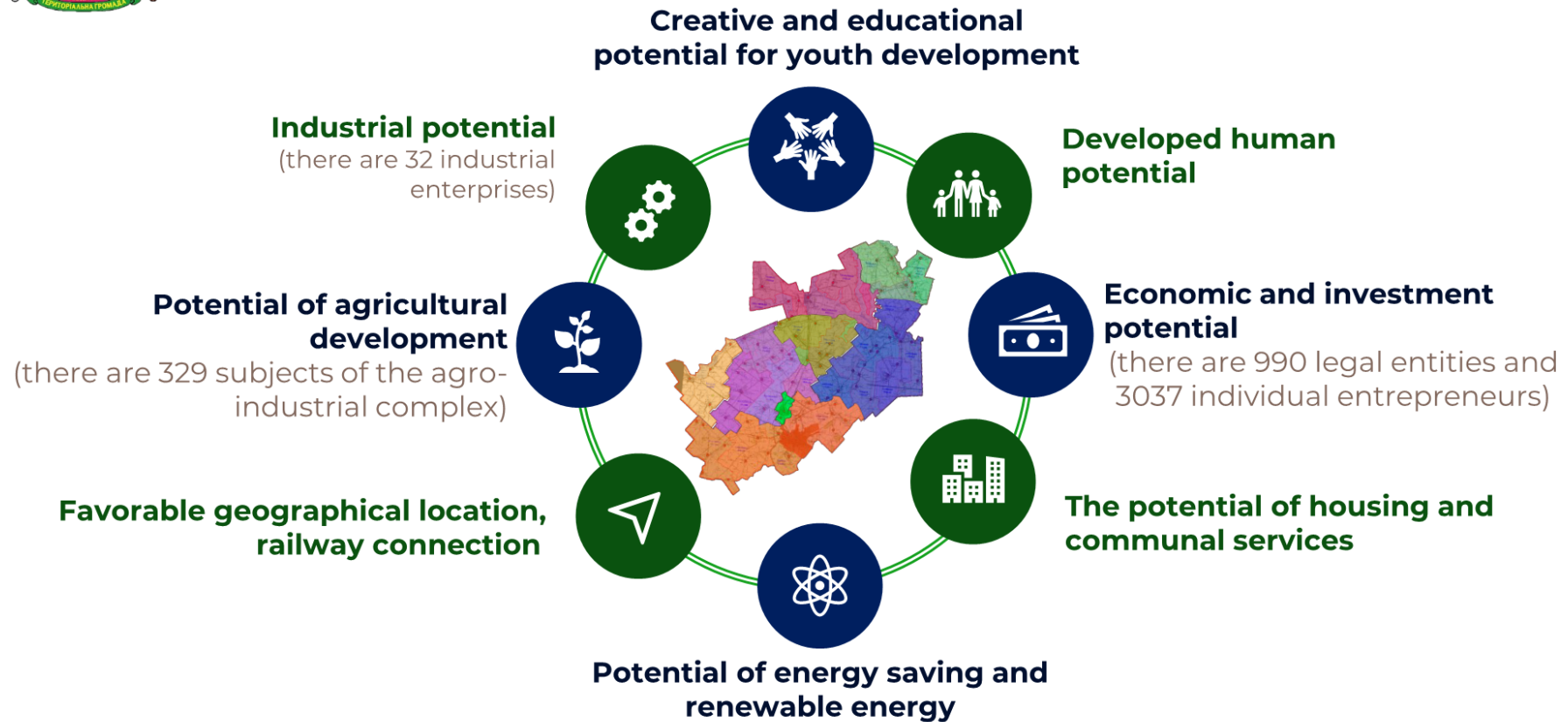






# LOZOVA URBAN TERRITORIAL COMMUNITY

## COMMUNITY CAPABILITY





# LOZOVA URBAN TERRITORIAL COMMUNITY

## POSSIBLE AREAS OF COOPERATION



### IMPLEMENTATION OF JOINT PROJECTS

Preparation, submission and implementation of joint projects with the involvement of EU funds in the following areas: reconstruction, support for IDPs, security, ecology, life improvement, social and others.

Enhancing the competencies of specialists in attracting resources for socio-economic development of the community



### ESTABLISHING ECONOMIC RELATIONS

Attraction of investments and creation of an industrial park.

Creation of business support institutions.

Exchange of experience in the introduction of new production technologies.

Expansion of export potential of community enterprises.



### EXCHANGE OF EXPERIENCE AND TRADITIONS

Exchange of experience on the organization of community life.

Transfer of cultural traditions, in particular joint projects in the field of culture, educational and sports events, tourist visits.





# LOZOVA URBAN TERRITORIAL COMMUNITY

## IMPLEMENTATION OF JOINT PROJECTS



**Enhancing the competencies of specialists in attracting resources for socio-economic development of the community**

**Implementation of security projects** (construction of shelters in educational institutions and residential buildings, equipping the shelter with the necessary means)

**Implementation of environmental projects** (Reconstruction of sewage treatment plants, Construction of solid waste landfill, introduction of separate garbage collection system, construction of local treatment plants in villages)

**Implementation of renewable energy projects** (solar power plants, installation in enterprises, institutions and institutions of thermal convectors, solar cells, heat pumps, wind turbines, biogas plants, etc.)

**Implementation of life improvement projects** (introduction of systems for improving the quality of drinking water, creation of a modern rehabilitation department in the Lozova Territorial Medical Association, restoration of the children's clinic with a swimming pool)

**Implementation of social projects** (creating conditions for children with developmental disabilities, for socially unprotected categories)





# LOZOVA URBAN TERRITORIAL COMMUNITY

## IMPLEMENTATION OF JOINT PROJECTS



**Restoration of destroyed objects:** Lozova City Palace of Culture and Lozivkij Lyceum No8;

**Creation of IDP residence** (in a former dormitory)

**Arrangement of IDPs' accommodation centers** (social housing, modular towns);

**Provision of specialized communal / construction equipment** of utilities;

**Staffing medical institutions with medical equipment;**

**Equipping educational institutions with computer equipment necessary for distance learning**

**Improving the work of the Center for Administrative Services**





# LOZOVA URBAN TERRITORIAL COMMUNITY

## ESTABLISHING ECONOMIC RELATIONS



Creation of an industrial park in Lozova city community;

Establishment and implementation of joint ventures;

Raising production standards to the European level;

Introduction of innovative technologies in production;

Exchange of experience in industrial and agricultural production;

Investing in the establishment of an agricultural processing enterprise;

Export of agricultural machinery **LOZOVA  MACHINERY**, agricultural products, etc.







## LOZOVA URBAN TERRITORIAL COMMUNITY

### EXCHANGE OF EXPERIENCE AND TRADITIONS



Conducting joint **online partner meetings** in various areas (education, medicine, social protection, culture, etc.);

**Presentation** of Lozova city territorial community institutions (medicine, education, sports, culture, social protection, housing and communal services)

**Establishment of partnerships** between institutions of medicine, education, culture, social protection;

**Exchange of experience** (work of doctors, teachers, artists, communal workers);

**Training of specialists** (doctors, social workers, psychologists, teachers, employees of communal enterprises);

**Cultural exchanges** (study of cultural traditions, songs, music, dance competitions and festivals, fairs of folk crafts, study of artistic achievements);

**Creative learning** (art exhibitions, field gliders, transfer of creative skills);

**Rehabilitation of children** with developmental defects;

**Provision of utilities** at the European level;

**Integration of young people** into the through educational, sports, cultural events.



## LOZOVA URBAN TERRITORIAL COMMUNITY



### Email

[mr\\_lozova@lozovarada.gov.ua](mailto:mr_lozova@lozovarada.gov.ua)



### Websites

<https://lozovagromada.gov.ua>



### Facebook

[www.fb.com/lozova\\_community](http://www.fb.com/lozova_community)



### Google Maps

[google maps Lozova](#)



Європейський Союз



співпраця з  
НІМЕЧЧИНОЮ  
DEUTSCHE ZUSAMMENARBEIT



Швеція  
Sverige



Polish aid



MINISTRY OF  
FOREIGN AFFAIRS  
OF DENMARK



Міністерство  
цифрової трансформації  
України



Міністерство розвитку  
громад та територій України

## **12.5. APPROVAL FOR CEO TO CHAIR THE DENILIQUN RSL CLUB BOARD**

**Author: Chief Executive Officer**

**Authoriser: Chief Executive Officer**

### **RECOMMENDATION**

That Council approves the Chief Executive Officer to undertake the role of Chair of the Deniliquin RSL Club Pty Ltd board of directors.

### **BACKGROUND**

I am a returned serviceman and I have been a member of the RSL Sub Branch of Deniliquin since early 2021 after moving to Deniliquin to take up the role as General Manager, now Chief Executive Officer, of Edward River Council. Veterans issues are a key personal focus for me, and I have pursued membership of both Legacy and the Returned and Services League at my home location since leaving the military in 1999. I have actively participated in remembrance services as CEO and would actively support the activities of the RSL Branch of NSW regardless of my role in normal employment.

In early 2022, I approached the Deniliquin RSL Club Pty Ltd (Deni RSL Club), a separate entity to the Deniliquin RSL Sub Branch, to offer assistance to the board of directors. I was appointed as a board-appointed director in March of that year, and I have declared this appointment on my Council Pecuniary Interest Returns since that time. It should be noted that directorships on the Board of the Deni RSL Club are voluntary and are not remunerated.

To date I have not sought approval from the Council to undertake this work in accordance with clause 5.23 of the Code of Conduct as the appointment is not remunerated. I have been open with councillors about my board role outside of my work with Council.

### **ISSUE/DISCUSSION**

In May 2023, I was appointed by the Board into a vacant position and, under the Deni RSL Club's constitution, was required to run for election as a board member at the Deni RSL Club's Annual General Meeting (AGM). I was elected to the board at the club's AGM and was nominated and elected as chair of the board at the May board meeting. The position of Chair of the Board is also not remunerated, however receives an honorarium at the end of the term (one year).

The Australian Tax Office defines an honorarium as "honorary rewards for voluntary services" and "are not assessable income".

In this Council meeting, a question on notice from Cr Fogarty regarding clause 5.23 of the Code of Conduct has prompted staff to seek advice from the Office of Local Government. That advice, detailed in another report at this meeting, defines "other business" under clause 5.23 as remunerated "business that does not arise from an employment or contractual relationship".

I therefore consider it appropriate, to remove any doubt and as a courtesy to the Council, to seek approval to continue as Chair of the Board of the Deni RSL Club.

The majority of work that is undertaken as chair, is outside of business hours and does not impact my ability to perform my role as Chief Executive Officer of Council.

### **STRATEGIC IMPLICATIONS**

There are no strategic implications to the Chief Executive Officer of Council undertaking the role of Chair of the Board of the Deniliquin RSL Club.

## **COMMUNITY STRATEGIC PLAN**

This report supports Council to achieve the following Community Strategic Plan objective:

5. Accountable leadership and responsive administration

5.3 Professional Workplace culture

## **FINANCIAL IMPLICATIONS**

There are no financial implications to this report.

## **LEGISLATIVE IMPLICATIONS**

This report refers to clause 5.23 of the Edward River Council Code of Conduct, pursuant to s353(1) of the Local Government Act, 1993.

## **ATTACHMENTS**

Nil attachments

## **12.6. DRAFT DISABILITY INCLUSION ACTION PLAN FOR PUBLIC EXHIBITION**

**Author: Manager Community & Economy**

**Authoriser: Director Corporate Services**

### **RECOMMENDATION**

That Council:

1. Approve the draft Disability Inclusion Action Plan (DIAP) for public exhibition for no less than 28 days
2. Note that if submissions are received during the exhibition period, a further report will be provided to Council on the submissions and any proposed amendments to the plan
3. Adopt the Disability Inclusion Action Plan (DIAP) if no submissions are received, with the date of adoption being the day after the completion of the public exhibition period.

### **BACKGROUND**

With the introduction of the NSW Disability Inclusion Act 2014, it became a mandatory requirement for local government authorities to have a DIAP. The intention of the Edward River Council DIAP is to define how we undertake specific actions to reduce potential barriers faced by people with disabilities when living in, working in and visiting our LGA.

Council's DIAP will be aligned with the NSW Government's Disability Inclusion Plan 2022-2025. Its aim is to remove barriers within systems and attitudes to give people with disabilities a better opportunity to live a meaningful life and enjoy the full benefits of membership in the community. This is achieved not only by actions within our organisation, but also by actions and collaboration focussed on the broader community.

The DIAP is a whole of Council strategy, outlining the steps Council will take to create a more inclusive and accessible community and workplace.

It has been developed in accordance with relevant legislation and is categorised under the following key areas; Positive Community Attitudes and Behaviours, Creating Liveable Communities, Supporting Access to Meaningful Employment and Improving Access to Systems and Processes.

In line with the NSW Disability Inclusion Act 2014 and updated NSW Disability Inclusion Action Planning Guidelines, Council has undertaken a variety of engagement approaches in the development of this draft plan including:

- community and organisational surveys in June,
- engaged with key stakeholder groups including Councillors in July, and
- conducted internal staff interviews and reviews in July and September

This plan has been co-designed by community and Council staff and guided by Accessible Arts NSW.

### **ISSUE/DISCUSSION**

The timeline to deliver the Disability Inclusion Action Plan 2023-2026 includes placing the draft plan on public exhibition for 28 days. During the exhibition period, feedback will be sought from contributors to the draft, as well as the broader community of Edward River. Following exhibition, feedback will be considered and recommended changes where appropriate, will be made to the plan for Council's adoption. Once adopted, the DIAP will be lodged with the Disability Council of NSW.



**STRATEGIC IMPLICATIONS**

Council's development of the DIAP presents a compelling message to the community that we view people with disability as equals, and aligns with the disability principles as set out in Section 4 of the NSW Disability Inclusion Act 2014 being:

1. People with disability have an inherent right to respect for their worth and dignity as individuals.
2. People with disability have the right to participate in and contribute to social and economic life and should be supported to develop and enhance their skills and experience.
3. People with disability have the right to realise their physical, social, sexual, reproductive, emotional and intellectual capacities.
4. People with disability have the same rights as other members of the community to make decisions that affect their lives (including decisions involving risk) to the full extent of their capacity to do so and to be supported in making those decisions if they want or require support.
5. People with disability have the right to respect for their cultural or linguistic diversity, age, gender, sexual orientation and religious beliefs.
6. The right to privacy and confidentiality for people with disability is to be respected.
7. People with disability have the right to live free from neglect, abuse and exploitation.
8. People with disability have the right to access information in a way that is appropriate for their disability and cultural background and enables them to make informed choices.
9. People with disability have the same right as other members of the community to pursue complaints.
10. The crucial role of families, carers and other significant persons in the lives of people with disability, and the importance of preserving relationships with families, carers and other significant persons, is to be acknowledged and respected.
11. The needs of children with disability as they mature, and their rights as equal members of the community, are to be respected.
12. The changing abilities, strengths, goals and needs of people with disability as they age are to be respected.

**COMMUNITY STRATEGIC PLAN**

Council's Disability Inclusion Action Plan contributes to the achievement of the following objectives in the Community Strategic Plan:

1. Shaping the Future
  - 1.2 Quality built environment
  - 1.3 Enhanced Active and Passive Open Spaces
2. An open and connected community
  - 2.3 Cultural and personal links
4. Delivering community assets and services
  - 4.1 Vibrant villages and towns

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.3 Professional Workplace culture

### **FINANCIAL IMPLICATIONS**

The proposed actions in the draft Disability Inclusion Action Plan will be delivered within the resourcing levels included in Council-approved future Operational Plans and budgets. There is no budget allocated to implement the actions from the DIAP in this current financial year.

### **LEGISLATIVE IMPLICATIONS**

The Disability Inclusion Action Plan will comply with the:

- Disability Discrimination Act 1992 (Cth);
- Anti-Discrimination Act 1977 (NSW);
- Fair Work Act 2009 (Cth);
- Carers Recognition Act 2010;
- Equal Employment Opportunity (Commonwealth Authorities) Act 1987 (Cth);
- any other relevant laws.

### **ATTACHMENTS**

1. Draft Edward River Council Disability and Inclusion Action Plan



**Edward  
River**  
COUNCIL

***Edward River Council  
Disability Inclusion  
Action Plan 2023-2026  
Draft***





# **Edward River Council**

## **Disability Inclusion Action Plan**

### **2023-2026**

#### **Acknowledgement of Country**

Edward River Council acknowledges and embraces the Traditional Owners of the Lands within the Edward River Council area - the Wamba Wamba/Perrepa Perrepa Peoples – and pay our respects to their elders, past, present, and emerging. Edward River Council also recognises the diversity of different cultures within our community and their contribution.

#### **Contributors**

Edward River Council would like to acknowledge the contribution made by staff, council members, people with disability, service providers, members of the wider community and Accessible Arts. Their willingness to participate in the consultation sessions and respond to the survey has enhanced the value of the information incorporated into the Disability Inclusion Action Plan and has helped inform the actions to be implemented by Council in coming years.

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## Message from the Chief Executive Officer

I take great pleasure in presenting Edward River Council's Disability Inclusion Action Plan 2023-2026. This Plan outlines Council's work over the next four years to make the Edward River region more inclusive of people with a disability.

Most of us will be impacted by disability at some point in our lives, through our own experience or through caring for others.

This plan encourages positive change to the lives of people with disability and supports the full participation of all community members in all aspects of the Edward River community.

Through this plan, Council will proactively work to develop positive community attitudes and behaviours towards people with disability, create more liveable communities, support meaningful access to employment, and improve access to services.

This is Edward River Council's first Action Plan and builds on the work we are already doing to remove access barriers and increase participation of people with disability in our community.

Thank you to everyone who helped to develop this Plan, especially those local people with disability, families and carers who have shared their lived experience and the local disabilities service sector, whose everyday work supports inclusion and participation in our community.

Engaging the community is vital to this Plan's success. With your continued support we can make a positive difference. An inclusive Edward River region will benefit everyone and strengthen our community.

**Phil Stone, Chief Executive Officer**

## Terminology

**Language** can be a personal and political choice. We recognise that there are varying views on language and terminology around disability in Australia and internationally. We use the person-first language of 'person with disability' to recognise that disability is just one aspect of a person's life and does not determine who they are. However, we respect that different people have different preferences about language.

**The Social Model of Disability** makes a distinction between conditions - the condition, illness, or loss/lack of function - and disability - barriers and discrimination. The term 'disability' refers to barriers, rather than medical conditions. The Social Model looks at the environment instead of individual conditions.

**Inclusion** is about creating an environment that celebrates diversity and is free from all forms of discrimination and harassment. This environment recognises, utilises, and values the knowledge, abilities, skills and ideas of people, irrespective of race, ethnicity or religion, gender or sexual orientation, education level, socio-economic background, age, disability or family responsibility.<sup>1</sup>

**Access** is about creating the necessary conditions for all individuals and organisations to utilise services, facilities, programs, and employment opportunities. Access is about making space for the unique characteristics that each person brings. Barriers to equitable access fall into the categories of physical, communication, economic, social, and attitudinal.

**Universal Access** is about the design and composition of an environment so that it can be accessed, understood, and used by all people regardless of their age, size or ability. An environment should be designed to meet the needs of all people who wish to use it. It is a fundamental condition of good

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<sup>1</sup> University of Western Australian Disability Access and Inclusion Plan. <[ombudsman.wa.gov.au/Publications/Documents/daip/Disability-Access-and-Inclusion-Plan-2020-2025.pdf](http://ombudsman.wa.gov.au/Publications/Documents/daip/Disability-Access-and-Inclusion-Plan-2020-2025.pdf)>.

design. If an environment is accessible, usable, convenient and a pleasure to use, everyone benefits.<sup>2</sup>

## Disability in Australia

The 2006 UN Convention on the Rights of Persons with Disabilities defines people with disability as those 'who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers which may hinder their full and effective participation in society on an equal basis with others.'<sup>3</sup>

Edward River Council subscribes to the social model of disability which recognises the difference between a person's individual condition or impairment and the barriers they experience which are created by the environment and society around them. Rather than focusing on the individual and medical diagnosis, the social model focuses on the barriers that create disadvantage by limiting opportunity, participation, autonomy and self-expression.

Disability can be both permanent or temporary, invisible or visible. We include mental health within our definition of disability, as well as members of the Deaf community (who may not choose to identify as people with disability, but instead as part of a cultural and linguistic minority, with their first language being Auslan).

Edward River Council recognises not everyone who experiences these barriers chooses to identify as a person with disability. We understand that identity and disclosure in the context of disability is complex and very

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<sup>2</sup> National Disability Authority. What is Universal Design. <[universaldesign.ie/What-is-Universal-Design/](https://universaldesign.ie/What-is-Universal-Design/)>.

<sup>3</sup> United Nations, Department of Economic and Social Affairs. Convention on the Rights of Persons with Disabilities (CRPD). <[social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd](https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-crpd)>.



personal. We also understand the principles of universal design, that one size does not fit all and the complexities of intersectionality within disability.

Disability impacts us all. It is a very broad diversity group and is commonly experienced amongst our community – with people either directly identifying themselves, being a carer for someone else or having a family member or close friend with disability. The statistics shared below demonstrate how widespread disability is:

- One in five Australians are people with disability (17.7% or 4.4 million people).<sup>4</sup>
- Out of the 7.80 million residents of NSW, 1.37 million or 18.34% have a disability.<sup>5</sup>
- 600,800 or 43.7% of all people with a disability in NSW are people over 65 years with a disability.<sup>6</sup>
- More than 11 million Australians or 47% have one or more chronic conditions.<sup>7</sup>
- 45% of the population will experience a mental health issue at some time in their lifetime.<sup>8</sup>
- 3.4 million or 15% of Australians have a physical condition.<sup>9</sup>
- 357,000 people in Australia are blind or partially sighted.<sup>10</sup>

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<sup>4</sup> Australian Bureau of Statistics (ABS), "Disability, ageing and carers, Australia: summary of findings" (Latest release, 24 October 2019) <[abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/2018](https://abs.gov.au/statistics/health/disability/disability-ageing-and-carers-australia-summary-findings/2018)>.

<sup>5</sup> Australian Bureau of Statistics (ABS) Survey, Disability, Ageing and Carers, 2015 (ABS Cat No 4430.0) 2015, at [abs.gov.au/ausstats/abs@.nsf/mf/4430.0](https://abs.gov.au/ausstats/abs@.nsf/mf/4430.0), which includes the data cubes for tables in NSW (released 12 January 2017), accessed 20 September 2017.

<sup>6</sup> The Judicial Commission of New South Wales Equality before the Law Bench Book - Section 5 - People with Disabilities. <[judcom.nsw.gov.au/publications/benchbks/equality/section05.html#ftn.d5e8316](https://judcom.nsw.gov.au/publications/benchbks/equality/section05.html#ftn.d5e8316)>.

<sup>7</sup> Australian Institute of Health and Welfare, "Chronic conditions and multimorbidity" (Topic summary, 7 July 2022) <[aihw.gov.au/reports/australias-health/chronic-conditions-and-multimorbidity](https://aihw.gov.au/reports/australias-health/chronic-conditions-and-multimorbidity)>.

<sup>8</sup> Australian Bureau of Statistics. (2020-21). National Study of Mental Health and Wellbeing. ABS. <[abs.gov.au/statistics/health/mental-health/national-study-mental-health-and-wellbeing/latest-release](https://abs.gov.au/statistics/health/mental-health/national-study-mental-health-and-wellbeing/latest-release)>.

<sup>9</sup> The Judicial Commission of New South Wales Equality before the Law Bench Book - Section 5 - People with Disabilities. <[judcom.nsw.gov.au/publications/benchbks/equality/section05.html#ftn.d5e8316](https://judcom.nsw.gov.au/publications/benchbks/equality/section05.html#ftn.d5e8316)>.

<sup>10</sup> Vision 2020 Australia, "A snapshot of blindness and low vision services in Australia" (Resource article no date) <[vision2020australia.org.au/resources/a-snapshot-of-blindness-and-low-vision-services-in-australia/](https://vision2020australia.org.au/resources/a-snapshot-of-blindness-and-low-vision-services-in-australia/)>.

- One in six Australians are impacted by hearing loss. There are approximately 30,000 Deaf Auslan users with total hearing loss.<sup>11</sup>
- 45.1% of Aboriginal and Torres Strait Islander people aged 15 years and over experience disability.<sup>12</sup>
- People with disability are twice as likely to be in the bottom 20% of gross household incomes.<sup>13</sup>
- 45% of those with disability in Australia are living either near or below the poverty line, more than double the Organisation for Economic Co-operation and Development (OECD) average of 22%.<sup>14</sup>

## Disability in Edward River

- 606 people or 7.2% of the population in Edward River Council reported needing help in their day-to-day lives due to disability.<sup>15</sup>
- 842 people, or 10.0%, of people in Edward River Council have a mental health condition, which is higher than both the NSW average of 646,412 people or 8.0%, and the National average of 2,231,543 people or 8.8%.<sup>16</sup>
- 94 people, or 1.1% of the population in Edward River Council have dementia which is higher than both the NSW average of 62,706 people or 0.8% and the National average of 189,162 people or 0.7%.<sup>17</sup>

<sup>11</sup> Access Economics, Listen Hear! The Economic Impact and Cost of Hearing Loss in Australia (Access Economics report, February 2006) <hearnet.org.au/wp-content/uploads/2015/10/ListenHearFinal.pdf>.

<sup>12</sup> ABS 4714.0 – National Aboriginal and Torres Strait Islander Social Survey, 2014–15 <abs.gov.au/AUSSTATS/abs@.nsf/mf/4714.0>.

<sup>13</sup> ABS 4430.0 - Disability, Ageing and Carers, Australia: Summary of Findings, 2015. Australian Bureau of Statistics.

<abs.gov.au/ausstats/abs@.nsf/Lookup/4430.0main+features202015>.

<sup>14</sup> Price Waterhouse Coopers. Disability expectations - Investing in a better life, a stronger Australia 2011. <pwc.com.au/industry/government/assets/disability-in-australia.pdf>.

<sup>15</sup> Edward River Council Need for assistance. <profile.id.com.au/edward-river/assistance>.

<sup>16</sup> Edward River: 2021 Census All persons Quick Stats. Australian Bureau of Statistics. <abs.gov.au/census/find-census-data/quickstats/2021/LGA12730>.

<sup>17</sup> Ibid.

- 659 people or 7.8% of the population in Edward River council are living with long-term health conditions (not including arthritis, asthma, cancer, dementia, diabetes, heart disease, kidney disease, lung disease, mental health conditions or stroke) in ERC is 659 people or 7.8% which is on par with both the NSW average of 626,827 people or 7.8% and the National average of 2,041,929 people or 8.0%.<sup>18</sup>

## Our Commitment to Accessibility

To support the implementation of our Disability Inclusion Action Plan, we will:

1. Deliver the services needed by our community within our responsibility and ensure that Council resources are responsibly managed
2. Lead by example and act as a role model for others through our own actions, strategic organisational responses, and our way of doing things
3. Advocate to other levels of government and key agencies to continue to improve services, facilities, and opportunities for our community
4. Facilitate and promote interaction between key stakeholders who can help us implement this DIAP

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<sup>18</sup> Ibid.

## Methodology and Consultation

This Plan was developed in partnership with Accessible Arts, the peak arts and disability organisation in New South Wales.

During 2023, an extensive program of consultation was undertaken to inform this DIAP.

This included:

- Focus Group discussions with people with disability, their carers, service providers, volunteers, sporting and leisure clubs and interested community members
- A series of targeted interviews with council staff
- Focus Group discussion with councillors
- Two surveys: one for community members and another for council staff and councillors
- A Web Content Accessibility Guideline website compliance audit
- A desktop accessibility compliance audit of key council documents

## Governance, Monitoring and Review

Reporting on progress of the actions in the DIAP will be in accordance with the Integrated Planning and Reporting framework.

Annual actions of the DIAP will be considered and prioritised for resourcing and inclusion in Council's annual Operational Plan and budget each year.

We may also engage other experts, partners and stakeholders with lived experience of disability to assist us with the DIAP's implementation on an as needs basis.

We will provide an external report on the Plan's progress annually as part of our Annual Report. The Annual Report is published on our website.

## Legislation and Policy

This Plan aligns with international and national social policy and legislative frameworks including:

- UN Convention on the Rights of Persons with Disabilities 2006 (UNCPRD)
- National Disability Strategy 2010-2020 (NDS)
- Disability Discrimination Act 1992 (DDA)
- Disability Services Act 1986 (Commonwealth)
- Disability (Access to Premises – Buildings) Standards 2010
- National Arts and Disability Strategy 2009
- Disability Services Act 1991 (Australian Capital Territory)
- Disability Justice Strategy 2019 - 2029 (Australian Capital Territory)

## Our Disability Inclusion Action Plan

### Key Focus Areas

We are committed to ensuring that Edward River Council is an accessible and inclusive place to visit and work. This means increasing disability confidence and competence within our organisation and creating an environment where we can provide opportunities for everyone on an equal basis.

### KEY FOCUS AREAS – WHAT YOU TOLD US

1. **Attitudes and behaviours** - You told us that the single greatest barrier for people with disability has been attitudes and behaviours of the general community, and that breaking down the barriers of attitudes and behaviours plays a key role in access and inclusion. You also told us that you believe that developing positive attitudes and increasing awareness will help change people's perceptions.
2. **Accessible and liveable communities** - You told us that the benefits of creating a liveable community went beyond modifying the physical environment. You told us that a more accessible Council had wide spread impacts, from parents with prams to the elderly with mobility issues. You told us that access to transport, community recreation and cultural opportunities and facilities, and social engagement were just as important.
3. **Employment** - You told us that people with disability have many skills and assets that Council can benefit from, yet statistics show that people with disability still have high rates of unemployment. You told us that people with disability have access issues when attending interviews, that there is a general lack of understanding of disability, and that employers fear that people with disability will cost too much to provide adequate support.
4. **Systems and processes** - You told us that while technology has advanced and that there are now many varied ways to communicate and interact, providing information effectively to people with disability still needs improvement.

## Objectives and Actions

Key Focus Area 1: Attitudes and Behaviours				
Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
Council staff and councillors are aware of the social and economic benefits of inclusiveness.	Deliver Disability Awareness Training to staff, volunteers and Councillors as part of the induction and onboarding process.	2025-26	People & Culture	100% of new staff receive training at induction  100% of councillors receive training at commencement of new term
	Deliver Disability Awareness refresher to all staff every two years	2025-26	People & Culture	80% of Councillors and staff undertake refresher training

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
Build a culture of positive community attitudes towards people with disability fostered through greater awareness, exposure, understanding and respect	Include a review of progress with DIAP progress as a key part of the Annual Reporting process	2024-25	Office of the CEO	DIAP progress reviewed by Council annually
	Identify existing community Disability Awareness organisations and partner with them as key stakeholder groups for engagement in development of council strategies	2024-25	Communications & Engagement  Corporate Strategy	Disability Awareness stakeholder group identified
	Provide for Council's participation and promote support of relevant days including International Day for People with Disability, R U OK Day, Mental Health Month and Carers Week	2025-26	Communications & Engagement  People & Culture	Council support and promotion of relevant days are posted on social media  # staff participation events of relevant



Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
				day conducted per annum
	Ensure representation of people with disability in Council's marketing collateral.	2025-26	Communications & Engagement	5% of marketing material reflective of people with disability through appropriate images

### Key Focus Area 2: Accessible & Liveable Communities

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
Ensure public domain infrastructure is accessible and inclusive, meeting standards and promoting independence and dignity	Audit Council facilities, buildings and open spaces to confirm accessibility service gap	2024-25 2025-26	Open Spaces and Facilities	1 access audit completed annually

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Apply access and inclusion service standards and best practice guidelines in the development of Masterplans, Strategies and Asset upgrades	From 2024-25 and ongoing	Asset Management Strategic Asset Management	% of Strategies, plans and Asset upgrades that consider access and inclusion
	Review and support the provision of dedicated signage that improves access and inclusion	2024-25 Ongoing	Transport Strategic Asset Management	Review completed by June 2025  # signage upgraded to enhance access and inclusion
	Scope the provision of accessible lifts for the outdoor and hydro pool	2025-26	Strategic Asset Management	Scoped and considered for funding by 2026

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Review inclusivity within playgrounds and provide recommendations for further all-inclusive play spaces for everyone	2025-26	Open Spaces and Facilities	1 playground reviewed annually
	Review the provision of mobility car parking spaces in key locations in town, near medical facilities and at key community facilities and develop strategies to maximise access and inclusion	2025-26 Ongoing	Transport  Strategic Asset Management	Review complete by 2026  # of additional accessible parking spaces provided
Ensure community facilities, spaces and places provide for a range of inclusive participation opportunities for people of all abilities	Explore opportunities to increase diverse representation in services and community programs such as the Library and council-delivered events	2024-25	Library  Community & Economy	5% increase in people identifying as a person with disability participating in programs

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Continue to provide a range of inclusive programs at community and creative facilities	2025-26	Community & Economy	5% of people identifying as a person with disability participating in programs
Local businesses and organisations are accessible and inclusive	Identify ways to support local businesses and organisations to be inclusive and accessible	2026-27	Community & Economy	50% of local businesses consulted on inclusivity and accessibility by June 2027
Provide accessible and inclusive events and exhibitions aimed at celebrating and connecting the community	Use the Smithsonian guidelines for accessible exhibition design as a basis to develop specific guidelines for all types of access requirements for Council cultural spaces.	2024-25	Project Management Office  Community & Economy	Requirement for consideration of Smithsonian guidelines is incorporated into tender for PHC

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
				Gallery SCCF R5 funded project
	Scope the potential for the inclusion of Auslan, audio descriptions tours, self-guided audio descriptions tours, hearing loops, Relaxed programs, dedicated Quiet spaces, Tactile and Interactive programs/exhibits	2024-25	Project Management Office  Community & Economy	Requirement to scope is incorporated into tender for PHC Gallery SCCF R5 funded project
	<p>Ensure Council-led events in council cultural facilities consider:</p> <ul style="list-style-type: none"> <li>- Priority/Early Seating program with designated wheelchair spaces to manage queuing and assist those who cannot stand in queues</li> <li>- booking and ticketing processes for people with a range of access requirements and affordability</li> </ul>	2025-26	Community & Economy	Actions are embedded into community events project planning by June 2025

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	- the provision of comprehensive information about accessibility prior to arrival via clear online communications.			
	Review and ensure sound and lighting levels are safe and accessible for everyone.	2025-26	Community & Economy	Requirement to consider sound and lighting level accessibility embedded into DTH hire agreement by June 2026
	Survey and plan to improve wayfinding and signage in venues and exhibits across the Edward River Council area using Universal Design Principles. Scope a variety of maps of buildings and the central town, in both hardcopy and digital formats.	2026-27	Community & Economy	Survey of wayfinding and signage conducted and plan developed by June 2027

### Key Focus Area 3: Employment

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
People with disability can access meaningful employment opportunities to enter and progress through the organisation	Include an inclusion and diversity statement in job advertisements to encourage people from under-represented groups to apply.	2024-25	People & Culture	100% of job advertisements include inclusion & diversity statement
	Ensure job advertisements are published in accessible formats and that various accessible formats of application are accepted.	2025-26	People & Culture Communications & Engagement	100% of job advertisements are published in accessible formats
	Scope opportunities for internships, traineeships and work experience programs for people with disability.	2026-27	People & Culture	1 internship / traineeship / work experience program is identified by June 2027



Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Conduct an Access Audit of staff areas and staff software and devices to identify barriers and solutions.	2025-26	Customer Experience	Access audit of staff areas and software is undertaken by June 2026
	Review HR policies and documents as they come up for renewal to align with the Australian Public Service Disability Employment Strategy 2020-2025 and ensure access and inclusion is referenced where appropriate.	2025-26	People & Culture	100% of HR policies and documents due for renewal are updated to reference access and inclusion by June 2026
People with disability can access meaningful volunteering opportunities to enter and progress through the organisation	Clearly communicate that volunteer access requirements will be supported on all marketing/communication around volunteering opportunities	2025-26	Communications and Engagement People & Culture	100% of marketing materials for volunteer opportunities communicate this

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
			Community & Economy	
	Ensure volunteers have the same procedures as staff for disclosing access requirements and then ensure these are supported.	2025-26	People & Culture Community & Economy	100% of volunteer procedures reviewed accordingly

#### Key Focus Area 4: Systems & Processes

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
Council information is accessible to all	Develop a plan to implement the priority recommendations of the Website Audit Report to ensure the website is accessible for people with a range of access requirements	2024-25	Communications & Engagement	Website Audit Report implementation plan is developed

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Working towards achieving Web Content Accessibility Guidelines (WCAG) 2.1AA to continually improve access to information.	2024-25	Customer Experience  Communications & Engagement	100% of new website content developed aligns
	Training provided to staff on creating accessible PDF and Word documents and web authoring meeting WCAG 2.0 Level AA standard	2024-25	Customer Experience  Communications & Engagement	1 training session scheduled, attended by 100% of staff responsible for updating web content
Customer services are accessible for people of all abilities	Ensure various options are available for customers to communicate with Council (e.g. National Relay Service, Translating and Interpreting Services, Easy Read resources, website, email, phone, in-person)	2024-25  Ongoing	Customer Experience	1 new accessible options is identified and implemented by June 25

Outcome/Objective	Action	Timeframe	Responsibility	Measure/Target
	Ensure people with disability can easily report access and inclusion issues	2024-25  Ongoing	Customer Experience	CRM system updated to include category for reporting access and inclusion issues by June 2025
Community engagement informs ongoing planning for services, programs and facilities with an aim to improve access, inclusion and liveability	Continue to engage people with disability in decision-making processes and in the development and implementation of DIAP's	2025-26  Ongoing	Communications & Engagement	# communications planning includes consideration of stakeholders' disabilities

## **12.7. COMMUNICATIONS & COMMUNITY ENGAGEMENT STRATEGY**

**Author: Manager Community & Economy**

**Authoriser: Director Corporate Services**

### **RECOMMENDATION**

That Council adopt the Communications & Community Engagement Strategy (CCES).

### **BACKGROUND**

The *Local Government Act* 1993 (the Act) requires that Council prepare and implement a Community Engagement Strategy based on social justice principles for engagement with the local community to support the development of all their plans, policies, programs and key activities. This includes those relating to Integrated Planning and Reporting, as well as strategic plans and programs required under other legislation.

### **ISSUE/DISCUSSION**

Council endorsed a draft CCES for public exhibition at its August meeting.

The document was placed on public exhibition from 16 August to 15 September on Council's website and in hard copy format at Council's Customer Service Centre.

Notification of the exhibition was advertised regularly in the Community News section of the Pastoral Times, on Council's Facebook Page, and provided directly at their request to Council's Arts & Culture Advisory Committee.

No community feedback was received throughout the public exhibition period.

Council now has before it a final Strategy for adoption.

### **STRATEGIC IMPLICATIONS**

Councils are now required to prepare a Community Engagement Strategy to support the development of all their plans, policies, programs and key activities. This includes those relating to Integrated Planning and Reporting, as well as strategic plans and programs required under other legislation. Engagement activities should be incorporated into one over-arching strategy, to be endorsed by council.

### **COMMUNITY STRATEGIC PLAN**

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

### **FINANCIAL IMPLICATIONS**

Council had a budget of \$15,000 ex GST for this project. There are resourcing implications to deliver on the Communications & Community Engagement Strategy, which have been phased for implementation over three years where funding is allocated.

Actions requiring additional funding and/or resourcing will be presented for consideration through Council's annual Operational Plan and budget preparation processes.

### **LEGISLATIVE IMPLICATIONS**

Section 402A of the Act requires:

- A council must establish and implement a strategy for engagement with the local community (called its Community Engagement Strategy) when developing its plans, policies and programs, and for the purpose of determining its activities (other than routine administrative matters).

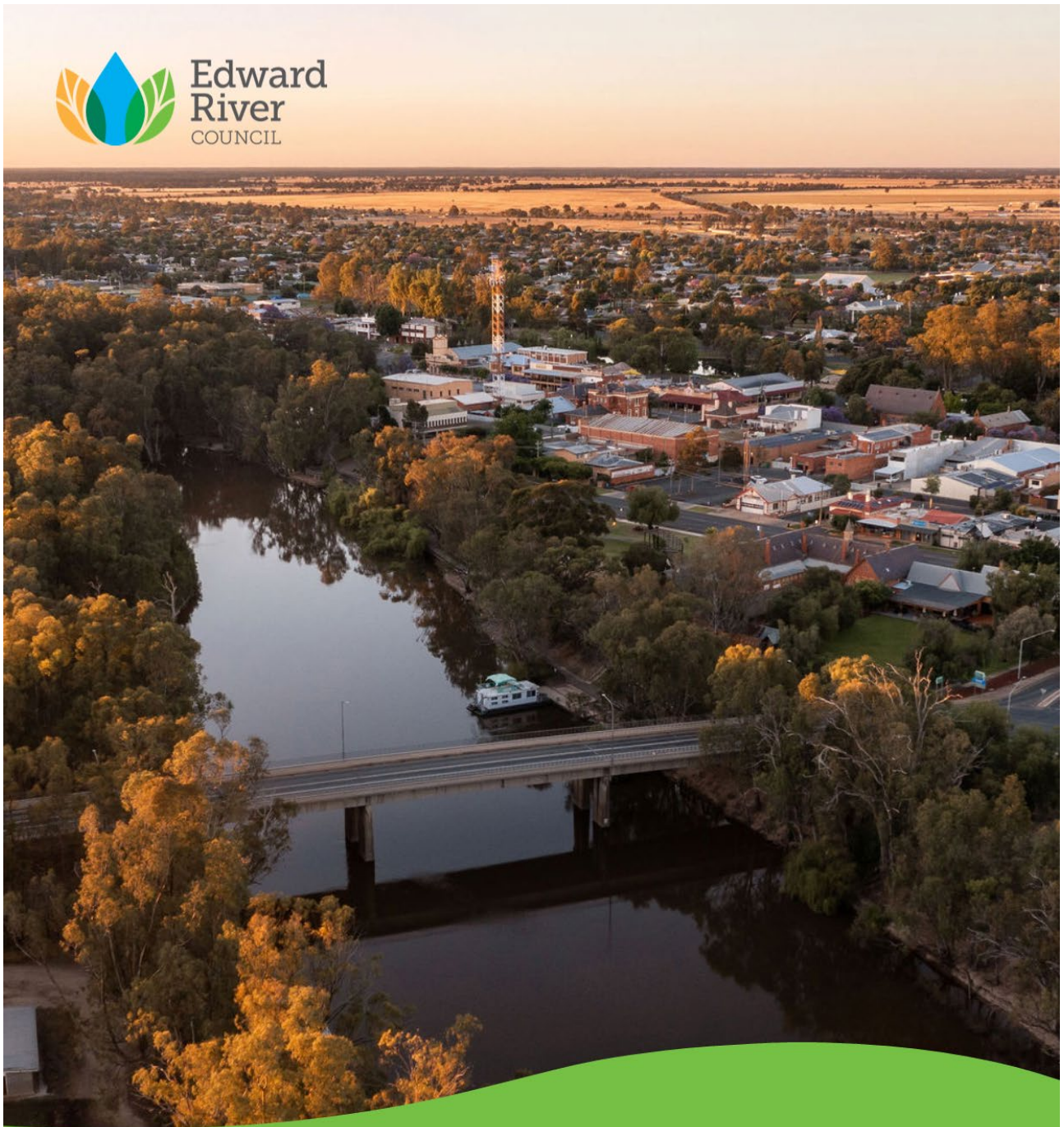
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**ATTACHMENTS**

1. Communications & Community Engagement Strategy



Edward  
River  
COUNCIL



# COMMUNICATIONS AND COMMUNITY ENGAGEMENT STRATEGY 2023 - 2025





Image credit: Yarkuwa Indigenous Knowledge Centre

## ACKNOWLEDGEMENT OF COUNTRY

The Edward River Council acknowledges and embraces the Traditional Owners of the Lands within the ERC area – the Wamba Wamba/Perrepa Perrepa Peoples – and pay our respects to their elders, past, present, and emerging. The Edward River Council also recognises the diversity of different cultures within our community and their contribution.



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# INTRODUCTION

## COMMUNITY ENGAGEMENT

It is essential that communities have a say in decisions that shape their future, and that they help determine the way Council delivers its services to the community. Effective community engagement is a process where communities can access relevant information and provide feedback to Council through methods they are comfortable with.

We understand that when our community is informed and has an opportunity to have a say on decisions that may affect them we achieve better outcomes for the community as a whole. This Communications and Community Engagement Strategy (CCES) forms part of an integrated framework guiding our communication and engagement activities.

## STRATEGIC CONTEXT

The values expressed in this Strategy are consistent with those of our community as reflected in the Edward River [Community Strategic Plan](#) and Council's [Community Participation Plan](#).

For Council staff and elected officials, the Strategy acts as a guide for engagement and the delivery of timely and transparent communications. And for our community, it outlines the standard by which we will be held accountable.

This Strategy is informed by and meets the requirements of the following legislation:

- Local Government Act 1993
- Privacy and Personal Information Protection Act 1998
- NSW Information Commissioner's Charter for Public Participation 2018
- Crown Land Management Act 2016
- Environmental Planning and Assessment Act 1979
- Disability Inclusion Act 2014
- Government Information (Public Access) Act 2009

## WHY IS COMMUNITY ENGAGEMENT IMPORTANT?

Edward River Council recognises the importance of excellent communication and engagement with its most important stakeholder: community. For decisions to best meet community needs, it is essential that all community members know what is happening and understand how they may be affected. It is also vital for community members to have the opportunity to provide feedback for consideration in the decision-making process.

Council is committed to positive and effective communication and engagement with its community stakeholders. As part of this commitment, this strategy sets out the key principles that guide how we share information and seek and respond to feedback.

We're listening. Following a broad consultation with the community, councillors, and staff we've heard that Council's communication and engagement approach is not as effective as it could be.

We hear you and we're acting. The approach outlined in this Strategy reflects this feedback and is a demonstration of Council's commitment to continuous improvement.

We are striving to find better ways to keep everyone well-informed. We are striving to have better conversations with our community. We are striving to build strong relationships.

It is our goal to foster mutual trust and respect with all community members, so that we can achieve better community outcomes.





## COMMUNITY PARTICIPATION PLAN

Community Participation Plans (CPP) are a requirement under the Environmental Planning and Assessment Act 1979.

Endorsed in November 2019, the Edward River Council [Community Participation Plan](#) makes community participation in land-use planning matters easier and clearer.

The CPP identifies how and when Council will inform, engage and consult with the community on a variety of land-use planning functions.

The CPP applies only to the Strategic Land-Use Planning and Development Assessment functions of Council and excludes State Significant Development which is managed by the Department of Planning, Industry and Environment.

For ease of reference, the Edward River Council [Community Participation Plan](#) is included as an Appendix to this Strategy.

## DEFINITIONS

**Communications** is how we connect with our stakeholders. It is sharing the right message at the right time to inform our community.

Source: NSW Government, All-Of-Government Communications Framework

**Community engagement** is a planned process with the specific purpose of working across organisations, stakeholders and communities to shape the decisions or actions of the members of the community, stakeholders or organisation in relation to a problem, opportunity or outcome.

Source: NSW Government, All-Of-Government Communications Framework





*"The most important thing council can do is  
talk to the locals – front-on and straight-up.  
The community also needs to help council out.  
We all have a role to play."  
- Simon, Wanganella*



## OUR COMMUNITY

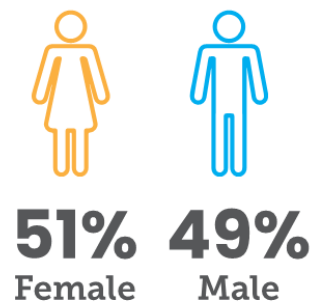
To ensure we plan our communications and engagement activities appropriately, it's important to understand what our local Edward River community looks like.

bring this vision to life, we know the composition of our community is going to change over time.

Below is a snapshot of our community in 2021, according to the Census of Population and Housing (Australian Bureau of Statistics). It reminds us to consider and use a variety of methods to ensure we engage effectively with all of our community.

### COMMUNITY SNAPSHOT

We share a vision with our community for our region to grow and thrive. As we work together to



Traditional custodians  
**Wamba Wamba  
and Perrepa Perrepa  
people**

**5%**  
of our population is  
Aboriginal and/or Torres  
Straight Islander

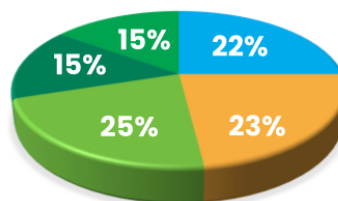


**13%**  
provided unpaid assistance  
to a person with a disability,  
health condition, old age.



ABS estimated resident  
population 2021

**8,500**



### Top 5 countries of birth



**26%**  
Born Overseas

1. Australia
2. England
3. New Zealand
4. India
5. Philippines



Communications And Community Engagement Strategy 2023 – 2025





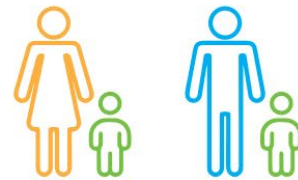
## FAMILIES



**49%**  
Couples



**36%**  
Couples with children



**14%**  
Single Parent

## HOUSEHOLDS



**64%**  
Family

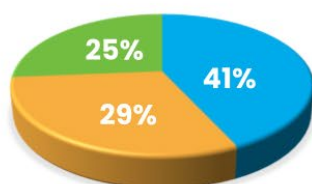


**2%**  
Group Home



**33%**  
One person

## DWELLING TYPES



Owned outright  
Owned with mortgage  
Rented



**90%**  
separate house



**8%**  
semi-detached,  
town house etc



**2%**  
apartment or  
other



**90%+**

More than 90% of the Australian population have a smart phone

**72%**

of residents have internet access from a dwelling

**35.1%**

completed Year 12

**7.2%**

people with a disability

**34.1%**

not in workforce

**58.8%**

working full time

**31.5%**

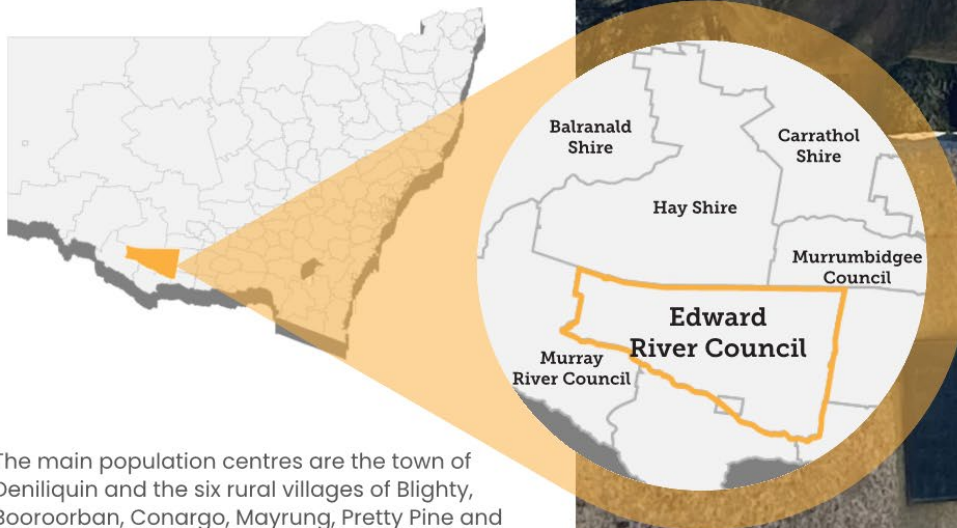
working part time



## TOWNS AND VILLAGES

The Edward River Local Government Area (LGA) is located in the Riverina Murray Region of south-western New South Wales near the border with Victoria.

Edward River LGA covers an area of nearly 9,000 square kilometres and is home to approximately 9,000 permanent residents. A challenge for Council's communications and engagement is to ensure we provide opportunities for all of our residents, no matter where they are across the LGA, to be engaged and receive information in a fair and equitable way.



The main population centres are the town of Deniliquin and the six rural villages of Blighty, Booororban, Conargo, Mayrung, Pretty Pine and Wanganella.

Towns and villages	Population (Source: ABS Census data, 2021)
Deniliquin	7,432
Blighty	192
Booororban	36
Conargo	117
Mayrung	171
Pretty Pine	59
Wanganella	61



## OUR STAKEHOLDERS

It is vital that we identify, understand and engage with stakeholders that are affected by, or have an interest in decisions made by Council. Council communicates and engages with many individuals, groups and organisations to ensure we hear a range of views and consider these in the decision-making process.

Our stakeholders include:







# PRINCIPLES OF COMMUNICATION AND ENGAGEMENT

In all that it does, Council's work is governed by the four social justice principles of equity, access, participation and rights. In this Strategy, the social justice principles are supported by other principles that have been developed through community input. When we asked you what was important about communication and engagement you told us it should:



## Be accessible

Make channels and information easy to use and understand.



## Be timely

Provide information and seek feedback with ample time to act.



## Be targeted

Ensure all relevant community stakeholders are consulted.



## Be acted upon

Community feedback should genuinely inform outcomes.

## SOCIAL JUSTICE PRINCIPLES

Our approach reflects the principles that establish supportive environments for everyone – addressing barriers to communication and engagement that may exist.







## OUR STRATEGY

### HOW WE ENGAGED WITH YOU TO DEVELOP THIS STRATEGY

Our approach was to hear from our community about how we deliver communication and engagement – what currently works well, where there are opportunities for improvement, and how you prefer to be engaged by and receive communications from Council.

To ensure we heard from a broad cross-section of our community, we conducted pop-up activities at the Peppin Heritage Centre and Deni Wanderers soccer match day. We attended Blighty netball and AFL training evening sessions and distributed a fact sheet inviting feedback. We invited stakeholders who regularly interact with Council to a stakeholder workshop and spoke to others on the phone. We also listened to our councillors and staff.

In addition, we conducted an online survey which was promoted on Facebook, distributed paper surveys at engagement activities, conducted telephone interviews and targeted interviews with First Nations representatives and other key community groups, and posted on Facebook to let people know about our engagement activities and how to get involved. We created an information sheet, created an engagement page on the Edward River Council website, and set up display boards in public areas.

We heard from many community stakeholders, and their ideas, priorities, concerns and feedback has been considered in the development of this Strategy.

### WHAT WE HEARD

#### Communication Methods

- Approximately half of those we spoke to preferred direct communication (via customer service or a call to Council) and approximately half expressed a preference for digital communication, (via Council's website and social media).
- The community acknowledged that comments on social media posts can be unhelpful on occasions.

#### Customer Service

- Positive feedback was received about the face-to-face customer service provided by Council
- People appreciate being able to talk to someone directly about their issues.

#### Responsiveness

- In some instance people felt that if they provide feedback it may not be listened to by Council.

#### Timing

- The community stressed the importance of receiving information with enough time to consider it, participate and give feedback before a decision is made.

#### Willingness to Participate

- Community members expressed a willingness to be involved in communication and engagement activities if the method/activity aligns with their availability and lifestyle.







## OUR COMMUNICATIONS AND ENGAGEMENT VISION

*We actively communicate and engage in a way that shares our stories, listens to our community, informs our future, and improves the wellbeing of the people who live in the Edward River Council region.*

### THIS STRATEGY

As the closest level of government connected to the community, we have a unique opportunity to communicate and engage with our local residents and other community members. Council delivers over 40 Council services, with approximately 120 staff across the organisation. We're also the link between our community and other levels of government, advocating for your priorities.

Edward River Council has prepared this Strategy to guide all of its communication and engagement activities with the ultimate aim of enhancing community outcomes.

This Strategy outlines Council's commitment to inform and involve all community members. It details the main elements of our approach to share information, seek feedback, and work together.

The successful implementation of this Strategy will help Council to effectively communicate and proactively act on feedback it receives. In doing so, it underpins our ability to deliver quality services and infrastructure to the community we serve. The Strategy will support a consistent approach to all our communications and engagement activities.



## DECISION MAKING

The role of Council is to make decisions that have benefits for the community as a whole.

Our community provides meaningful input to Council's decision-making in many forms, including surveys, formal submissions, advisory group recommendations, complaints and compliments, customer enquiries, and through interactions with staff and elected officials. This feedback is considered when Council makes decisions.

We understand that there are often a range of views on any particular issue. Council will always listen to all views, but cannot act on every desire expressed by the community. We must act to benefit the whole community within available resources. We acknowledge that not every decision made by Council will please everyone.

There will also be occasions where Council must make a decision with limited community input. For example, this may be because the decision is largely determined by legislation, or because an urgent decision must be made to address an immediate risk.

## OUR COMMITMENT

Edward River Council commits to regularly communicating with, seeking input from, and involving all relevant community stakeholders in decisions that directly impact them.

### We are committed to:

Enabling all community members to have a voice to Council

- Truly understanding community needs and priorities
- Making information easy to access and understand
- Giving meaningful consideration to all feedback
- Continually improving.

We will do this by:

- Being proactive and responsive
- Promoting equitable participation
- Conducting stakeholder research
- Targeting relevant stakeholders
- Using community-preferred communications channels and engagement tools
- Explaining our decisions
- Honestly appraising our own performance.



# ENGAGEMENT IN PRACTICE

## WHEN WE WILL ENGAGE

Community engagement takes place in many ways – from a quick online survey to a series of community workshops.

Council commits to identifying circumstances where engagement should be undertaken, and also acknowledges that sometimes engagement will be initiated by the community. Examples of when we will engage include when there is a change proposed to our services, a need to update or develop Council plans and policies, or in planning for new community infrastructure.

Council may seek input and feedback from the community at various stages in a project. The specific timing will depend upon the context, relevant legislation, and best practice. In many cases legislation sets out minimum requirements for receiving public feedback.

## HOW WE WILL ENGAGE

Council understands that the size of our Local Government Area (LGA) can be a barrier to engagement.

When we plan engagement, we will tailor activities to ensure everyone can access information and provide feedback in a variety of ways. Council commits to creating opportunities for face-to-face and online engagement where possible and appropriate.

We know digital engagement isn't always suitable for everyone, especially in areas that can't access high-speed internet and for some people in our community. This will be front of mind when we plan engagement, and we understand that in some cases more traditional methods of communication, such as a letter or a notice in the newspaper, work best.

Council will provide our community with sufficient time to consider the information provided and have their say. We will also allow sufficient time to consider all feedback we receive in the final decision-making process.

We are keen to use creativity and innovation wherever possible to more effectively communicate and engage with communities. We also commit to developing communications and engagement tools that provide for standardised and consistent processes.



## WHAT TO EXPECT

The community can expect Council to follow these steps when it delivers engagement activities:



1

### **Describe what is being proposed in clear, easy-to-understand terms**

We will make what is being proposed clear, and describe potential benefits or impacts of the plan, policy, project or initiative. We will also clearly articulate key dates and how the community can receive information and provide feedback.



2

### **Identify relevant stakeholders**

Once the project is defined, the next step for Council staff is to identify who in the community may be interested in or affected by the project. In some cases this may be a specific group of stakeholders, while in other instances the whole Edward River community may have a stake in the project.



3

### **Choose the most appropriate communication methods**

Once the project is defined and stakeholders identified, Council will carefully consider the best and most appropriate ways to reach the community and identified stakeholders. Sharing information may be as simple as an addressed letter, a social media post or website update. Methods for receiving feedback are detailed in the following section and may include community workshops, focus groups, surveys, online feedback or a range of other engagement activities. For complex projects, or where it is unclear what the best method of communication may be, we will ask identified stakeholders how they would like to be engaged.



4

### **Provide accurate, easy-to-understand and consistent information**

As part of the engagement process, Council will provide the community with accurate information that is easy to understand. Messaging from staff and elected officials will be clear and consistent. This may include fact sheets, answers to frequently asked questions, discussion papers or short videos.



5

### **Seek and listen to feedback**

Council commits to actively listening to feedback, understanding perspectives across the community and recording the feedback received.



6

### **Consider our response**

Council will collate, analyse and identify how engagement outcomes will be used to make decisions.



7

### **Closing the loop**

We commit to, wherever practical, letting the community know what we have heard and how that feedback has informed decisions.



## METHODS OF COMMUNICATION AND ENGAGEMENT

Council tailors the way it shares information and invites participation to best match the initiative and the needs of community.

Engagement on land-use planning functions is specifically outlined in the Edward River Council Community Participation Plan and is included in an Appendix to this Strategy.

For other services, functions and infrastructure delivered by Council we will regularly use the following communication methods detailed in the table below. The table also identifies where these methods align with the IAP2 Spectrum of Public Participation.

It should be noted that the IAP2 Spectrum includes "Empower" as a level of community engagement. However, under the Local Government Act 1993, the only decision-making power that is placed in the hands of the public is the ability to elect Council Members every four years.

At Council, our approach aligned to the IAP2 Spectrum is as follows:

LEVEL	GOAL	APPROACH	METHODS
Inform	One way communication providing balanced and objective information to help you understand what is going to happen or has happened	We will share information about a decision or direction.	<ul style="list-style-type: none"> <li>Website information</li> <li>Advertisements in local media</li> <li>Letters to residents, ratepayers and other stakeholders</li> <li>Brochures/fact sheets</li> <li>Information displays</li> <li>Flyer in rates notices</li> <li>Banners in key locations</li> <li>Social media posts</li> </ul>
Consult	Two-way communications to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.	We will explore options, gain feedback and an understanding of your preferences.	<ul style="list-style-type: none"> <li>Online feedback form and emails</li> <li>Meetings by invitation</li> <li>Reference groups</li> <li>Surveys/market research</li> <li>Public feedback/ Submissions</li> <li>Public &amp; online forums</li> <li>Drop-in sessions</li> <li>Face-to-face interviews with stakeholders</li> <li>Village discussions</li> </ul>
Involve	Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision making.	Your ideas and issues will shape the final decision or recommendations.	<ul style="list-style-type: none"> <li>Council committees</li> <li>Facilitated workshops</li> <li>Focus groups</li> </ul>
Collaborate	Working together to develop an understanding of all issues and interests to work out alternatives and identify preferred solutions.	Your recommendations will be included in the final decision.	<ul style="list-style-type: none"> <li>Advisory or reference groups</li> <li>Committees &amp; panels</li> <li>Focus groups</li> </ul>





## ENGAGING IN PERSON

Engagement or participation is not only about having your say, it is also about listening to others to understand their point of view. In-person engagement activities allow an opportunity for this two-way discussion. Some of the in-person opportunities we may use include:

- Community workshops and stakeholder meetings and information sessions, to enable the community to understand and be understood by others when sharing their views
- Public forums allow community members to address Councillors on items for consideration at a Council meeting
- Committees provide a meeting forum for community group representatives to raise issues relevant to the Committee's Terms of Reference
- Direct contact, either in person or over the phone, between Council officials and community members and groups on specific projects and plans

## ENGAGING ONLINE

Online communication and engagement can allow people who may otherwise be excluded from in-person engagement activities to participate.

- Council's website provides information to the public on Council projects and services and includes online surveys and other feedback mechanisms from time to time
- Social media channels are an opportunity to keep the community up to date and provides community access opportunities to learn more about Council matters
- Council's dedicated email at [haveyoursay@edwardriver.nsw.gov.au](mailto:haveyoursay@edwardriver.nsw.gov.au)

## MORE TRADITIONAL ENGAGEMENT

Our community is still interested in more traditional methods of engagement, which include engaging in person – outlined above – as well as:

- Direct mail or letterbox drops to residents and groups
- Pop-up stalls at frequently visited locations
- Onsite or physical displays and signage at events or key locations
- Advertisements and Community News in our local newspaper
- Advertisements, community announcements and interviews on radio or television

## ENGAGING DURING EMERGENCIES

Over time our region has been affected by floods, fires, extreme weather and pandemic restrictions. When there is an emergency it is vital we look out for each other and share accurate and timely information to make sure everyone stays safe and know how to access support.

When there is an emergency, Council will work with local emergency services and the community to share information. In all cases, emergency services will be the lead authority to ensure accurate advice and consistent messages are provided to our community.

## HOW WE RESPOND TO FEEDBACK

We will ensure the community feedback we receive is collated and provided for consideration during decision-making processes.

When a draft plan, policy or program proposal is placed on public exhibition or is the subject of a community engagement activity, the report to Council recommending a decision will include a summary of the feedback received, and may include:

- Engagement and communication methods used
- Participation rates and engagement data
- Information about submissions/feedback received, and Council's response to that feedback.

Individual submissions received may be provided as an attachment to a report to Council. Every effort will be made to de-identify personal information included in submissions that are published in a Council business paper.

## EVALUATION AND MEASUREMENT

To measure and evaluate the effectiveness of our engagement, we will assess:

- Measurable participation levels in engagement activities.
- The methods used and if they were appropriate and relevant to the stakeholders.
- If the responses were relevant to the plan or project.





- Verbal and written feedback from the community on the effectiveness of the engagement activities used, and adequacy of the material and information to give informed feedback.
- Achievement of the engagement aims in the Community Engagement Strategy.
- How we reached a representative cross-section of affected stakeholder or the community generally.

These evaluation results will be used to continually improve our engagement methods and inform future engagement and communications activities.

This Strategy will be reviewed as part of the review of the Community Strategic Plan around the time of each local government election, or as required in the event of legislative or other significant changes that require a review of Council's engagement or communications approach.

Evaluation is outlined more fully in the Measuring Success chapter, below.



**We want to hear  
from and talk with all  
community members.**

**We must encourage,  
empower and enable  
everyone to participate.**



Communications And Community Engagement Strategy 2023 - 2025





## MEASURING SUCCESS

Successful engagement will mean our community feels listened to, and that we act on the feedback we receive.

Community engagement is not a one-size fits all concept. Many factors influence the approach Council will take. What works well in one situation may not work well in another.

Success also depends on the context. For some initiatives, success may be receiving a large number of submissions that highlight community concerns. While on others, success may be conducting rich, detailed conversations with a few community members.

In all situations, Council's most important measure of success is that all community members related to the specific initiative feel like they know what is happening; that they have been listened to; that they have had opportunities to influence/inform outcomes. Where the community can't influence outcomes Council will clearly explain why.

It is important that the results of community engagement are reported back to the community including any decisions made by Council. Reporting back and closing the feedback loop will demonstrate that community feedback is acted on.

Council will undertake an evaluation for each identified engagement process.

Some ways Council will evaluate the success of community engagement activities are:

- Rates of community participation in engagement activities (e.g. number of unique participants, number of surveys completed, number of attendees at an event)
- Appropriateness of engagement methods and techniques used (e.g. through participant evaluation surveys to confirm they got from the process their expected experience)
- Demographic analysis of participation in engagement activities to ensure we are hearing from a representative cross-section of the community
- Quality and range of feedback received through the consultation process

Council will report back on all its engagement activities and their associated outcomes through their website, social media pages and other publications. The six-monthly Delivery Program progress report and council's Annual Report will also be utilised to highlight engagement activities and their outcomes.

## KEEPING TRACK

As required by the Local Government Act 1993, Council will use the existing Integrated Planning and Reporting framework (IP&R) framework to plan, monitor and report on the implementation and effectiveness of this Strategy.

The next review of the Communication and Community Engagement Strategy will be undertaken in late 2024 and every four years thereafter to align with local government elections and the Integrated Planning and Reporting cycle.

Regular reviews will ensure that the Strategy aligns to contemporary practice and information available about the communication needs and engagement preferences of the community.



## OUR STRATEGIC PRIORITIES, OBJECTIVES AND ACTIONS

[\* TIMEFRAMES TO BE CONFIRMED]

### STRATEGIC PRIORITY 1: COMMUNITY ENGAGEMENT

We will plan and deliver community engagement that is accessible, timely, targeted and meaningful, building participation and trust in Council decision-making.

OBJECTIVE	ACTIONS	TIMEFRAME
Objective 1: The principles of IAP2 are embedded into our organisational culture.	<ul style="list-style-type: none"> <li>Undertake targeted training for staff who have a community engagement role</li> </ul>	2024-25
Objective 2: Systems and processes exist in Council that support good community engagement.	<ul style="list-style-type: none"> <li>Develop an internal process for registering projects where community engagement is undertaken</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Adopt a Community Engagement Policy that makes clear when community engagement must be undertaken</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Develop a checklist of actions to be completed on all projects identified as requiring community engagement</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Establish a Stakeholder Register to enable quick and effective information provision about engagement activities</li> </ul>	2024-25
Objective 3: Engagement tools are available that support staff to undertake good community engagement	<ul style="list-style-type: none"> <li>Review Council's website and explore options to improve ease of use and access to engagement information</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Develop community engagement toolkit for use by staff in engagement activities</li> </ul>	2023-24



**STRATEGIC PRIORITY 2: COMMUNICATION**

We will deliver transparent communication that keeps our community informed.

OBJECTIVE	ACTIONS	TIMEFRAME
Objective 1: Create systems and processes that support strategic and effective communication	<ul style="list-style-type: none"> <li>Establish an annual calendar of strategic Integrated Planning and Reporting key dates to assist with internal and external messaging and forward planning</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Develop an corporate image library to assist with accessible and attractive communication materials</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Develop an accessible and easy to use tool for staff to input communication material</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Provide key messages summaries to support elected members on decisions of high interest</li> </ul>	2023-24
Objective 2: Communicate consistently	<ul style="list-style-type: none"> <li>Email members on Council's stakeholder register to inform of upcoming activities</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Deliver weekly internal updates to all staff from the CEO to ensure consistent messaging from across the organisation to the community about Council activities</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Host monthly Toolbox meetings with all staff led by the CEO to communicate decisions and other outcomes following each Council Meeting</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Provide social media training for stakeholders identified in the Social Media Policy</li> </ul>	2024-25
Objective 3: Communicate effectively	<ul style="list-style-type: none"> <li>Design communication that's easy to understand and accessible to all</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Recognise our website as the core communication channel and continue to invest in its growth and improvement</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Review current practices for communication channels (i.e. Facebook, LinkedIn) and determine content strategy and service levels</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Develop a strong social media profile on Facebook and LinkedIn to increase awareness of Council services and opportunities for engagement</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Ensure communication is a standing item on the Leadership Team agenda</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Determine training needs and plan for delivery within budget</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Build Council's identity and brand through consistent visual communication</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Develop key communication reporting metrics</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Measure, evaluate and report on all communication activities on a monthly basis to the Leadership Team</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Develop and internal communications plan</li> </ul>	2023-24

**STRATEGIC PRIORITY 3: MEDIA AND ADVERTISING**

We will build trust and reputation through proactive, consistent and trustworthy information that reflects the priorities of our community.

OBJECTIVE	ACTIONS	TIMEFRAME
Objective 1: Build and maintain strong relationships with media to facilitate informed reporting	<ul style="list-style-type: none"> <li>Work across the organisation to identify newsworthy stories and work with media outlets on opportunities</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Promote Edward River Council and our local communities with positive and proactive media</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Respond consistently to media enquiries to manage expectations around news deadlines</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Monitor, evaluate and report on all media and public relations activity on a monthly basis to the Leadership Team</li> </ul>	2023-24
Objective 2: Deliver appropriate advertising content	<ul style="list-style-type: none"> <li>Review current advertising spend for effectiveness and return on investment</li> </ul>	2023-24
	<ul style="list-style-type: none"> <li>Seek opportunities for councillors or Executive to speak at corporate, community and networking events that provide opportunities to promote Council, its initiatives and our local communities</li> </ul>	2024-25
	<ul style="list-style-type: none"> <li>Work in partnership with RAMJO and other local and regional organisations to advocate for Council and community priorities</li> </ul>	2024-25







## APPENDIX 1 COMMUNITY PARTICIPATION PLAN

<https://www.edwardriver.nsw.gov.au/files/assets/public/draft-community-participation-plan.pdf>



## APPENDIX 2

### PUBLIC EXHIBITION AND MINIMUM CONSULTATION REQUIREMENTS FOR GENERAL COMMUNITY ENGAGEMENT PROJECTS

LEVEL OF IMPACT	TYPES OF PROJECTS	WHAT YOU CAN EXPECT FROM COUNCIL
Level 1 – LGA wide impact or high community interest	<ul style="list-style-type: none"> <li>Community Strategy Plan and other Integrated Planning and Reporting documents</li> <li>Annual Operational Plan and Budget</li> <li>Policies, Frameworks and Strategies with community impacts</li> <li>Plans of Management</li> <li>Open space concept plans</li> <li>Masterplans</li> <li>Major infrastructure projects</li> <li>Major changes to an LGA wide Council service</li> <li>Major changes to Council infrastructure or facilities</li> <li>Changes to environmental policy or planning (Review of Environmental Factors, Environmental Impact Statements)</li> <li>Major changes to a road or transport corridor</li> </ul>	<ul style="list-style-type: none"> <li>Minimum of 28 days public exhibition of proposed changes (policies, strategies, plans with community impact)</li> <li>Use of a variety of engagement techniques (as outlined in this Strategy) to provide opportunities for the community to access information and provide feedback</li> <li>All relevant information to be accessible on Council's website, and promoted through social media channels</li> <li>Where resources allow, opportunities for both online and in-person community engagement</li> <li>We will allow enough time to plan and carry out engagement</li> <li>We will provide avenues for the community to ask questions and we will provide responses to help inform the community</li> <li>We will promote opportunities for feedback about LGA and high interest issues through a variety of channels including print media, email, social media and signage (where appropriate)</li> </ul>
Level 2 – LGA wide relevance with low impact	<ul style="list-style-type: none"> <li>Updates to Council corporate and governance policies with community impacts</li> <li>Minor changes to a Council service</li> <li>Minor upgrades to LGA wide significant infrastructure (e.g playground, sports field)</li> </ul>	<ul style="list-style-type: none"> <li>Use of a variety of engagement techniques (as outlined in this Strategy) to provide opportunities for the community to access information and provide feedback</li> <li>All relevant information to be accessible on Council's website, and promoted through social media channels</li> <li>We will allow enough time to plan and carry out engagement</li> <li>Direct communication with existing users of a service or facility who will be impacted by email, letter or other notification</li> </ul>



LEVEL OF IMPACT	TYPES OF PROJECTS	WHAT YOU CAN EXPECT FROM COUNCIL
Level 3 – Local impact with high interest	<ul style="list-style-type: none"> <li>Place plans or other plans that specifically focus on towns and villages</li> <li>Significant changes to a Council run local service or program</li> <li>Significant changes to Council infrastructure in local villages (e.g removal, upgrade or relocation of a playground)</li> <li>Changes, upgrades or closure of local roads or transport routes</li> </ul>	<ul style="list-style-type: none"> <li>Minimum of 28 days public exhibition of proposed changes</li> <li>Use of a variety of engagement techniques (as outlined in this Strategy) to provide opportunities for the community to access information and provide feedback</li> <li>Community notification, letter or email to all potentially and significantly impacted residents</li> <li>Where relevant, direct communication with existing users of a service or facility who will be impacted by email, letter or notification</li> <li>All relevant information to be accessible on Council's website, and promoted through social media channels</li> <li>Where resources allow, opportunities for both online and in-person community engagement</li> <li>We will allow enough time to plan and carry out engagement</li> <li>We will provide avenues for the community to ask questions and we will provide responses to help inform the community</li> </ul>
Level 4 – Local impact with low impact or interest	<ul style="list-style-type: none"> <li>Open space infrastructure repairs or maintenance</li> <li>Minor road maintenance</li> <li>Installation, upgrades or maintenance of footpaths</li> <li>Minor traffic or parking change</li> </ul>	<ul style="list-style-type: none"> <li>Community notification, letter or email to nearby residents and businesses who will be directly impacted</li> <li>We will erect signage and notices where appropriate</li> <li>Information on Council's website where appropriate</li> <li>Social media posts with notices and updates</li> </ul>

## GET IN TOUCH

We welcome your thoughts on the way we approach communication and engagement. The more feedback we receive the more we can meet the needs of the community we serve. If you have any comments, on any matter – large or small – we would like to hear it. Please contact us any time using the details below.



180 Cressy Street,  
Deniliquin NSW 2710



PO Box 270  
Deniliquin NSW 2710



03 5898 3000



[haveyoursay@edwardriver.nsw.gov.au](mailto:haveyoursay@edwardriver.nsw.gov.au)



[www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au)



[www.facebook.com/edwardriver](https://www.facebook.com/edwardriver)

## **12.8. 2022-23 DRAFT FINANCIAL STATEMENTS FOR SIGNING**

**Author: Chief Financial Officer**

**Authoriser: Director Corporate Services**

### **RECOMMENDATION**

That Council

1. Adopt the Draft Financial Statements 2022-23 incorporating the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules
2. Approve the signing of the 'Statement by Councillors and Management' in accordance with *Section 413(2)(c) of the Local Government Act 1993* and *Clause 215 of the Local Government (General) Regulation 2021* in relation to the Financial Statements 2022-23
3. Delegate to the Chief Executive Officer the authority to submit the Financial Statements to the Office of Local Government and Australian Bureau of Statistics, once audited.

### **BACKGROUND**

The Draft Financial Statements 2022-23 have been prepared and subject to audit on week commencing 9th October 2023. A verbal update on the status of audit will be provided at this meeting.

This report recommends to Council the adoption and signing of the Draft Financial Statements 2022-23 and the completion of statutory steps outlined in *Section 418 to 420 of the Local Government Act 1993*. The 2022-23 Financial Statements are required to be prepared and audited by 31 October 2023. A copy of the audited statements is required to be submitted to the Office of Local Government and the Australian Bureau of Statistics by this date.

The draft Financial Statements 2022-23 were presented to the Audit Risk and Improvement Committee (ARIC) Meeting held on 12 September 2023. At this meeting ARIC endorsed the Draft Financial Statements 2022-23. An updated copy has now been provided as part of this report.

Council have kept their stance from the prior year in relation to the RFS Red Fleet and as a result these assets have not been recognised in the Financial Statements. The NSW Auditor General has also not changed their stance of recommending Councils recognise these assets; therefore Council can again expect a qualified audit as per the 2021-22 year.

The finalised statements will be presented to the November Council meeting for endorsement to give public notice on the presentation of the 2022-23 audited Financial Statements as per *Section 418 (2) of the Local Government Act*.

### **ISSUE/DISCUSSION**

Some changes have been made to the financial statements since the previous draft was presented to Council in September. In summary, these changes include \$1.1m of income which has now been accrued. This is as a result of work completed as at 30 June 2023; however income had not yet been received. Also, a review of provision for doubtful debts was undertaken and updated accordingly (increasing expense by \$154k). This included a provision for the rate revenue agreed to be written off at the September Council meeting.

**Income Statement - Implications of changes made since previous draft.**

General Purpose Financial Statements	Updated Draft Report \$'000	Previous Draft Report \$'000	Changes \$'000	Comments
<b>Income Statement</b>				
<b>Income from continuing operations</b>				
Rates and annual charges	14,030	14,030	-	
User charges and fees	5,904	5,630	274	Accrued Income from Road Maintenance Council Contracts
Other revenues	883	883	-	
Grants and contributions provided for operating purposes	13,418	12,586	832	Accrued Income from Roads to Recovery
Grants and contributions provided for capital purposes	5,395	5,395	-	
Interest and investment income	1,141	1,141	-	
Net gain from the disposal of assets	250	250	-	
Reversal of revaluation decrements/ impairment of infrastructure, property, plant and equipment previously expensed	4,077	4,077	-	
<b>Total income from continuing operations</b>	<b>45,098</b>	<b>43,992</b>	<b>1,106</b>	
<b>Expenses from continuing operations</b>				

<b>General Purpose Financial Statements</b>	<b>Updated Draft Report \$'000</b>	<b>Previous Draft Report \$'000</b>	<b>Changes \$'000</b>	<b>Comments</b>
Employee benefits and on-costs	10,316	10,316	-	
Materials and services	13,192	13,192	-	
Borrowing costs	-	-	-	
Depreciation, amortisation and impairment of non-financial assets	10,153	10,153	-	
Other expenses	894	740	154	Impairment of Receivables – doubtful debts
Net loss from the disposal of assets	-	-	-	
<b>Total expenses from continuing operations</b>	<b>34,555</b>	<b>34,401</b>	<b>154</b>	
<b>Net operating result for the year attributable to Council</b>	<b>10,543</b>	<b>9,591</b>	<b>952</b>	

The 2022-23 financial year again saw a positive operating result with an \$10.5m surplus inclusive of capital grants, compared to a \$19m surplus in 2022 and \$6m surplus in 2021. The decrease from 2022 is mainly related to increase in expenditure from the major flooding event in the first half of the financial year.

There was a significant increase in operational grants to help with urgent repairs on Councils roads severely affected by the major flooding event. Council had also received from the federal government an increase in the prepayment portion of the Financial Assistance Grants (FAGs) from 75% to approximately 100% during the year (an increase of approximately \$2.2m). Although the major flooding event impacted Council, we managed to complete some major projects that were funded by capital grants, even though there was a reduction in capital grants recognised as income for the 2023 financial year.

Operating expenditure had significantly increased from 2022, with Council allocating resources to the floods and then into urgent repairs afterwards. The cost of repair has also been impacted by increased inflation. Most other expenditure appears to be in line with previous years expenditure and management's continued efforts to maintain fiscal discipline and contain costs.

#### **Performance Against Budget**



Council's operating result before capital grants for 2023 strongly outperformed the original budgeted surplus of \$738k. Income from operating activities was the main contributor to this strong result with almost all income categories having favourable variances above the original budget. Most expenditure categories were within 11% of the budgeted figures apart from Materials and Services which had an unfavourable variance of 107%. This was mainly because of the major flooding event and subsequent repairs, with grant income subsidising the costs in the income statement. The details of material budget variations are contained in Note B5-1 in the General Purpose Financial Statements (GPFS).

### **Balance Sheet and Liquidity Position**

Council continues to show a strong Balance Sheet, with net assets increasing by \$33m from \$506m in 2022 to \$537m in 2023. This increase is mainly due to asset acquisitions, revaluation and indexation of Infrastructure Property Plant & Equipment (IPPE). The largest class of assets on Council's Balance Sheet as at 30 June 2023 was Roads, which constituted 32% of total assets.

Council also maintained a strong liquidity position during the year. As at 30 June 2023 Council held \$51m in cash and investments representing a modest increase of \$1m over the previous year (\$50m). Of this amount, \$10.7m was unrestricted, \$24m had external restrictions and \$16.6m had internal allocations. Council can be confident that it can meet its payment obligations as and when they fall due.

### **Asset Values**

In 2023 a full revaluation of the Water asset class was carried out. In addition, other adjustments for fair value included indexation increments for the Sewer, Land, Buildings and all other infrastructure asset classes. This was necessitated by the increases in inflation and interest rates in the economy. The total increase to the fair value of IPPE due to the above adjustments was a gain of \$35m for the year. This is disclosed as a \$4m Reversal of revaluation decrements from prior years in the Income Statement and a \$31.3m Gain on revaluation of IPPE in the Statement of Comprehensive income.

Council also experienced impairment in its road infrastructure due to the major flooding event of \$11m. Please refer to Note C1-6 of the GPFS for details of all other asset movements for the year.

### **Performance Ratios**

Performance ratios are disclosed at Note G5 and H1 in the GPFS. These ratios have been derived following the financial assessments undertaken by NSW Treasury Corporation on all NSW Councils 2012 and can be used to track Council's performance against the industry benchmarks set.

Council improved in all but two of the disclosed ratios for 2023. Council's operating performance ratio (2.76%), unrestricted current ratio (5.67%), rates and annual charges outstanding percentage (6.70%) and cash expense cover ratio (23.91 months) are again performing well against the industry benchmarks. The exceptions was the own source operating revenue ratio which measures Council's fiscal flexibility and reliance on external funding. There was little change in own source operating revenue ratio from 49.57% in 2022 to 53.86% in 2023, this reflects the ability of Council to acquire grants for much needed projects within the community.

Please refer to Note H1 of the GPFS for more details on the performance ratios.

### **Financial Sustainability and Adjusted Surplus**

Whilst the audited figures show a strong positive net operating surplus, it should be noted that Council need to continue to remain vigilant in their financial responsibilities. The audited Financial Statements are prepared in line with the Australian Accounting Standards. The GPFS includes one-off items as a result of revaluation of assets and an early payment of the 2023-24 Federal Assistance

Grant (FAG). The impacts of these are shown in the Adjusted Net Operating Result calculation below.

<b>Consolidated Adjusted Net Operating Result (NOR) Comparison</b>	<b>Draft 2022-23 \$'000</b>	<b>Final 2021-22 \$'000</b>
Net Operating Result before grants and contributions provided for capital purposes	5,148	10,236
<b>Less one-off items (extraordinary)</b>		
Reversal of revaluation decrements	-4,077	-7,062
Less adjustment for additional FAG	-2,200	-
<b>Adjusted Net Operating Result</b>	<b>-1,129</b>	<b>3,174</b>

It is important that Council continue to monitor the long-term financial sustainability and to address the General Fund NOR adjusted deficit of \$2.245m.

<b>General Fund Adjusted Net Operating Result (NOR)</b>	<b>Draft 2022-23 \$'000</b>
Net Operating Result before grants and contributions provided for capital purposes (page 53 of GPFS)	2,404
<b>Less one-off items (extraordinary)</b>	
Reversal of revaluation decrements	-2,449
Less adjustment for additional FAG	-2,200
<b>Adjusted Net Operating Result</b>	<b>-2,245</b>

## STRATEGIC IMPLICATIONS

The preparation of Annual Financial Statements is an integral part of Council's Integrated Planning and Reporting Framework. The statements assist Council to monitor progress against its strategic and operating plans whilst reporting on Council's financial performance and position in accordance with *Local Government Act* requirements.

**COMMUNITY STRATEGIC PLAN**

The preparation of Council's annual financial statements, which confirm Council's financial outcomes for the year, contribute to the achievement of the following objectives of the Community Strategic Plan:

5. Accountable leadership and responsive administration

5.2 Financially sustainable

**FINANCIAL IMPLICATIONS**

There are no direct financial implications associated with this report as the report does not involve any future expenditure of Council funds. This report provides information on the financial outcomes of Council for the 2022-23 financial year.

**LEGISLATIVE IMPLICATIONS**

*Section 413(2)(c) of the Local Government Act 1993 and Regulation 215 of the Local Government (General) Regulation 2005* requires Council to specifically form an opinion on the financial statements. Specifically, Council needs to sign off an opinion on the Financial Statements regarding their preparation and content as follows:

The Financial Statements have been prepared in accordance with the:

- *Local Government Act 1993* (as amended) and the Regulations made there under
- Australian Accounting Standards and professional pronouncements.
- Local Government Code of Accounting Practice and Financial Reporting.

The content to the best of Council's knowledge and belief:

- Present fairly the Council's operating result and financial position for the year.
- Accord with Council's accounting and other records.

Council is not aware of any matter that would render the Financial Statements false or misleading in any way.

*Section 416(1) of the Local Government Act 1993* requires a Council's annual Financial Statements to be prepared and audited within four (4) months of the end of that financial year, which is on or before 31 October.

**ATTACHMENTS**

Draft Annual Financial Statements 2022-23

# Edward River Council

ANNUAL FINANCIAL STATEMENTS  
for the year ended 30 June 2023

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## Edward River Council

GENERAL PURPOSE FINANCIAL STATEMENTS  
for the year ended 30 June 2023

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**Edward River Council****General Purpose Financial Statements**  
for the year ended 30 June 2023

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**Overview**

Edward River Council is constituted under the Local Government Act 1993 (NSW) and has its principal place of business at:

180 Cressy Street  
Deniliquin NSW 2710

Council's guiding principles are detailed in Chapter 3 of the LGA and includes:

- principles applying to the exercise of functions generally by council,
- principles to be applied when making decisions,
- principles of community participation,
- principles of sound financial management, and
- principles for strategic planning relating to the development of an integrated planning and reporting framework.

A description of the nature of Council's operations and its principal activities are provided in Note B1-2.

Through the use of the internet, we have ensured that our reporting is timely, complete and available at minimum cost. All press releases, financial statements and other information are publicly available on our website: [www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au).



## Edward River Council

### General Purpose Financial Statements

for the year ended 30 June 2023

### Understanding Council's Financial Statements

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#### Introduction

Each year NSW local governments are required to present audited financial statements to their council and community.

#### What you will find in the Statements

The financial statements set out the financial performance, financial position and cash flows of Council for the financial year ended 30 June 2023.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government.

#### About the Councillor/Management Statement

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the year and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

#### About the Primary Financial Statements

The financial statements incorporate five "primary" financial statements:

##### 1. The Income Statement

Summarises Council's financial performance for the year, listing all income and expenses. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

##### 2. The Statement of Comprehensive Income

Primarily records changes in the fair value of Council's Infrastructure, property, plant and equipment.

##### 3. The Statement of Financial Position

A 30 June snapshot of Council's financial position indicating its assets, liabilities and "net wealth".

##### 4. The Statement of Changes in Equity

The overall change for the year (in dollars) of Council's "net wealth".

##### 5. The Statement of Cash Flows

Indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

#### About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

#### About the Auditor's Reports

Council's financial statements are required to be audited by the NSW Audit Office.

In NSW the auditor provides 2 audit reports:

1. an opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

#### Who uses the Financial Statements?

The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the audit report.

The public can make submissions to Council up to seven days subsequent to the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government.

**Edward River Council****General Purpose Financial Statements**for the year ended 30 June 2023

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Statement by Councillors and Management made pursuant to Section 413(2)(c) of the Local Government Act 1993 (NSW) (as amended)

**The attached General Purpose Financial Statements have been prepared in accordance with:**

- the *Local Government Act 1993* (NSW) (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board
- the *Local Government Code of Accounting Practice and Financial Reporting*.

**To the best of our knowledge and belief, these statements:**

- present fairly the Council's operating result and financial position for the year
- accord with Council's accounting and other records.

**We are not aware of any matter that would render these statements false or misleading in any way.**

**Signed in accordance with a resolution of Council made on 17 October 2023.**

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Peta Betts  
**Mayor**  
17 October 2023

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Paul Fellows  
**Deputy Mayor**  
17 October 2023

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Philip Stone  
**General Manager**  
17 October 2023

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Belinda Langlands  
**Responsible Accounting Officer**  
17 October 2023

Edward River Council | Income Statement | for the year ended 30 June 2023

## Edward River Council

## Income Statement

for the year ended 30 June 2023

Original unaudited budget 2023 \$ '000		Notes	Actual 2023 \$ '000	Actual 2022 \$ '000
<b>Income from continuing operations</b>				
13,952	Rates and annual charges	B2-1	14,030	13,716
3,861	User charges and fees	B2-2	5,904	4,934
512	Other revenues	B2-3	883	620
8,080	Grants and contributions provided for operating purposes	B2-4	13,418	11,202
1,320	Grants and contributions provided for capital purposes	B2-4	5,395	8,767
322	Interest and investment income	B2-5	1,141	356
250	Net gain from the disposal of assets	B4-1	250	—
—	Reversal of revaluation decrements/ impairment of infrastructure, property, plant and equipment previously expensed	B6-1	4,077	7,062
28,297	<b>Total income from continuing operations</b>		<b>45,098</b>	<b>46,657</b>
<b>Expenses from continuing operations</b>				
10,029	Employee benefits and on-costs	B3-1	10,316	9,551
6,371	Materials and services	B3-2	13,192	7,234
230	Borrowing costs	B3-3	—	—
10,262	Depreciation, amortisation and impairment of non-financial assets	B3-3	10,153	9,886
667	Other expenses	B3-4	894	789
—	Net loss from the disposal of assets	B4-1	—	194
27,559	<b>Total expenses from continuing operations</b>		<b>34,555</b>	<b>27,654</b>
738	<b>Net operating result for the year attributable to Council</b>		<b>10,543</b>	<b>19,003</b>
(582)	<b>Net operating result for the year before grants and contributions provided for capital purposes</b>		<b>5,148</b>	<b>10,236</b>

The above Income Statement should be read in conjunction with the accompanying notes.

Edward River Council | Statement of Comprehensive Income | for the year ended 30 June 2023

## Edward River Council

## Statement of Comprehensive Income

for the year ended 30 June 2023

		2023 \$ '000	2022 \$ '000
	Notes		
<b>Net operating result for the year – from Income Statement</b>		<b>10,543</b>	19,003
<b>Other comprehensive income:</b>			
Amounts which will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of infrastructure, property, plant and equipment	C1-6	31,292	7,124
Impairment (loss) reversal / (revaluation decrement) relating to infrastructure, property, plant and equipment	C1-6	(11,365)	–
<b>Total comprehensive income for the year attributable to Council</b>		<b>30,470</b>	26,127

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

Edward River Council | Statement of Financial Position | for the year ended 30 June 2023

## Edward River Council

## Statement of Financial Position

as at 30 June 2023

	Notes	2023 \$ '000	2022 \$ '000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	C1-1	9,277	7,616
Investments	C1-2	36,005	27,500
Receivables	C1-4	3,070	2,834
Contract assets and contract cost assets	C1-5	1,544	–
Other	C1-8	311	103
<b>Total current assets</b>		<b>50,207</b>	<b>38,053</b>
<b>Non-current assets</b>			
Investments	C1-2	6,000	15,000
Infrastructure, property, plant and equipment (IPPE)	C1-6	498,391	464,485
Intangible assets	C1-7	995	1,268
<b>Total non-current assets</b>		<b>505,386</b>	<b>480,753</b>
<b>Total assets</b>		<b>555,593</b>	<b>518,806</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	C2-1	4,663	3,195
Contract liabilities	C2-2	7,088	4,464
Employee benefit provisions	C2-3	2,979	2,913
Provisions	C2-4	229	165
<b>Total current liabilities</b>		<b>14,959</b>	<b>10,737</b>
<b>Non-current liabilities</b>			
Payables	C2-1	55	55
Employee benefit provisions	C2-3	149	146
Provisions	C2-4	3,658	1,566
<b>Total non-current liabilities</b>		<b>3,862</b>	<b>1,767</b>
<b>Total liabilities</b>		<b>18,821</b>	<b>12,504</b>
<b>Net assets</b>		<b>536,772</b>	<b>506,302</b>
<b>EQUITY</b>			
Accumulated surplus	C3-1	464,727	454,184
IPPE revaluation reserve	C3-1	72,045	52,118
<b>Total equity</b>		<b>536,772</b>	<b>506,302</b>

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

## Edward River Council

Statement of Changes in Equity  
for the year ended 30 June 2023

	Notes	2023			2022		
		Accumulated surplus \$ '000	IPPE revaluation reserve \$ '000	Total equity \$ '000	Accumulated surplus \$ '000	IPPE revaluation reserve \$ '000	Total equity \$ '000
Opening balance at 1 July		454,184	52,118	506,302	435,181	44,994	480,175
<b>Opening balance</b>		<b>454,184</b>	<b>52,118</b>	<b>506,302</b>	<b>435,181</b>	<b>44,994</b>	<b>480,175</b>
Net operating result for the year		10,543	–	10,543	19,003	–	19,003
<b>Net operating result for the year</b>		<b>10,543</b>	<b>–</b>	<b>10,543</b>	<b>19,003</b>	<b>–</b>	<b>19,003</b>
<b>Other comprehensive income</b>							
Gain (loss) on revaluation of infrastructure, property, plant and equipment	C1-6	–	31,292	31,292	–	7,124	7,124
Impairment (loss) reversal / (revaluation decrement) relating to infrastructure, property, plant and equipment	C1-6	–	(11,365)	(11,365)	–	–	–
<b>Other comprehensive income</b>		<b>–</b>	<b>19,927</b>	<b>19,927</b>	<b>–</b>	<b>7,124</b>	<b>7,124</b>
<b>Total comprehensive income</b>		<b>10,543</b>	<b>19,927</b>	<b>30,470</b>	<b>19,003</b>	<b>7,124</b>	<b>26,127</b>
<b>Closing balance at 30 June</b>		<b>464,727</b>	<b>72,045</b>	<b>536,772</b>	<b>454,184</b>	<b>52,118</b>	<b>506,302</b>

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

## Edward River Council

## Statement of Cash Flows

for the year ended 30 June 2023

Original unaudited budget 2023 \$ '000		Notes	Actual 2023 \$ '000	Actual 2022 \$ '000
<b>Cash flows from operating activities</b>				
<b>Receipts:</b>				
13,946	Rates and annual charges		14,048	13,894
3,805	User charges and fees		6,345	5,071
306	Interest received		718	331
6,262	Grants and contributions		19,957	18,709
675	Other		5,821	2,734
<b>Payments:</b>				
(10,013)	Payments to employees		(10,217)	(9,763)
(6,379)	Payments for materials and services		(15,525)	(7,763)
(230)	Borrowing costs		—	—
—	Bonds, deposits and retentions refunded		—	(65)
(667)	Other		—	(3,914)
7,705	<b>Net cash flows from operating activities</b>	G1-1	<b>21,147</b>	<b>19,234</b>
<b>Cash flows from investing activities</b>				
<b>Receipts:</b>				
—	Redemption of term deposits		495	250
250	Proceeds from sale of IPPE		433	201
<b>Payments:</b>				
(1,032)	Acquisition of term deposits		—	—
(11,636)	Payments for IPPE		(20,387)	(18,563)
—	Purchase of intangible assets		(27)	(341)
(12,418)	<b>Net cash flows from (or used in) investing activities</b>		<b>(19,486)</b>	<b>(18,453)</b>
<b>Cash flows from financing activities</b>				
<b>Receipts:</b>				
6,100	Proceeds from borrowings		—	—
<b>Payments:</b>				
(379)	Repayment of borrowings		—	—
5,721	<b>Net cash flows from (or used in) financing activities</b>		<b>—</b>	<b>—</b>
1,008	<b>Net change in cash and cash equivalents</b>		<b>1,661</b>	<b>781</b>
4,239	Cash and cash equivalents at beginning of year		7,616	6,835
5,247	<b>Cash and cash equivalents at end of year</b>	C1-1	<b>9,277</b>	<b>7,616</b>
36,033	plus: Investments on hand at end of year	C1-2	42,005	42,500
41,280	<b>Total cash, cash equivalents and investments</b>		<b>51,282</b>	<b>50,116</b>

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.



## Edward River Council

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## Edward River Council

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## A About Council and these financial statements

### A1-1 Basis of preparation

These financial statements were authorised for issue by Council on 17 October 2023. Council has the power to amend and reissue these financial statements in cases where critical information is received from public submissions or where the OLG directs Council to amend the financial statements.

The principal accounting policies adopted in the preparation of these financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

These general purpose financial statements have been prepared in accordance with Australian Accounting Standards and Australian Accounting Interpretations, the *Local Government Act 1993 (NSW)* and Regulations, and the Local Government Code of Accounting Practice and Financial Reporting.

Council is a not-for-profit entity. The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars.

Unless otherwise indicated, all amounts disclosed in the financial statements are actual amounts. Specific budgetary amounts have been included for comparative analysis (to actuals) in the following reports and notes and are clearly marked:

- Income statement
- Statement of cash flows
- Note B5-1 – Material budget variations

Where appropriate, comparative figures have been amended to accord with the current year's presentation, and disclosure has been made of any material changes to comparatives. Those comparative figures included are summarized below:

Nil

#### **Historical cost convention**

These financial statements have been prepared under the historical cost convention, as modified by the revaluation of certain financial assets and liabilities and certain classes of infrastructure, property, plant and equipment.

#### **Significant accounting estimates and judgements**

The preparation of financial statements requires the use of certain critical accounting estimates. It also requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on the Council and that are believed to be reasonable under the circumstances.

#### **Critical accounting estimates and assumptions**

Council makes estimates and assumptions concerning the future.

The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year include:

- estimated fair values of infrastructure, property, plant and equipment – refer Note C1-6
- estimated tip remediation provisions – refer Note C2-4
- employee benefit provisions – refer Note C2-3

#### **Significant judgements in applying the Council's accounting policies**

- Impairment of receivables - refer Note C1-4

Council has made a significant judgement about the impairment of a number of its receivables – refer Note C1-4

- Determination of whether performance obligations are sufficiently specific and whether the contract is within the scope of AASB 15 *Revenue from Contracts* and / or AASB 1058 *Income of Not-for-Profit Entities* - Refer to Notes B2-2 to B2-4

continued on next page ...

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## A1-1 Basis of preparation (continued)

### (d) Monies and other assets received by Council

#### (i) The Consolidated Fund

In accordance with the provisions of Section 409(1) of the *Local Government Act 1993 (NSW)*, all money and property received by Council is held in the Council's Consolidated Fund unless it is required to be held in the Council's Trust Fund.

Cash and other assets of the following entities have been included as part of the Consolidated Fund:

- General purpose operations
- Sewerage and water services
- Conargo Recreation Hall Committee

#### (ii) The Trust Fund

In accordance with the provisions of Section 411 of the *Local Government Act 1993 (NSW)* (as amended), a separate and distinct Trust Fund is maintained to account for all money and property received by the council in trust which must be applied only for the purposes of, or in accordance with, the trusts relating to those monies.

### (e) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of associated GST, unless the GST incurred is not recoverable from the taxation authority. In this case it is recognised as part of the cost of acquisition of the asset or as part of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the taxation authority is included with other receivables or payables in the Statement of Financial Position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities that are recoverable from, or payable to, the taxation authority, are presented as operating cash flows.

### Volunteer services

Council does not have material dependence on volunteer services. Volunteers are utilised at the Visitors Information Centre. The estimated value of these services has been included in the financial statements based on average salary and on costs Council would be required to pay if services were not donated.

### (f) New accounting standards and interpretations issued not yet effective

#### New accounting standards and interpretations issued but not yet effective

Certain new accounting standards and interpretations (ie. pronouncements) have been published by the Australian Accounting Standards Board that are not mandatory for the 30 June 2023 reporting period.

Council has elected not to apply any of these pronouncements in these financial statements before their operative dates.

Council's assessment of these new standards and interpretations (where they have been deemed as having a material impact on Council's future financial performance, financial position and cash flows) are set out below:

#### **AASB 2021-1 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current**

#### **AASB 2020-6 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current – Deferral of Effective Date**

This Standard amends AASB 101 Presentation of Financial Statements to clarify requirements for the presentation of liabilities in the statement of financial position as current or non-current.

For example the amendments clarify that a liability is classified as non-current if an entity has the right at the end of the reporting period to defer settlement of the liability for at least 12 months after the reporting period. The meaning of settlement of a liability is also clarified.

**Council does not expect any material impact from the above amendments and to its classification of liabilities as current or non-current.**

This standard has an effective date for the 30 June 2024 reporting period.

## A1-1 Basis of preparation (continued)

### **AASB 2020-3 Amendments to Australian Accounting Standards – Annual Improvements 2018 -2020 and Other Amendments**

This Standard amends a number of standards as follows:

- AASB 1 to simplify the application of AASB 1 by a subsidiary that becomes a first-time adopter after its parent in relation to the measurement of cumulative translation differences,
- AASB 3 to update a reference to the Conceptual Framework for Financial Reporting without changing the accounting requirements for business combinations,
- AASB 9 to clarify the fees an entity includes when assessing whether the terms of a new or modified financial liability are substantially different from the terms of the original financial liability,
- AASB 116 to require an entity to recognise the sales proceeds from selling items produced while preparing property, plant and equipment for its intended use and the related cost in profit or loss, instead of deducting the amounts received from the cost of the asset,
- AASB 137 to specify the costs that an entity includes when assessing whether a contract will be loss-making and
- AASB 141 to remove the requirement to exclude cash flows from taxation when measuring fair value, thereby aligning the fair value measurement requirements in AASB 141 with those in other Australian Accounting Standards.

**Council does not expect any material impact from the above amendments.**

This standard has an effective date for the 30 June 2023 reporting period.

### **New accounting standards adopted during the year**

During the year Council adopted all accounting standards and interpretations (as issued by the Australian Accounting Standards Board) which were mandatorily effective from the first time at 30 June 2023.

## B Financial Performance

### B1 Functions or activities

#### B1-1 Functions or activities – income, expenses and assets

Income, expenses and assets have been directly attributed to the following functions or activities. Details of those functions or activities are provided in Note B1-2.

	Income		Expenses		Operating result		Grants and contributions		Carrying amount of assets	
	2023	2022	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Functions or activities</b> <sup>1, 2</sup>										
A community working together to achieve its potential	12,258	15,226	6,001	5,580	6,257	9,646	7,948	7,862	106,759	99,990
A great place to live	1,442	3,117	2,460	2,066	(1,018)	1,051	900	4,148	40,983	38,384
A prosperous and vibrant economy	1,184	730	1,033	817	151	(87)	1,137	1,339	16,208	15,180
A region with quality and sustainable infrastructure	28,175	25,840	21,443	15,930	6,732	9,910	7,775	6,484	316,056	296,016
A valued and enhanced natural environment	2,039	1,744	3,618	3,261	(1,579)	(1,517)	221	136	73,923	69,236
Other	–	–	–	–	–	–	832	–	1,664	–
<b>Total functions and activities</b>	<b>45,098</b>	<b>46,657</b>	<b>34,555</b>	<b>27,654</b>	<b>10,543</b>	<b>19,003</b>	<b>18,813</b>	<b>19,969</b>	<b>555,593</b>	<b>518,806</b>

(1) Income and expenditure allocated to each function/ activity using cost centres, with each cost centre being attached to one particular function/activity.

(2) Assets allocated to each activity on the basis of the activities expenditure as a proportion of total expenditure. The assumption is that a function's expenditure is a reflection of that activities utilisation of total assets.

## B1-2 Components of functions or activities

---

### Details relating to the Council's functions or activities as reported in B1-1 are as follows:

These Functions align with Council's Community Strategic Plan and are in line with Council's Integrated Planning and Reporting framework.

#### A community working together to achieve its potential

These are activities that relate to council's leadership, including governance, administration and general purpose operations. Council's objectives of this function are:

1. Our community is informed and engaged.
2. We collaborate and pursue partnerships that achieve great outcomes for our community.
3. Our local government is efficient, innovative and financially sustainable.

#### A great place to live

These activities relate to council's society and community, including health, public order and security, community services and education, as well as recreation and culture. Council's objectives for this function are:

1. Our community has access to essential services.
2. Our community is safe, happy and healthy, both physically and mentally.
3. Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture.

#### A prosperous and vibrant economy

These activities relate to the economy in Council's area of operation and include agriculture, manufacturing, construction and economic affairs. Council's objectives for this function are:

1. Our economy is strong and diverse.
2. We develop our key assets to enhance agriculture, boost tourism and support existing business.
3. Our region provides strong education, employment and training opportunities.

#### A region with quality and sustainable infrastructure

These activities relate to infrastructure, including water and sewerage, roads, transport and communication. Council's objectives for this function are:

1. Our built environment is managed, maintained and improved.
2. Our road network is a source of pride.
3. Our water and sewer infrastructure is efficient and fit for purpose.

#### A valued and enhanced natural environment

These activities relate to the natural environment in which council operates, including solid waste management, drainage and storm water management. Council's objectives for this function are:

1. We are committed to resource recovery and waste management.
2. Our natural environment is protected and enhanced.
3. We plan for the future to accommodate and facilitate sustainable growth and development.



**B2 Sources of income****B2-1 Rates and annual charges**

	2023 \$ '000	2022 \$ '000
<b>Ordinary rates</b>		
Residential	3,868	3,791
Farmland	2,949	2,891
Business	1,032	1,076
Other	9	9
Less: pensioner rebates (mandatory)	(158)	(159)
<b>Rates levied to ratepayers</b>	<b>7,700</b>	<b>7,608</b>
Pensioner rate subsidies received	76	77
<b>Total ordinary rates</b>	<b>7,776</b>	<b>7,685</b>
<b>Annual charges (pursuant to s496, 496A, 496B, 501 &amp; 611)</b>		
Domestic waste management services	1,316	1,278
Stormwater management services	75	75
Water supply services	1,502	1,456
Sewerage services	3,209	3,112
Waste management services (non-domestic)	205	164
Less: pensioner rebates (mandatory)	(143)	(147)
<b>Annual charges levied</b>	<b>6,164</b>	<b>5,938</b>
Pensioner annual charges subsidies received:		
– Water	33	27
– Sewerage	31	34
– Domestic waste management	26	32
<b>Total annual charges</b>	<b>6,254</b>	<b>6,031</b>
<b>Total rates and annual charges</b>	<b>14,030</b>	<b>13,716</b>

Council has used 2020 year valuations provided by the NSW Valuer General in calculating its rates.

**Accounting policy**

Rates and annual charges are recognised as revenue at the beginning of the rating period to which they relate. Prepaid rates are recognised as a financial liability until the beginning of the rating period.

Pensioner rebates relate to reductions in rates and certain annual charges for eligible pensioners' place of residence in the local government council area that are not subsidised by the NSW Government.

Pensioner rate subsidies are received from the NSW Government to provide a contribution towards the pensioner rebates and are recognised within the underlying revenue item based on their substance.

## B2-2 User charges and fees

	Timing	2023 \$ '000	2022 \$ '000
<b>Specific user charges (per s502 - specific 'actual use' charges)</b>			
Water supply services	2	1,499	1,613
Sewerage services	2	231	239
Waste management services (non-domestic)	2	121	104
<b>Total specific user charges</b>		<b>1,851</b>	<b>1,956</b>
<b>Other user charges and fees</b>			
<b>(i) Fees and charges – statutory and regulatory functions (per s608)</b>			
Building regulation	2	59	65
Inspection services	2	30	45
Private works – section 67	2	142	266
Regulatory/ statutory fees	2	9	8
Section 10.7 certificates (EP&A Act)	2	19	8
Section 603 certificates	2	32	40
Development fees	2	102	99
Impounding fees	2	4	3
Other – certificates and permits	2	40	19
<b>Total fees and charges – statutory/regulatory</b>		<b>437</b>	<b>553</b>
<b>(ii) Fees and charges – other (incl. general user charges (per s608))</b>			
Aerodrome	2	107	128
Caravan park	2	55	107
Cemeteries	2	153	103
Leaseback fees – Council vehicles	2	23	7
Library and art gallery	2	8	8
Park rents	2	8	4
Transport for NSW (state roads not controlled by Council)	2	2,882	1,715
Water connection fees		11	–
Medical centre	2	115	102
Murray Valley industrial park	2	25	25
Museum donations	2	2	1
Other lease rentals	2	73	63
Sewerage connection fees		4	–
Truckwash	2	99	123
Other	2	51	39
<b>Total fees and charges – other</b>		<b>3,616</b>	<b>2,425</b>
<b>Total other user charges and fees</b>		<b>4,053</b>	<b>2,978</b>
<b>Total user charges and fees</b>		<b>5,904</b>	<b>4,934</b>
<b>Timing of revenue recognition for user charges and fees</b>			
User charges and fees recognised over time (1)		–	–
User charges and fees recognised at a point in time (2)		5,904	4,934
<b>Total user charges and fees</b>		<b>5,904</b>	<b>4,934</b>

**Accounting policy**

Revenue arising from user charges and fees is recognised when or as the performance obligation is completed and the customer receives the benefit of the goods / services being provided.

The performance obligation relates to the specific services which are provided to the customers and generally the payment terms are within 30 days of the provision of the service or in some cases such as caravan parks, the customer is required to pay on arrival or a deposit in advance. There is no material obligation for Council in relation to refunds or returns.

Where an upfront fee is charged such as joining fees for the leisure centre the fee is recognised on a straight-line basis over the expected life of the membership.

**B2-2 User charges and fees (continued)**

Licences granted by Council are all either short-term or low value and all revenue from licences is recognised at the time that the licence is granted rather than over the term of the licence.

**B2-3 Other revenues**

	Timing	2023 \$ '000	2022 \$ '000
Rental income – other council properties	1	44	53
Fines	2	12	15
Legal fees recovery – rates and charges (extra charges)	2	91	77
Commissions and agency fees	2	2	1
Diesel rebate	2	119	103
Recycling income (non-domestic)	2	10	41
Sales – general	2	116	43
Insurance rebates	2	45	7
Royalties	2	7	4
Other	2	349	218
Workers compensation reimbursement	2	88	58
<b>Total other revenue</b>		<b>883</b>	<b>620</b>
<b>Timing of revenue recognition for other revenue</b>			
Other revenue recognised over time (1)		44	53
Other revenue recognised at a point in time (2)		839	567
<b>Total other revenue</b>		<b>883</b>	<b>620</b>

**Accounting policy for other revenue**

Where the revenue is earned for the provision of specified goods / services under an enforceable contract, revenue is recognised when or as the obligations are satisfied.

Statutory fees and fines are recognised as revenue when the service has been provided, the payment is received or when the penalty has been applied, whichever occurs first.

Other revenue is recorded when the payment is due, the value of the payment is notified, or the payment is received, whichever occurs first.

## B2-4 Grants and contributions

		Operating 2023 \$ '000	Operating 2022 \$ '000	Capital 2023 \$ '000	Capital 2022 \$ '000
	Timing				
<b>General purpose grants and non-developer contributions (untied)</b>					
<b>General purpose (untied)</b>					
<b>Current year allocation</b>					
Financial assistance – general component	2	1,300	2,235	–	–
Financial assistance – local roads component	2	499	837	–	–
<b>Payment in advance - future year allocation</b>					
Financial assistance – general component	2	5,049	3,431	–	–
Financial assistance – local roads component	2	1,924	1,291	–	–
<b>Amount recognised as income during current year</b>		<b>8,772</b>	<b>7,794</b>	<b>–</b>	<b>–</b>
<b>Special purpose grants and non-developer contributions (tied)</b>					
<b>Cash contributions</b>					
Economic development	2	–	158	1,820	1,181
Environmental programs	2	175	13	–	41
Heritage and cultural	2	12	–	–	–
Library		9	–	–	–
Library – per capita	2	66	57	–	–
Noxious weeds	2	62	82	–	–
NSW rural fire services	2	369	195	202	102
Recreation and culture	2	299	50	3,149	3,706
Recreation and culture - Disaster Recovery		684	–	–	–
Street lighting	2	–	40	–	–
Transport (flood repair works)		287	–	–	–
Transport (roads to recovery)	2	1,085	1,309	–	–
Transport (other roads and bridges funding)	2	–	–	224	1,380
Transport for NSW contributions (regional roads, block grant)	2	1,424	1,397	–	2,357
Other contributions	2	92	38	–	–
<b>Total special purpose grants and non-developer contributions (tied)</b>		<b>4,564</b>	<b>3,339</b>	<b>5,395</b>	<b>8,767</b>
<b>Total grants and non-developer contributions</b>		<b>13,336</b>	<b>11,133</b>	<b>5,395</b>	<b>8,767</b>
<b>Comprising:</b>					
– Commonwealth funding		8,772	9,249	2,953	2,245
– State funding		3,623	1,571	2,442	6,498
– Other funding		941	313	–	24
		<b>13,336</b>	<b>11,133</b>	<b>5,395</b>	<b>8,767</b>

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## B2-4 Grants and contributions (continued)

## Developer contributions

	Notes	Timing	Operating 2023 \$ '000	Operating 2022 \$ '000	Capital 2023 \$ '000	Capital 2022 \$ '000
<b>Developer contributions:</b> (s7.4 & s7.11 - EP&A Act, s64 of the LGA):		G4				
<b>Cash contributions</b>						
S 64 – water supply contributions		2	45	37	–	–
S 64 – sewerage service contributions		2	37	32	–	–
<b>Total developer contributions</b>			<b>82</b>	<b>69</b>	<b>–</b>	<b>–</b>
<b>Total contributions</b>			<b>82</b>	<b>69</b>	<b>–</b>	<b>–</b>
<b>Total grants and contributions</b>			<b>13,418</b>	<b>11,202</b>	<b>5,395</b>	<b>8,767</b>
<b>Timing of revenue recognition for grants and contributions</b>						
Grants and contributions recognised over time (1)			–	–	–	–
Grants and contributions recognised at a point in time (2)			13,418	11,202	5,395	8,767
<b>Total grants and contributions</b>			<b>13,418</b>	<b>11,202</b>	<b>5,395</b>	<b>8,767</b>

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**B2-4 Grants and contributions (continued)****Unspent grants and contributions**

Certain grants and contributions are obtained by Council on the condition they be spent in a specified manner or in a future period but which are not yet spent in accordance with those conditions are as follows:

	<b>Operating 2023 \$ '000</b>	<b>Operating 2022 \$ '000</b>	<b>Capital 2023 \$ '000</b>	<b>Capital 2022 \$ '000</b>
<b>Unspent grants and contributions</b>				
Unspent funds at 1 July	<b>920</b>	1,792	<b>4,087</b>	5,321
<b>Add:</b> Funds recognised as revenue in the reporting year but not yet spent in accordance with the conditions	<b>316</b>	377	<b>1,492</b>	1,110
<b>Add:</b> Funds received and not recognised as revenue in the current year	<b>3,464</b>	–	–	–
<b>Less:</b> Funds received in prior year but revenue recognised and funds spent in current year	<b>(328)</b>	(1,249)	<b>(2,791)</b>	(2,344)
<b>Unspent funds at 30 June</b>	<b>4,372</b>	<b>920</b>	<b>2,788</b>	<b>4,087</b>

**Accounting policy****Grants and contributions – enforceable agreement with sufficiently specific performance obligations**

Grant and contribution revenue from an agreement which is enforceable and contains sufficiently specific performance obligations is recognised as or when control of each performance obligations is transferred.

The performance obligations vary according to the agreement but include Local Roads and Community Infrastructure rounds 1 and 2, Showground Stimulus Phase 2, Stronger Country Communities Round 4 and Building Better Regions Fund. Payment terms vary depending on the terms of the grant, cash is received upfront for some grants and on the achievement of certain payment milestones for others.

Performance obligations may be satisfied either at a point in time or over time and this is reflected in the revenue recognition pattern. Point in time recognition occurs when the beneficiary obtains control of the goods / services at a single time (e.g. completion of the project when a report / outcome is provided), whereas over time recognition is where the control of the services is ongoing throughout the project (e.g. provision of community health services through the year).

Where control is transferred over time, generally the input methods being either costs or time incurred are deemed to be the most appropriate methods to reflect the transfer of benefit.

**Capital grants**

Capital grants received by Council under an enforceable contract for the acquisition or construction of infrastructure, property, plant and equipment to identified specifications which will be under Council's control on completion are recognised as revenue as and when the obligation to construct or purchase is completed.

For construction projects, this is generally as the construction progresses in accordance with costs incurred since this is deemed to be the most appropriate measure of the completeness of the construction project.

For acquisitions of assets, the revenue is recognised when the asset is acquired and controlled by the Council.

**Developer contributions**

Council has obligations to provide facilities from contribution revenues levied on developers under the provisions of sections 7.4, 7.11 and 7.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

While Council generally incorporates these amounts as part of a Development Consents Order, such developer contributions are only recognised as income upon receipt by Council, due to the possibility that individual development consents may not be acted upon by the applicant and, accordingly, would not be payable to Council.

Developer contributions may only be expended for the purposes for which the contributions were required, but Council may apply contributions according to the priorities established in work schedules for the contribution plan.

**B2-4 Grants and contributions (continued)**

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**Other grants and contributions**

Assets, including cash, received from other grants and contributions are recognised at fair value when the asset is received. Council considers whether there are any related liability or equity items associated with the asset which are recognised in accordance with the relevant accounting standard.

Once the assets and liabilities have been recognised then income is recognised for any remaining asset value at the time that the asset is received.



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**B2-5 Interest and investment income**

	2023 \$ '000	2022 \$ '000
<b>Interest on financial assets measured at amortised cost</b>		
– Overdue rates and annual charges (incl. special purpose rates)	40	55
– Cash and investments	1,013	294
– Other	88	7
Finance income on the net investment in the lease	C2-2b –	–
<b>Total interest and investment income (losses)</b>	<b>1,141</b>	<b>356</b>

**Accounting policy**

Interest income is recognised using the effective interest rate at the date that interest is earned.

Dividends are recognised as income in profit or loss when the shareholder's right to receive payment is established unless the dividend clearly represents a recovery of part of the cost of the investment.

**B3 Costs of providing services****B3-1 Employee benefits and on-costs**

	2023 \$ '000	2022 \$ '000
Salaries and wages	7,988	7,847
Travel expenses	4	4
Employee leave entitlements (ELE)	1,279	1,090
Superannuation	987	930
Workers' compensation insurance	340	331
Fringe benefit tax (FBT)	202	230
Payroll tax	–	1
Training costs (other than salaries and wages)	162	135
Protective clothing	34	22
Uniform clothing	16	12
Recruitment costs	40	7
WH&S expenses	17	18
Other	8	4
<b>Total employee costs</b>	<b>11,077</b>	<b>10,631</b>
Less: capitalised costs	(761)	(1,080)
<b>Total employee costs expensed</b>	<b>10,316</b>	<b>9,551</b>
Number of 'full-time equivalent' employees (FTE) at year end	105	104
Number of 'full-time equivalent' employees (FTE) at year end (incl. vacancies)	128	116

**Accounting policy**

Employee benefit expenses are recorded when the service has been provided by the employee.

*Retirement benefit obligations*

All employees of the Council are entitled to benefits on retirement, disability or death. Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

*Superannuation plans*

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

Council participates in a defined benefit plan under the Local Government Superannuation Scheme, however, sufficient information to account for the plan as a defined benefit is not available and therefore Council accounts for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans, i.e. as an expense when it becomes payable – refer to Note E3-1 for more information.

**B3-2 Materials and services**

	Notes	2023 \$ '000	2022 \$ '000
Raw materials and consumables		3,180	1,438
Contractor Costs		5,442	2,300
Consultancy Costs		1,049	388
Audit Fees	F2-1	132	86
<b>Previously other expenses:</b>			
Councillor and Mayoral fees and associated expenses	F1-2	220	194
Advertising		232	210
Bank and centrepay charges		47	49
Election expenses		–	129
Electricity and heating		556	494
Insurance		939	825
Office expenses		27	25
Postage		25	26
Printing and stationery		15	21
Street lighting		106	87
Subscriptions and publications		150	116
Telephone and communications		81	89
Valuation fees		43	41
Other expenses		30	26
Information technology		484	303
Licences, fees and permits		242	296
<b>Legal expenses:</b>			
– Legal expenses: planning and development		2	–
– Legal expenses: debt recovery		91	79
– Legal expenses: other		99	12
<b>Total materials and services</b>		<b>13,192</b>	<b>7,234</b>
<b>Total materials and services</b>		<b>13,192</b>	<b>7,234</b>

**Accounting policy**

Expenses are recorded on an accruals basis as the Council receives the goods or services.

**B3-3 Depreciation, amortisation and impairment of non-financial assets**

	Notes	2023 \$ '000	2022 \$ '000
<b>Depreciation and amortisation</b>			
Plant and equipment		1,071	1,096
Office equipment		131	107
Furniture and fittings		8	10
Land improvements (depreciable)		123	114
<b>Infrastructure:</b>	C1-6		
– Buildings – non-specialised		289	260
– Buildings – specialised		850	803
– Other structures		104	108
– Roads		4,385	4,185
– Bridges		65	69
– Footpaths		350	322
– Other road assets		69	66
– Stormwater drainage		387	367
– Water supply network		713	787
– Sewerage network		676	724
– Swimming pools		101	91
– Other open space/recreational assets		423	369
<b>Other assets:</b>			
– Library books		8	6
<b>Reinstatement, rehabilitation and restoration assets:</b>			
– Tip assets	C1-6	100	165
Intangible assets	C1-7	300	237
<b>Total depreciation and amortisation costs</b>		<b>10,153</b>	<b>9,886</b>
<b>Total depreciation, amortisation and impairment for non-financial assets</b>		<b>10,153</b>	<b>9,886</b>

**Accounting policy****Depreciation and amortisation**

Depreciation and amortisation are calculated using the straight line method to allocate their cost, net of their residual values, over their estimated useful lives. Useful lives are included in Note C1-6 for IPPE assets.

**Impairment of non-financial assets**

Council assets held at fair value that are not held primarily for their ability to generate net cash flow, and that are deemed to be specialised, are no longer required to be tested for impairment under AASB 136. This is because these assets are assessed on an annual basis to ensure that the carrying amount is not materially different from fair value and therefore an impairment loss would be captured during this assessment.

Intangible assets that have an indefinite useful life, or are not yet available for use, are tested annually for impairment, or more frequently if events or changes in circumstances indicate that they might be impaired.

Other assets that do not meet the criteria above are tested for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

For the purposes of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash inflows that are largely independent of the cash inflows from other assets or groups of assets (cash-generating units). Non-financial assets that suffered an impairment are reviewed for possible reversal of the impairment at each reporting date.

Impairment losses for revalued assets are firstly offset against the amount in the revaluation surplus for the class of asset, with only the excess to be recognised in the Income Statement.

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**B3-4 Other expenses**

	Notes	2023 \$ '000	2022 \$ '000
<b>Impairment of receivables</b>			
Other		154	15
<b>Total impairment of receivables</b>	C1-4	<b>154</b>	<b>15</b>
<b>Other</b>			
Contributions/levies to other levels of government			
– Emergency services levy (includes FRNSW, SES, and RFS levies)		598	338
Donations, contributions and assistance to other organisations (Section 356)		142	187
Other - prior year imbalances cleared		–	246
Other - Rounding adjustment		–	3
<b>Total other</b>		<b>740</b>	<b>774</b>
<b>Total other expenses</b>		<b>894</b>	<b>789</b>

**Accounting policy**

Other expenses are recorded on an accruals basis when Council has an obligation for the expenses.

Impairment expenses are recognised when identified.

**B4 Gains or losses****B4-1 Gain or loss from the disposal, replacement and de-recognition of assets**

	Notes	2023 \$ '000	2022 \$ '000
<b>Gain (or loss) on disposal of plant and equipment</b>	C1-6		
Proceeds from disposal – plant and equipment		206	201
Less: carrying amount of plant and equipment assets sold/written off		(11)	(10)
<b>Gain (or loss) on disposal</b>		<b>195</b>	<b>191</b>
<b>Gain (or loss) on disposal of infrastructure</b>	C1-6		
Proceeds from disposal – infrastructure		227	–
Less: carrying amount of infrastructure assets sold/written off		(172)	–
<b>Gain (or loss) on disposal</b>		<b>55</b>	<b>–</b>
<b>Gain (or loss) on derecognition of Interest in Associates</b>			
Loss on derecognition Interest in Associates		–	(385)
<b>Net gain (or loss) from disposal of assets</b>		<b>250</b>	<b>(194)</b>

**Accounting policy**

Gains and losses on disposals are determined by comparing proceeds with carrying amount. The gain or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer and the asset is de-recognised.

**B5 Performance against budget****B5-1 Material budget variations**

Council's original budget was adopted by the Council on 28 June 2022 and is not required to be audited. The original projections on which the budget was based have been affected by a number of factors. These include state and federal government decisions, including new grant programs, changing economic activity, environmental factors, and by decisions made by Council.

While these General Purpose Financial Statements include the original budget adopted by Council, the Act requires Council to review its financial budget on a quarterly basis, so it is able to manage the variation between actuals and budget that invariably occur during the year.

**Material variations of more than 10%** between original budget and actual results or where the variance is considered material by nature are explained below.

**Variation Key:** **F** = Favourable budget variation, **U** = Unfavourable budget variation.

\$ '000	2023 Budget	2023 Actual	2023 ----- Variance -----	
<b>Revenues</b>				
Rates and annual charges	13,952	14,030	78	1% <b>F</b>
User charges and fees	3,861	5,904	2,043	53% <b>F</b>
There has been an increase in private works completed and there has also continued to be an increase in Transport of NSW Road Maintenance Council Contract ordered works.				
Other revenues	512	883	371	72% <b>F</b>
Increased training rebates and subsidies were located by Human Resources and there was a distribution from a former Deniliquin Council investment case that was finalised.				
Operating grants and contributions	8,080	13,418	5,338	66% <b>F</b>
Financial Assistance Grant paid at 100% in June which is double the expected prepayment figure. Payments for flood repair works were also received due to the emergency situation as well as an increased roads repair grant.				
Capital grants and contributions	1,320	5,395	4,075	309% <b>F</b>
Councils required to recognise income in accordance with AASB 15 and AASB 1058 as the projects are completed and specific obligations are met. Additional grants were also received through the year that were also recognised.				
Interest and investment revenue	322	1,141	819	254% <b>F</b>
Interest and investment income has increased due to the higher interest rate environment caused by RBA interest rate increases compared with a conservative budget set in June 2022.				
Net gains from disposal of assets	250	250	—	0% <b>F</b>
Reversal of revaluation decrements / impairment of IPP&E previously expensed	—	4,077	4,077	∞ <b>F</b>
This was not budgeted, with the water revaluation and asset indexation due to inflation the replacement value of all the asset categories were high resulting in a positive variance.				
<b>Expenses</b>				
Employee benefits and on-costs	10,029	10,316	(287)	(3)% <b>U</b>
Materials and services	6,371	13,192	(6,821)	(107)% <b>U</b>
Unexpected consultant costs for vacant employee positions, flood management and repair works were also unexpected through the financial year, and increased RMCC costs that are offset by additional RMCC income have increased materials and contracts for 2022/23.				
Borrowing costs	230	—	230	100% <b>F</b>
There were no borrowings obtained in 2022/23 as had been budgeted.				

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**B5-1 Material budget variations (continued)**

\$ '000	2023 Budget	2023 Actual	2023 ----- Variance -----	
Depreciation, amortisation and impairment of non-financial assets	10,262	10,153	109	1% <b>F</b>
Other expenses	667	894	(227)	(34)% <b>U</b>
NSW Community Grant that was approved through the year included additional donations to be paid out.				
Net losses from disposal of assets	–	–	–	∞ <b>F</b>
<b>Statement of cash flows</b>				
Cash flows from operating activities	7,705	21,147	13,442	174% <b>F</b>
Cash flows from investing activities	(12,418)	(19,486)	(7,068)	57% <b>U</b>
Cash flows from financing activities	5,721	–	(5,721)	(100)% <b>U</b>

**B6 Material Income Statement items****B6-1 Material Income Statement items****Material reversal of revaluation decrements on IPPE previously expensed**

	<b>2023</b>	<b>2022</b>
	<b>\$ '000</b>	<b>\$ '000</b>
Operational Land	–	369
Community Land	<b>116</b>	81
Crown Land	–	232
<b>Infrastructure:</b>		
– Buildings – non-specialised	–	57
– Buildings – specialised	<b>493</b>	3,444
– Other structures	<b>842</b>	932
– Footpaths	<b>998</b>	271
– Water supply network	–	1,318
– Sewerage network	<b>1,628</b>	331
– Swimming pools	–	27
<b>Total material reversal of revaluation decrements on IPPE previously expensed</b>	<b>4,077</b>	<b>7,062</b>

**C Financial position****C1 Assets we manage****C1-1 Cash and cash equivalents**

	2023 \$ '000	2022 \$ '000
<b>Cash assets</b>		
Cash on hand and at bank	9,275	7,614
Cash equivalent assets		
– Deposits at call	2	2
<b>Total cash and cash equivalents</b>	<b>9,277</b>	<b>7,616</b>

**Accounting policy**

For Statement of Cash Flow presentation purposes, cash and cash equivalents include: cash on hand; deposits held at call with financial institutions; other short-term, highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value; and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the Statement of Financial Position.

## C1-2 Financial investments

	2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
<b>Debt securities at amortised cost</b>				
Long term deposits	36,005	6,000	27,500	15,000
<b>Total financial investments</b>	<b>36,005</b>	<b>6,000</b>	<b>27,500</b>	<b>15,000</b>
<b>Total cash assets, cash equivalents and investments</b>	<b>45,282</b>	<b>6,000</b>	<b>35,116</b>	<b>15,000</b>

**Accounting policy**

Financial instruments are recognised initially on the date that the Council becomes party to the contractual provisions of the instrument.

On initial recognition, all financial instruments are measured at fair value plus transaction costs (except for instruments measured at fair value through profit or loss where transaction costs are expensed as incurred).

**Financial assets**

All recognised financial assets are subsequently measured in their entirety at either amortised cost or fair value, depending on the classification of the financial assets.

**Classification**

On initial recognition, Council classifies its financial assets into the following categories – those measured at:

- amortised cost
- fair value through profit and loss (FVTPL)
- fair value through other comprehensive income – equity instrument (FVOCI)

Financial assets are not reclassified subsequent to their initial recognition.

**Amortised cost**

Assets measured at amortised cost are financial assets where:

- the business model is to hold assets to collect contractual cash flows, and
- the contractual terms give rise on specified dates to cash flows that are solely payments of principal and interest on the principal amount outstanding.

Council's financial assets are measured at amortised cost comprise trade and other receivables, term deposits and cash and cash equivalents in the Statement of Financial Position.

Subsequent to initial recognition, these assets are carried at amortised cost using the effective interest rate method less provision for impairment.

Interest income, impairment and gains or loss on de-recognition are recognised in profit or loss.

**Financial assets through profit or loss**

All financial assets not classified as measured at amortised cost or fair value through other comprehensive income as described above are measured at fair value through profit or loss.

Net gains or losses, including any interest or dividend income, are recognised in profit or loss.

## C1-3 Restricted and allocated cash, cash equivalents and investments

	2023 \$ '000	2022 \$ '000
(a) Externally restricted cash, cash equivalents and investments		
<b>Total cash, cash equivalents and investments</b>	<b>51,282</b>	<b>50,116</b>
Less: Externally restricted cash, cash equivalents and investments	(23,957)	(19,312)
<b>Cash, cash equivalents and investments not subject to external restrictions</b>	<b>27,325</b>	<b>30,804</b>
<b>External restrictions</b>		
<b>External restrictions – included in liabilities</b>		
External restrictions included in cash, cash equivalents and investments above comprise:		
Specific purpose unexpended grants – general fund	6,775	4,553
Other - Unexpended merger funds	385	454
<b>External restrictions – included in liabilities</b>	<b>7,160</b>	<b>5,007</b>
<b>External restrictions – other</b>		
External restrictions included in cash, cash equivalents and investments above comprise:		
Developer contributions – general	39	39
Water fund	8,198	7,486
Sewer fund	7,159	5,361
Conargo milestones / interpretative	16	37
Conargo Oval M&R	20	20
Deniliquin band committee	26	20
Deniliquin community gardens	–	3
EPA waste	36	36
Regional arts	3	3
Domestic waste management	1,300	1,300
<b>External restrictions – other</b>	<b>16,797</b>	<b>14,305</b>
<b>Total external restrictions</b>	<b>23,957</b>	<b>19,312</b>

Cash, cash equivalents and investments subject to external restrictions are those which are only available for specific use by Council due to a restriction placed by legislation or third-party contractual agreement.

	2023 \$ '000	2022 \$ '000
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## (b) Internal allocations

<b>Cash, cash equivalents and investments not subject to external restrictions</b>	<b>27,325</b>	<b>30,804</b>
Less: Internally restricted cash, cash equivalents and investments	(16,595)	(7,879)
<b>Unrestricted and unallocated cash, cash equivalents and investments</b>	<b>10,730</b>	<b>22,925</b>

**C1-3 Restricted and allocated cash, cash equivalents and investments (continued)**

	2023	2022
	\$ '000	\$ '000

**Internal allocations**

At 30 June, Council has internally allocated funds to the following:

Plant and vehicle replacement	1,799	1,799
Infrastructure replacement	1,780	2,300
Employees leave entitlement	693	693
Deposits, retentions and bonds	258	323
Advanced Payment - Financial Assistance Grant	6,972	–
Airport industrial land	20	20
Asset management	14	14
Airport runway development	187	187
Blighty-upgrade power	70	70
Building maintenance	50	50
Cemetery upgrade	9	9
Conargo Hall Committee Bequest	2,636	–
Depot office and gates upgrade	41	41
Dog trail	3	3
Election reserve	12	12
Fencing Conargo	7	7
Gravel pits	14	14
Human resources	18	18
Internal audit	6	6
Land development fund	385	385
Landscaping plans	90	90
Recreation reserves / village landscaping	1,113	1,113
Risk management	45	44
Wanganella hall community	5	5
Shire – entrance signage	5	5
Tourism/industry promotion	13	13
Town planning plans, surveys and studies	103	103
Waste facilities	63	63
Water infrastructure	57	57
Website development	2	2
Deniliquin town hall and civic precinct redevelopment	–	300
North Depot Redevelopment	125	133
<b>Total internal allocations</b>	<b>16,595</b>	<b>7,879</b>

Cash, cash equivalents and investments not subject to external restrictions may be internally allocated by resolution or policy of the elected Council.

	2023	2022
	\$ '000	\$ '000

**(c) Unrestricted and unallocated**

<b>Unrestricted and unallocated cash, cash equivalents and investments</b>	<b>10,730</b>	<b>22,925</b>
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## C1-4 Receivables

	2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
Rates and annual charges	779	—	725	—
Interest and extra charges	232	—	198	—
User charges and fees	1,093	—	1,026	—
Accrued revenues				
– Interest on investments	536	—	147	—
– Other income accruals	592	—	760	—
Net GST receivable	293	—	283	—
Other debtors	5	—	1	—
<b>Total</b>	<b>3,530</b>	<b>—</b>	<b>3,140</b>	<b>—</b>
<b>Less: provision for impairment</b>				
Other debtors	(460)	—	(306)	—
<b>Total provision for impairment – receivables</b>	<b>(460)</b>	<b>—</b>	<b>(306)</b>	<b>—</b>
<b>Total net receivables</b>	<b>3,070</b>	<b>—</b>	<b>2,834</b>	<b>—</b>

	2023 \$ '000	2022 \$ '000
<b>Movement in provision for impairment of receivables</b>		
Balance at the beginning of the year (calculated in accordance with AASB 9)	306	299
+ new provisions recognised during the year	—	14
- amounts already provided for written off this year	—	(7)
<b>Balance at the end of the year</b>	<b>306</b>	<b>306</b>



## C1-4 Receivables (continued)

### Accounting policy

Receivables are included in current assets, except for those with maturities greater than 12 months after reporting date which are classified as non-current assets.

Receivables are recognised initially at fair value and subsequently measured at amortised cost using the effective interest method, less provision for impairment. Receivables are generally due for settlement within 30 days.

Cash flows relating to short term receivables are not discounted if the effect of discounting is immaterial.

### Impairment

Impairment of financial assets measured at amortised cost is recognised on an expected credit loss (ECL) basis.

When determining whether the credit risk of a financial asset has increased significantly since initial recognition, and when estimating ECL, the Council considers reasonable and supportable information that is relevant and available without undue cost or effort. This includes both quantitative and qualitative information and analysis based on Council's historical experience and informed credit assessment, and including forward-looking information.

When considering the ECL for rates debtors, Council takes into account that unpaid rates represent a charge against the rateable property that will be recovered when the property is next sold. For non-rates debtors, Council uses the presumption that an asset which is more than 30 days past due has seen a significant increase in credit risk.

The Council uses the presentation that a financial asset is in default when:

- the other party is unlikely to pay its credit obligations to the Council in full, without recourse by the Council to actions such as realising security (if any is held) or
- the financial assets (for non-rates debtors) are more than 90 days past due.

Credit losses are measured as the present value of the difference between the cash flows due to the entity in accordance with the contract, and the cash flows expected to be received. This is applied using a probability weighted approach.

On initial recognition of the asset, an estimate of the expected credit losses for the next 12 months is recognised. Where the asset has experienced significant increase in credit risk then the lifetime losses are estimated and recognised.

Council uses the simplified approach for trade receivables where the expected lifetime credit losses are recognised on day 1.

There has been no change in the estimation techniques or significant assumptions made during the current reporting period.

The Council writes off a trade receivable when there is information indicating that the debtor is in severe financial difficulty and there is no realistic prospect of recovery, e.g. when the debtor has been placed under liquidation or has entered into bankruptcy proceedings, or when the receivable are over 5 years past due, whichever occurs first.

None of the receivables that have been written off are subject to enforcement activity.

Where the Council renegotiates the terms of receivables due from certain customers, the new expected cash flows are discounted at the original effective interest rate and any resulting difference to the carrying value is recognised in profit or loss.

Rates and annual charges outstanding are secured against the property.

## C1-5 Contract assets and Contract cost assets

### Contract assets

	2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
Work relating to infrastructure grants	1,544	—	—	—
<b>Total contract assets</b>	<b>1,544</b>	<b>—</b>	<b>—</b>	<b>—</b>

### Significant changes in contract assets

Due to flooding in the first half of the financial year Council acquired access to Disaster Recovery Grants that can be claimed when projects are approved and expended. The flooding also influenced the delay in claiming other annual grants where the work had already been complete.

continued on next page ...

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**C1-5 Contract assets and Contract cost assets (continued)**

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**Accounting policy****Contract assets**

Contract assets represent Council's right to payment in exchange for goods or services the Council has transferred to a customer when that right is conditional on something other than the passage of time.

Contract assets arise when the amounts billed to customers are based on the achievement of various milestones established in the contract and therefore the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer. Once an invoice or payment claim is raised or the relevant milestone is reached, Council recognises a receivable.

Impairment of contract assets is assessed using the simplified expected credit loss model where lifetime credit losses are recognised on initial recognition.

**Contract cost asset – costs to fulfil a contract**

Where costs are incurred to fulfil a contract and these costs are outside the scope of another accounting standard, they are capitalised as contract cost assets if the following criteria are met:

- the costs relate directly to a contract
- the costs generate or enhance resources of Council that will be used to satisfy performance obligations in the future and
- the costs are expected to be recovered.

The capitalised costs are recognised in the Income statement on a systematic basis consistent with the timing of revenue recognition.

Refer to B3-4 for the accounting policy for impairment of contract cost assets.

## C1-6 Infrastructure, property, plant and equipment

	At 1 July 2022			Asset movements during the reporting period										At 30 June 2023		
	Accumulated depreciation and impairment	Gross carrying amount	Net carrying amount	Additions renewals <sup>1</sup>	Additions new assets	Reinstatement costs for impaired assets	Carrying value of disposals	Depreciation expense	Impairment reversal / prior period revaluation decrements reversal (via P&L)	Impairment loss / revaluation decrements (recognised in equity)	WIP transfers	Other movements - Revaluation increment due to increase in provision for remediation	Revaluation increments to equity (ARR)	Accumulated depreciation and impairment	Gross carrying amount	Net carrying amount
By aggregated asset class	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
Capital work in progress	–	10,062	10,062	3,828	1,965	–	–	–	–	–	(8,204)	–	–	–	7,651	7,651
Plant and equipment	(10,310)	16,171	5,861	8	136	–	(8)	(1,071)	–	–	–	–	–	(10,581)	15,507	4,926
Office equipment	(2,901)	3,269	368	–	157	–	–	(131)	–	–	57	–	–	(3,032)	3,483	451
Furniture and fittings	(259)	287	28	–	31	–	–	(8)	–	–	–	–	–	(267)	318	51
<b>Land:</b>																
– Operational land	–	7,755	7,755	–	250	–	(172)	–	–	–	–	–	533	–	8,366	8,366
– Community land	–	1,707	1,707	–	–	–	–	–	116	–	–	–	–	–	1,823	1,823
– Crown land	–	4,874	4,874	–	–	–	–	–	–	–	–	–	331	–	5,205	5,205
Land improvements – depreciable	(1,687)	5,654	3,967	71	–	–	–	(123)	–	–	–	–	426	(2,013)	6,354	4,341
<b>Infrastructure:</b>																
– Buildings – non-specialised	(4,341)	16,964	12,623	793	25	–	–	(289)	–	–	–	–	1,053	(5,020)	19,225	14,205
– Buildings – specialised	(22,595)	60,478	37,883	2,356	592	–	–	(850)	493	–	6,035	–	2,666	(25,432)	74,607	49,175
– Other structures	(2,907)	20,808	17,901	36	–	–	–	(104)	842	–	351	–	522	(3,237)	22,785	19,548
– Roads	(67,377)	251,561	184,184	5,226	39	287	–	(4,385)	–	(11,365)	1,403	–	11,176	(87,176)	273,741	186,565
– Bridges	(3,582)	10,866	7,284	–	–	–	–	(65)	–	–	–	–	391	(3,843)	11,453	7,610
– Footpaths and kerb and gutter	(9,253)	28,996	19,743	480	–	–	–	(350)	998	–	–	–	–	(10,084)	30,955	20,871
– Other road assets (including bulk earthworks)	(985)	4,877	3,892	–	–	–	–	(69)	–	–	–	–	233	(1,118)	5,174	4,056
– Bulk earthworks (non-depreciable)	–	33,842	33,842	–	–	–	–	–	–	–	–	–	4,095	–	37,937	37,937
– Stormwater drainage	(12,873)	39,544	26,671	93	68	–	–	(387)	–	–	73	–	2,947	(14,704)	44,169	29,465
– Water supply network	(27,257)	64,787	37,530	251	48	–	–	(713)	–	–	89	–	4,663	(27,631)	69,499	41,868
– Sewerage network	(27,458)	59,783	32,325	337	11	–	–	(676)	1,628	–	65	–	844	(30,302)	64,836	34,534
– Swimming pools	(1,255)	5,790	4,535	–	127	–	–	(101)	–	–	116	–	396	(1,481)	6,554	5,073
– Other open space/recreational assets	(3,268)	13,015	9,747	231	293	–	–	(423)	–	–	15	–	1,016	(4,087)	14,966	10,879
<b>Other assets:</b>																
– Library books	(1,152)	1,289	137	–	40	–	–	(8)	–	–	–	–	–	(1,161)	1,330	169
<b>Reinstatement, rehabilitation and restoration assets</b>																
– Tip assets	(595)	2,161	1,566	–	–	–	–	(100)	–	–	–	2,156	–	(696)	4,318	3,622
<b>Total infrastructure, property, plant and equipment</b>	<b>(200,055)</b>	<b>664,540</b>	<b>464,485</b>	<b>13,710</b>	<b>3,782</b>	<b>287</b>	<b>(180)</b>	<b>(9,853)</b>	<b>4,077</b>	<b>(11,365)</b>	<b>–</b>	<b>2,156</b>	<b>31,292</b>	<b>(231,865)</b>	<b>730,256</b>	<b>498,391</b>

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

## C1-6 Infrastructure, property, plant and equipment (continued)

By aggregated asset class	At 1 July 2021			Asset movements during the reporting period									At 30 June 2022		
	Accumulated depreciation and impairment	Gross carrying amount	Net carrying amount	Additions renewals <sup>(1)</sup>	Additions new assets	Carrying value of disposals	Depreciation expense	Impairment loss / revaluation decrements (recognised in P/L)	Impairment reversal / prior period revaluation decrements reversal (via P&L)	Adjustments and transfers	Other movements (details...)	Revaluation increments to equity (APRR)	Accumulated depreciation and impairment	Gross carrying amount	Net carrying amount
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
Capital work in progress	—	8,770	8,770	1,292	—	—	—	—	—	—	—	—	—	10,062	10,062
Plant and equipment	(9,806)	15,751	5,945	—	1,020	(8)	(1,096)	—	—	—	—	—	(10,310)	16,171	5,861
Office equipment	(2,795)	3,105	310	—	166	(2)	(107)	—	—	1	—	—	(2,901)	3,269	368
Furniture and fittings	(248)	287	39	—	—	—	(10)	—	—	(1)	—	—	(259)	287	28
<b>Land:</b>															
– Operational land	—	7,386	7,386	—	—	—	—	—	369	—	—	—	—	7,755	7,755
– Community land	—	1,626	1,626	—	—	—	—	—	81	—	—	—	—	1,707	1,707
– Crown land	—	4,642	4,642	—	—	—	—	—	232	—	—	—	—	4,874	4,874
Land improvements – depreciable	(1,492)	5,260	3,768	98	27	—	(114)	—	—	—	—	188	(1,687)	5,654	3,967
<b>Infrastructure:</b>															
– Buildings – non-specialised	(4,081)	14,735	10,654	334	748	—	(260)	—	57	(1)	—	1,091	(4,341)	16,964	12,623
– Buildings – specialised	(21,792)	55,689	33,897	555	789	—	(803)	—	3,444	1	—	—	(22,595)	60,478	37,883
– Other structures	(2,646)	19,723	17,077	—	—	—	(108)	—	932	—	—	—	(2,907)	20,808	17,901
– Roads	(62,114)	239,148	177,034	6,432	2,019	—	(4,185)	—	—	1	—	2,883	(67,377)	251,561	184,184
– Bridges	(3,474)	10,564	7,090	183	—	—	(69)	—	—	1	—	79	(3,582)	10,866	7,284
– Footpaths	(8,802)	26,303	17,501	2,102	191	—	(322)	—	271	—	—	—	(9,253)	28,996	19,743
– Other road assets (including bulk earthworks)	(913)	4,766	3,853	—	82	—	(66)	—	—	—	—	23	(985)	4,877	3,892
– Bulk earthworks (non-depreciable)	—	33,136	33,136	141	—	—	—	—	—	(1)	—	566	—	33,842	33,842
– Stormwater drainage	(12,164)	37,425	25,261	364	749	—	(367)	—	—	1	—	663	(12,873)	39,544	26,671
– Water supply network	(26,462)	61,597	35,135	428	330	—	(787)	(1)	1,319	413	—	693	(27,257)	64,787	37,530
– Sewerage network	(26,933)	59,354	32,421	540	169	—	(724)	—	331	(412)	—	—	(27,458)	59,783	32,325
– Swimming pools	(1,098)	5,316	4,218	118	54	—	(91)	—	27	1	—	208	(1,255)	5,790	4,535
– Other open space/recreational assets	(2,645)	11,049	8,404	326	655	—	(369)	—	—	1	—	730	(3,268)	13,015	9,747
<b>Other assets:</b>															
– Library books	(1,146)	1,251	105	3	36	—	(6)	—	—	(1)	—	—	(1,152)	1,289	137
<b>Reinstatement, rehabilitation and restoration assets</b>															
– Tip assets	(430)	3,584	3,154	—	—	—	(165)	—	—	—	(1,423)	—	(595)	2,161	1,566
<b>Total infrastructure, property, plant and equipment</b>	<b>(189,041)</b>	<b>630,467</b>	<b>441,426</b>	<b>12,916</b>	<b>7,035</b>	<b>(10)</b>	<b>(9,649)</b>	<b>(1)</b>	<b>7,063</b>	<b>4</b>	<b>(1,423)</b>	<b>7,124</b>	<b>(200,055)</b>	<b>664,540</b>	<b>464,485</b>

(1) Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

## C1-6 Infrastructure, property, plant and equipment (continued)

### Accounting policy

Infrastructure, property, plant and equipment are held at fair value. Independent valuations are performed at least every five years, however the carrying amount of assets is assessed at each reporting date to confirm that it is not materially different from current fair value.

Increases in the carrying amounts arising on revaluation are credited to the asset revaluation reserve. To the extent that the increase reverses a decrease previously recognising profit or loss relating to that asset class, the increase is first recognised as profit or loss. Decreases that reverse previous increases of assets in the same class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the class; all other decreases are charged to the Income Statement.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably. All other repairs and maintenance are charged to the Income Statement during the financial period in which they are incurred.

Land is not depreciated. Depreciation on other assets is calculated using the straight-line method to allocate their cost, net of their residual values, over their estimated useful lives as follows:

<b>Plant and equipment</b>	<b>Years</b>	<b>Other equipment</b>	<b>Years</b>
Office equipment	5 to 10	Playground equipment	30 to 60
Office furniture	10 to 20	Benches, seats etc.	20 to 60
Computer equipment	3 to 5		
Vehicles	5 to 10	<b>Buildings</b>	
Heavy plant/road making equipment	5 to 10	Buildings: masonry	60 to 125
Other plant and equipment	5 to 15	Buildings: other	40 to 100
<b>Water and sewer assets</b>		<b>Stormwater assets</b>	
Dams and reservoirs	50 to 150	Drains	100 to 175
Bores	50 to 75	Culverts	60 to 140
Reticulation pipes: PVC	40 to 150	Flood control structures	100 to 175
Reticulation pipes: other	80 to 120		
Pumps and telemetry	30 to 95		
<b>Transportation assets</b>		<b>Other infrastructure assets</b>	
Sealed roads: surface	20 to 70	Bulk earthworks	120 to 200
Sealed roads: structure	70 to 100	Swimming pools	40 to 81
Unsealed roads	15 to 80	Other open space/recreational assets	25 to 60
Bridge: concrete	100 to 175	Other infrastructure	25 to 75
Bridge: other	50		
Road pavements	60		
Kerb, gutter and footpaths	35 to 140		

The assets' residual values and useful lives are reviewed, and adjusted if appropriate, at each reporting date.

Gains and losses on disposals are determined by comparing proceeds with carrying amount. These are included in the Income Statement.

### Crown reserves

Crown reserves under Council's care and control are recognised as assets of the council. While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated.

Improvements on Crown reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

### Rural Fire Service assets

Council recognises the land and buildings used by the Rural Fire Service situated within the Local Government area, however, it does not recognise the Rural Fire Service equipment.

## C1-7 Intangible assets

Intangible assets are as follows:

	2023 \$ '000	2022 \$ '000
<b>Software</b>		
<b>Opening values at 1 July</b>		
Gross book value	2,402	2,061
Accumulated amortisation	(1,134)	(897)
<b>Net book value – opening balance</b>	<b>1,268</b>	<b>1,164</b>
<b>Movements for the year</b>		
Development costs	27	343
Amortisation charges	(300)	(237)
<b>Closing values at 30 June</b>		
Gross book value	2,428	2,402
Accumulated amortisation	(1,433)	(1,134)
<b>Total intangible assets – net book value</b>	<b>995</b>	<b>1,268</b>

## Accounting policy

**IT development and software**

Software development costs include only those costs directly attributable to the development phase (including external direct costs of materials and services, direct payroll, and payroll-related costs of employees' time spent on the project) and are only recognised following completion of technical feasibility, and where the Council has an intention and ability to use the asset. Amortisation is calculated on a straight-line basis over periods generally ranging from three to five years.

## C1-8 Other

## Other assets

	2023 \$ '000	2022 \$ '000
Prepayments	311	103
<b>Total other assets</b>	<b>311</b>	<b>103</b>

**C2 Liabilities of Council****C2-1 Payables**

	2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
Prepaid rates	620	–	548	–
Goods and services – operating expenditure	1,058	–	520	–
Goods and services – capital expenditure	439	–	888	–
Accrued expenses:				
– Salaries and wages	313	–	226	–
– Other expenditure accruals	1,805	–	581	–
Rural fire service liability	–	–	81	–
Security bonds, deposits and retentions	208	50	208	50
ATO – fringe benefits	89	–	25	–
Workers compensation	104	5	106	5
Other	27	–	12	–
<b>Total payables</b>	<b>4,663</b>	<b>55</b>	<b>3,195</b>	<b>55</b>



## C2-1 Payables (continued)

## Current payables not anticipated to be settled within the next twelve months

	2023 \$ '000	2022 \$ '000
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The following liabilities, even though classified as current, are not expected to be settled in the next 12 months.

Payables – security bonds, deposits and retentions	50	50
<b>Total payables</b>	<b>50</b>	<b>50</b>

## Accounting policy

Council measures all financial liabilities initially at fair value less transaction costs, subsequently financial liabilities are measured at amortised cost using the effective interest rate method.

The financial liabilities of the Council comprise trade payables, accrued expenses and bonds for development applications.

The payables represent liabilities for goods and services provided to the Council prior to the end of financial year that are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

## C2-2 Contract Liabilities

		2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
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## Grants and contributions received in advance:

Unexpended capital grants (to construct Council controlled assets)	(i)	7,088	–	4,464	–
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<b>Total contract liabilities</b>		<b>7,088</b>	<b>–</b>	<b>4,464</b>	<b>–</b>
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## Notes

(i) Council has received funding to construct assets including roads and other infrastructure. The funds received are under an enforceable contract which require Council to construct an identified asset which will be under Council's control on completion. The revenue is recognised as Council constructs the asset and the contract liability reflects the funding received which cannot yet be recognised as revenue. The revenue is expected to be recognised in the next 12 months.

(ii) The contract liability relates to grants received prior to the revenue recognition criteria in AASB 15 being satisfied since the performance obligations are ongoing.

## Revenue recognised that was included in the contract liability balance at the beginning of the period

	2023 \$ '000	2022 \$ '000
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## Grants and contributions received in advance:

Capital grants (to construct Council controlled assets)	2,874	5,321
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<b>Total revenue recognised that was included in the contract liability balance at the beginning of the period</b>	<b>2,874</b>	<b>5,321</b>
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## Significant changes in contract liabilities

Council has completed many grant funded projects throughout 2022/2023 as well as start other major capital projects supported by grant funding. Council is well underway in achieving their performance obligations.

## C2-2 Contract Liabilities (continued)

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### Accounting policy

Where the amounts billed to customers are based on the achievement of various milestones established in the contract, the amounts recognised as revenue in a given period do not necessarily coincide with the amounts billed to or certified by the customer.

When a performance obligation is satisfied by transferring a promised good or service to the customer before the customer pays consideration or before the payment is due, Council presents the work in progress as a contract asset, unless the rights to that amount of consideration are unconditional, in which case Council recognises a receivable.

When an amount of consideration is received from a customer / fund provider prior to Council transferring a good or service to the customer, Council presents the funds which exceed revenue recognised as a contract liability.

Edward River Council | Notes to the Financial Statements 30 June 2023

**C2-3 Employee benefit provisions**

	2023 Current \$ '000	2023 Non-current \$ '000	2022 Current \$ '000	2022 Non-current \$ '000
Annual leave	795	–	795	–
Sick leave	200	–	187	–
Long service leave	1,743	144	1,712	141
Rostered Day Off leave	93	–	68	–
Time in lieu leave	8	–	11	–
Employee Leave Entitlements on-costs	140	5	140	5
<b>Total employee benefit provisions</b>	<b>2,979</b>	<b>149</b>	<b>2,913</b>	<b>146</b>

**Current employee benefit provisions not anticipated to be settled within the next twelve months**

	2023 \$ '000	2022 \$ '000
The following provisions, even though classified as current, are not expected to be settled in the next 12 months.		
Provisions – employees benefits	1,749	2,215
	<b>1,749</b>	<b>2,215</b>

continued on next page ...

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## C2-3 Employee benefit provisions (continued)

## Description of and movements in provisions

	ELE provisions					Total \$ '000
	Annual leave \$ '000	Sick leave \$ '000	Long service leave \$ '000	ELE on-costs \$ '000	Other employee benefits \$ '000	
<b>2023</b>						
At beginning of year	795	187	1,853	145	79	3,059
Additional provisions	171	111	121	–	22	425
Amounts used (payments)	(171)	(98)	(88)	–	–	(357)
Other	–	–	1	–	–	1
Total ELE provisions at end of year	795	200	1,887	145	101	3,128
<b>2022</b>						
At beginning of year	788	194	1,914	143	85	3,124
Additional provisions	495	259	51	2	125	932
Amounts used (payments)	(488)	(266)	(112)	–	(131)	(997)
Total ELE provisions at end of year	795	187	1,853	145	79	3,059

continued on next page ...

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## C2-3 Employee benefit provisions (continued)

### Accounting policy

Provisions are recognised when Council has a present legal or constructive obligations as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to anyone item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as interest expenses.

Employee benefit provisions are presented as current liabilities in the Statement of Financial Position if Council does not have an unconditional right to defer settlement for at least 12 months after reporting date, regardless of when the actual settlement is expected to occur and therefore all annual leave and vested long service leave (or that which vests within 12 months) is presented as current.

### Short-term obligations

Liabilities for wages and salaries (including non-monetary benefits, annual leave and accumulating sick leave expected to be wholly settled within 12 months after the end of the period in which the employees render the related service) are recognised in respect of employees' services up to the end of the reporting period and are measured at the amounts expected to be paid when the liabilities are settled. The liability for annual leave and accumulating sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

### Other long-term employee benefit obligations

The liability for long-service leave and annual leave that is not expected to be wholly settled within 12 months after the end of the period in which the employees render the related service is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the end of the reporting period using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures, and periods of service. Expected future payments are discounted using market yields at the end of the reporting period on national government bonds with terms to maturity and currency that match, as closely as possible, the estimated future cash outflows.

### On-costs

The employee benefit provisions include the aggregate on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation, payroll tax and workers compensation expenses which will be payable upon the future payment of certain leave liabilities which employees are entitled to at the reporting period.

The obligations are presented as current liabilities in the Statement of Financial Position if the Council does not have an unconditional right to defer settlement for at least 12 months after the reporting date, regardless of when the actual settlement is expected to occur.

## C2-4 Provisions

	2023 Current \$ '000	2023 Non-Current \$ '000	2022 Current \$ '000	2022 Non-Current \$ '000
<b>Asset remediation/restoration:</b>				
Asset remediation/restoration (future works)	229	3,658	165	1,566
<b>Total provisions</b>	<b>229</b>	<b>3,658</b>	<b>165</b>	<b>1,566</b>

### Current provisions not anticipated to be settled within the next twelve months

The following provisions, even though classified as current, are not expected to be settled in the next 12 months.

### Description of and movements in provisions

	Other provisions
continued on next page ...	Page 49 of 83

## C2-4 Provisions (continued)

	Asset remediation \$ '000	Total \$ '000
<b>2023</b>		
At beginning of year	1,731	1,731
Changes to provision:		
– Revised costs	2,244	2,244
Unwinding of discount	(88)	(88)
Total other provisions at end of year	3,887	3,887
<b>2022</b>		
At beginning of year	3,154	3,154
Other	(1,423)	(1,423)
Total other provisions at end of year	1,731	1,731

**Accounting policy**

Provisions are recognised when Council has a present legal or constructive obligation as a result of past events, it is probable that an outflow of resources will be required to settle the obligation, and the amount has been reliably estimated.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date. The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability. The increase in the provision due to the passage of time is recognised as a borrowing cost.

**Asset remediation – tips and quarries**

Close-down and restoration costs include the dismantling and demolition of infrastructure, and the removal of residual materials and remediation of disturbed areas. Estimated close-down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs, whether this occurs during the development or during the operation phase, based on the net present value of estimated future costs. Provisions for close-down and restoration costs do not include any additional obligations which are expected to arise from future disturbance. The cost estimates are calculated annually during the life of the operation to reflect known developments, e.g. updated cost estimates and revisions to the estimated lives of operations, and are subject to formal review at regular intervals.

The ultimate cost of environmental remediation is uncertain and cost estimates can vary in response to many factors, including changes to the relevant legal requirements, the emergence of new restoration techniques, or experience at other locations. The expected timing of expenditure can also change, for example in response to changes in quarry reserves or production rates. As a result, there could be significant adjustments to the provision for close down and restoration and environmental clean-up, which would affect future financial results.

Other movements in the provisions for close-down and restoration costs, including those resulting from new disturbance, updated cost estimates, changes to the estimated lives of operations, and revisions to discount rates, are capitalised within infrastructure, property, plant and equipment. These costs are then depreciated over the lives of the assets to which they relate.

C3 Reserves

C3-1 Nature and purpose of reserves

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**IPPE Revaluation reserve**

The infrastructure, property, plant and equipment (IPPE) revaluation reserve is used to record increments and decrements in the revaluation of infrastructure, property, plant and equipment.



**D Council structure****D1 Results by fund**

General fund refers to all Council activities other than water and sewer. All amounts disclosed in this note are gross i.e. inclusive of internal charges and recoveries made between the funds. Assets and liabilities shown in the water and sewer columns are restricted for use for these activities.

**D1-1 Income Statement by fund**

	<b>General 2023 \$ '000</b>	<b>Water 2023 \$ '000</b>	<b>Sewer 2023 \$ '000</b>
<b>Income from continuing operations</b>			
Rates and annual charges	9,372	1,475	3,183
User charges and fees	4,152	1,510	242
Interest and investment revenue	883	145	113
Other revenues	789	62	32
Grants and contributions provided for operating purposes	13,336	45	37
Grants and contributions provided for capital purposes	5,395	—	—
Net gains from disposal of assets	250	—	—
Reversal of revaluation decrements on IPPE previously expensed	2,449	—	1,628
<b>Total income from continuing operations</b>	<b>36,626</b>	<b>3,237</b>	<b>5,235</b>
<b>Expenses from continuing operations</b>			
Employee benefits and on-costs	9,245	620	451
Materials and services	9,925	1,604	1,663
Depreciation, amortisation and impairment of non-financial assets	8,763	714	676
Other expenses	894	—	—
<b>Total expenses from continuing operations</b>	<b>28,827</b>	<b>2,938</b>	<b>2,790</b>
<b>Net operating result for the year</b>	<b>7,799</b>	<b>299</b>	<b>2,445</b>
<b>Net operating result attributable to each council fund</b>	<b>7,799</b>	<b>299</b>	<b>2,445</b>
<b>Net operating result for the year before grants and contributions provided for capital purposes</b>	<b>2,404</b>	<b>299</b>	<b>2,445</b>

## D1-2 Statement of Financial Position by fund

	General 2023 \$ '000	Water 2023 \$ '000	Sewer 2023 \$ '000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	2,553	2,807	3,917
Investments	27,372	5,391	3,242
Receivables	2,375	469	226
Contract assets and contract cost assets	1,544	—	—
Other	274	37	—
<b>Total current assets</b>	<b>34,118</b>	<b>8,704</b>	<b>7,385</b>
<b>Non-current assets</b>			
Investments	6,000	—	—
Infrastructure, property, plant and equipment	428,120	38,610	31,661
Intangible assets	995	—	—
<b>Total non-current assets</b>	<b>435,115</b>	<b>38,610</b>	<b>31,661</b>
<b>Total assets</b>	<b>469,233</b>	<b>47,314</b>	<b>39,046</b>
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	4,215	117	331
Contract liabilities	7,088	—	—
Employee benefit provision	2,979	—	—
Provisions	229	—	—
<b>Total current liabilities</b>	<b>14,511</b>	<b>117</b>	<b>331</b>
<b>Non-current liabilities</b>			
Payables	55	—	—
Employee benefit provision	149	—	—
Provisions	3,658	—	—
<b>Total non-current liabilities</b>	<b>3,862</b>	<b>—</b>	<b>—</b>
<b>Total liabilities</b>	<b>18,373</b>	<b>117</b>	<b>331</b>
<b>Net assets</b>	<b>450,860</b>	<b>47,197</b>	<b>38,715</b>
<b>EQUITY</b>			
Accumulated surplus	386,693	40,494	37,540
Revaluation reserves	64,167	6,703	1,175
<b>Total equity</b>	<b>450,860</b>	<b>47,197</b>	<b>38,715</b>

## E Risks and accounting uncertainties

### E1-1 Risks relating to financial instruments held

Council's activities expose it to a variety of financial risks including (1) price risk, (2) credit risk, (3) liquidity risk and (4) interest rate risk.

The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

The fair value of Council's financial assets and financial liabilities approximates their carrying amount.

	Carrying value 2023 \$ '000	Carrying value 2022 \$ '000	Fair value 2023 \$ '000	Fair value 2022 \$ '000
<b>Financial assets</b>				
<b>Measured at amortised cost</b>				
Cash and cash equivalents	9,277	7,616	9,206	7,616
Receivables	3,070	2,834	2,948	2,834
Investments				
– Debt securities at amortised cost	42,005	42,500	42,005	42,500
<b>Total financial assets</b>	<b>54,352</b>	<b>52,950</b>	<b>54,159</b>	<b>52,950</b>
<b>Financial liabilities</b>				
Payables	4,718	3,250	4,718	3,250
<b>Total financial liabilities</b>	<b>4,718</b>	<b>3,250</b>	<b>4,718</b>	<b>3,250</b>

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council's finance area manages the cash and Investments portfolio with the assistance of independent advisors.

Council has an investment policy which complies with the *Local Government Act 1993* and Minister's Investment Order 625. This policy is regularly reviewed by Council and its staff and an investment report is tabled before Council on a monthly basis setting out the portfolio breakup and its performance as required by Local Government regulations.

The risks associated with the instruments held are:

- **Price risk** – the risk that the capital value of investments may fluctuate due to changes in market prices, whether these changes are caused by factors specific to individual financial instruments or their issuers or are caused by factors affecting similar instruments traded in a market.
- **Interest rate risk** – the risk that movements in interest rates could affect returns and income.
- **Liquidity risk** – the risk that Council will not be able to pay its debts as and when they fall due.
- **Credit risk** – the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

Council also seeks advice from independent advisers before placing any funds in cash equivalents and investments.

**E1-1 Risks relating to financial instruments held (continued)****(a) Market risk – interest rate and price risk**

	2023 \$ '000	2022 \$ '000
The impact on result for the year and equity of a reasonably possible movement in interest rates is shown below. The reasonably possible movements were determined based on historical movements and economic conditions in place at the reporting date.		
Impact of a 1% movement in interest rates		
– Equity / Income Statement	405	425
Impact of a 10% movement in price of investments		
– Equity / Income Statement	4,050	4,250

**(b) Credit risk**

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

Council manages the credit risk associated with these receivables by monitoring outstanding debt and employing stringent debt recovery procedures. Council also encourages ratepayers to pay their rates by the due date through incentives.

The credit risk for liquid funds and other short-term financial assets is considered negligible, since the counterparties are reputable banks with high quality external credit ratings.

There are no significant concentrations of credit risk, whether through exposure to individual customers, specific industry sectors and/or regions.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

Council makes suitable provision for doubtful receivables as required and carries out credit checks on most non-rate debtors.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

**Credit risk profile****Receivables – rates and annual charges**

Credit risk on rates and annual charges is minimised by the ability of Council to recover these debts as a secured charge over the land; that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages payment.

	Not yet overdue \$ '000	overdue rates and annual charges < 5 years \$ '000	≥ 5 years \$ '000	Total \$ '000
<b>2023</b>				
Gross carrying amount	–	640	139	779
<b>2022</b>				
Gross carrying amount	–	614	111	725

**Receivables - non-rates and annual charges and contract assets**

Council applies the simplified approach for non-rates and annual charges debtors to provide for expected credit losses prescribed by AASB 9, which permits the use of the lifetime expected loss provision. To measure the expected credit losses, non-rates and annual charges debtors have been grouped based on shared credit risk characteristics and the days past due.

The loss allowance provision as at 30 June 2022 is determined as follows. The expected credit losses incorporate forward-looking information.

	Not yet overdue \$ '000	0 - 30 days \$ '000	Overdue debts 31 - 60 days \$ '000	61 - 90 days \$ '000	> 91 days \$ '000	Total \$ '000
<b>2023</b>						
Gross carrying amount	3,832	4	17	91	171	4,115

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## E1-1 Risks relating to financial instruments held (continued)

	Not yet overdue \$ '000	0 - 30 days \$ '000	Overdue debts 31 - 60 days \$ '000	61 - 90 days \$ '000	> 91 days \$ '000	Total \$ '000
Expected loss rate (%)	1.30%	9.95%	5.96%	39.08%	47.85%	4.10%
ECL provision	50	–	1	36	82	169
2022						
Gross carrying amount	–	1,977	10	67	361	2,415
Expected loss rate (%)	5.65%	2.47%	2.47%	7.77%	52.50%	10.10%
ECL provision	111	–	–	5	190	306

## (c) Liquidity risk

Payables, lease liabilities and borrowings are both subject to liquidity risk - the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended, and overdraft facilities utilised as required.

Borrowings are also subject to interest rate risk - the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk through diversification of borrowing types, maturities and interest rate structures. The finance team regularly reviews interest rate movements to determine if it would be advantageous to refinance or renegotiate part or all of the loan portfolio.

The timing of cash flows presented in the table below to settle financial liabilities reflects the earliest contractual settlement dates. The timing of expected outflows is not expected to be materially different from contracted cashflows.

The amounts disclosed in the table are the undiscounted contracted cash flows for non-lease liabilities and therefore the balances in the table may not equal the balances in the Statement of Financial Position due to the effect of discounting.

	Weighted average interest rate %	Subject to no maturity \$ '000	payable in: ≤ 1 Year \$ '000	1 - 5 Years \$ '000	> 5 Years \$ '000	Total contractual cash outflows \$ '000	Actual carrying values \$ '000
2023							
Payables	0.00%	258	4,455	5	–	4,718	4,718
Total financial liabilities		258	4,455	5	–	4,718	4,718
2022							
Payables	0.00%	258	2,987	5	–	3,250	3,250
Total financial liabilities		258	2,987	5	–	3,250	3,250

## E2-1 Fair value measurement

The Council measures the following asset and liability classes at fair value on a recurring basis:

– Infrastructure, property, plant and equipment

### Fair value hierarchy

All assets and liabilities measured at fair value are assigned to a level in the fair value hierarchy as follows:

**Level 1:** Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date

**Level 2:** Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly

**Level 3:** Unobservable inputs for the asset or liability

The table below shows the assigned level for each asset and liability held at fair value by Council:

Fair value measurement hierarchy							
\$ '000	Notes	Date of latest valuation		Level 3 Significant unobservable inputs		Total	
		2023	2022	2023	2022	2023	2022
Recurring fair value measurements							
Infrastructure, property, plant and equipment	C1-6						
Plant and equipment		30/06/23	30/06/22	4,926	5,861	4,926	5,861
Office equipment		30/06/23	30/06/22	451	368	451	368
Furniture and fittings		30/06/23	30/06/22	51	28	51	28
Operational land		30/06/21	30/06/21	8,366	7,755	8,366	7,755
Community land		30/06/21	30/06/21	1,823	1,707	1,823	1,707
Crown land		30/06/21	30/06/21	5,205	4,874	5,205	4,874
Land improvements – depreciable		30/06/21	30/06/21	4,341	3,967	4,341	3,967
Buildings – non-specialised		29/02/20	29/02/20	14,205	12,623	14,205	12,623
Buildings – specialised		29/02/20	29/02/20	49,175	37,883	49,175	37,883
Other structures		29/02/20	29/02/20	19,548	17,901	19,548	17,901
Roads		29/02/20	29/02/20	186,565	184,184	186,565	184,184
Bridges		29/02/20	29/02/20	7,610	7,284	7,610	7,284
Footpaths and kerb and gutter		29/02/20	29/02/20	20,871	19,743	20,871	19,743
Other road assets		29/02/20	29/02/20	4,056	3,892	4,056	3,892
Bulk earthworks		29/02/20	29/02/20	37,937	33,842	37,937	33,842
Stormwater drainage		29/02/20	29/02/20	29,465	26,671	29,465	26,671
Water supply network		30/06/23	30/06/21	41,868	37,530	41,868	37,530
Sewerage network		01/06/22	01/06/22	34,534	32,325	34,534	32,325
Swimming pools		29/02/20	30/06/21	5,073	4,535	5,073	4,535
Other open spaces/recreational assets		30/06/21	30/06/21	10,879	9,747	10,879	9,747
Library books		30/06/21	30/06/21	169	137	169	137
Tip assets		29/02/20	29/02/20	3,622	1,566	3,622	1,566
Total infrastructure, property, plant and equipment				490,740	454,423	490,740	454,423

### Valuation techniques

Where Council is unable to derive fair valuations using quoted market prices of identical assets (ie. level 1 inputs) Council instead utilises a spread of both observable inputs (level 2 inputs) and unobservable inputs (level 3 inputs).

The fair valuation techniques Council has employed while utilising level 2 and level 3 inputs are as follows:



## E2-1 Fair value measurement (continued)

### Infrastructure, property, plant and equipment (IPPE)

**Plant and Equipment** - This class of asset category is not valued at fair value. The category is at depreciated historical cost, which approximates fair value.

**Office Equipment** - Same as Plant and Equipment above.

**Furniture and Fittings** - Same as Plant and Equipment above.

**Operational Land** - The latest valuation was conducted by APV Valuers during the 2020/21 financial year.

The valuation method used is in accordance with the Local Government Code of Accounting Practice and Financial Reporting (Guidelines). Operational Land should be valued at market value after considering the buyers and sellers in the market and, where possible, include elements such as zoning limitations, alternative use and size of the land.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, PDSLIVE property searches, Benchmarking, APV database of recent projects and on-site visits.

Index of 6.80% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Community Land** - The latest valuation was conducted by APV Valuers during the 2020/21 financial year.

The valuation method used is in accordance with the Local Government Code of Accounting Practice and Financial Reporting (Guidelines). Council is unable to provide neither observable nor unobservable valuation techniques and therefore it is reported as a Level 3.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, PDSLIVE property searches, Benchmarking, APV database of recent projects and on-site visits.

Following advice from the NSW Audit Office, Council discounted the market value of Community Land to equal values from the Valuer General's office. This was done so as to cater for the restrictions that are on Community Land.

Index of 6.80% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Crown Land** - Same as Community Land above.

**Land Improvements (Depreciable)** - The latest valuation was conducted by APV Valuers during the 2020/21 financial year. Council assessed no material movements in the fair value during the year.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, Rawlinson's Construction Guide, Benchmarking, APV database of recent projects and on-site visits.

Index average of 10.74% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Buildings (Non - Specialised)** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. To account for the movements in fair value due to the rise in the inflation rate during the year, Council applied an indexation rate of 10% on the fair values as at 30 June 2022.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately. This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, Rawlinson's Construction Guide (or similar), Benchmarking, APV database of recent projects and on-site visits.

Index average of 8.33% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Buildings (Specialised)** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. To account for the movements in fair value due to the rise in the inflation rate during the year, Council applied an indexation rate of 10% on the fair values as at 30 June 2022.

Refer to Buildings (Non-Specialised) above for valuation method and data sources.



## E2-1 Fair value measurement (continued)

Index average of 8.33% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Other Structures** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. Council assessed no material movements in the fair value during the year.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately (splitting each component into the short and long life parts). This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, Rawlinson's Construction Guide, Benchmarking, APV database of recent projects and on-site visits.

Index average of 7.62% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Roads & Bulk Earthworks** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately (splitting each component into the short and long life parts). This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual construction or purchase prices, mapping evidence, Rawlinson's Construction Guide (or similar), Benchmarking, APV database of recent projects and on-site visits.

Index average of 9.08% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Bridges** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. Refer to Roads above for valuation method and data sources.

Index average of 5.35% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Footpaths** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. Refer to Roads above for valuation method and data sources.

Index average of 5.05% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Stormwater** - The latest valuation was conducted by APV Valuers during the 2019/20 financial year. Refer to Roads above for valuation method and data sources.

Index average of 11.05% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Water Supply Network** - The latest valuation was conducted by APV Valuers during the 2022/23 financial year.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately (splitting each component into the short and long life parts). This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual construction or purchase prices, mapping evidence, Rawlinson's Construction Guide (or similar), Benchmarking, APV database of recent projects and on-site visits.

## E2-1 Fair value measurement (continued)

**Sewer Network** - The latest valuation was conducted by APV Valuers during the year 2021/22 financial year, with an indexation rate of 7.71% applied to the asset values for the 2022/23 year in accordance with the NSW Rates Reference Manual issued by DPI- Water.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately (splitting each component into the short and long life parts). This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual construction or purchase prices, mapping evidence, Rawlinson's Construction Guide (or similar), Benchmarking, APV database of recent projects and on-site visits.

**Swimming Pools** - The latest valuation was conducted by APV Valuers during the 2020/21 financial year. Council assessed no material movements in the fair value during the year.

The valuation method is based on determining the Replacement Cost of the modern equivalent (or cost of reproduction where relevant) and then adjusting for the level of consumed future economic benefit and impairment.

In accordance with the depreciation requirements of AASB 116, "complex assets" are componentised and depreciated separately (splitting each component into the short and long life parts). This is consistent with the AASB's May 2015 decision regarding residual value.

Sources of data used when determining revaluations include: Actual sales evidence, mapping evidence, Rawlinson's Construction Guide (or similar), Benchmarking, APV database of recent projects and on-site visits.

Index average of 8.73% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Other Open Spaces/ Recreational Assets** - The latest valuation was conducted by APV Valuers during the 2020/21 financial year. Council assessed no material movements in the fair value during the year. Refer to Swimming Pools above for valuation method and data sources.

Index average of 10.43% during 2022/23 financial year to account for material increases in costs due to high inflation experienced in the 2022/23 financial year.

**Library Books** - Same as Plant and Equipment above.

## Fair value measurements using significant unobservable inputs (level 3)

### b. Significant unobservable valuation inputs used (for level 3 asset classes) and their relationship to fair value.

The following table summarises the quantitative information relating to the significant unobservable inputs used in deriving the various level 3 asset class fair values.

	Valuation technique/s	Unobservable inputs
<b>Infrastructure, property, plant and equipment</b>		
Work in progress	Cost approach	At cost.
Plant and equipment	Cost approach	Gross replacement cost, remaining useful life and residual value
Office equipment	Cost approach	Gross replacement cost, remaining useful life and residual value
Furniture and fittings	Cost approach	Gross replacement cost, remaining useful life and residual value
Operational land	Market value approach	Comparison to other similar land sales/property prices, use of land and land area.
Community land	Market value approach	Use of land, zoning conditions and unit rates per square metre
Crown land	Market value approach	Use of land, zoning conditions and unit rates per square metre

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## E2-1 Fair value measurement (continued)

	Valuation technique/s	Unobservable inputs
Land improvements – depreciable	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score
Buildings – non specialised	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score
Buildings – specialised	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score
Other structures	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score
Roads	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Bridges	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Footpaths and kerb	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Bulk earthworks	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Other road assets	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Stormwater drainage	Cost approach - depreciated replacement	Asset condition, relationship between asset consumption rating scale and the level of consumed service potential and unit rate cost.
Water supply network	Cost approach - depreciated replacement	Unit rate cost from market evidence, split between short and long life components, valuation profiles and consumption score.
Sewerage network	Cost approach - depreciated replacement	Unit rate cost from market evidence, split between short and long life components, valuation profiles and consumption score.
Swimming pools	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score.
Other open spaces/recreational assets	Cost approach - depreciated replacement	Unit rates, pattern of consumption and consumption score.
Library books	Cost approach	Gross replacement cost and remaining useful life
Other assets	Cost approach - depreciated replacement	Gross replacement cost and remaining useful life
Tip assets	Cost approach - depreciated replacement	Gross replacement cost and remaining useful life

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## E2-1 Fair value measurement (continued)

A reconciliation of the movements in recurring fair value measurements allocated to Level 3 of the hierarchy is provided below:

	Plant and equipment		Office equipment		Furniture and fittings		Operational land	
	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	5,861	5,945	368	310	28	39	7,755	7,386
<b>Total gains or losses for the period</b>								
Recognised in profit or loss – realised (refer to Note B6-1)	–	–	–	–	–	–	–	369
Recognised in other comprehensive income – revaluation surplus	–	–	–	–	–	–	533	–
<b>Other movements</b>								
Purchases	144	1,020	213	166	31	–	250	–
Disposals	(8)	(8)	–	(2)	–	–	(172)	–
Depreciation and impairment	(1,071)	(1,096)	(130)	(107)	(8)	(10)	–	–
Adjustments and transfers	–	–	–	1	–	(1)	–	–
<b>Closing balance</b>	<b>4,926</b>	<b>5,861</b>	<b>451</b>	<b>368</b>	<b>51</b>	<b>28</b>	<b>8,366</b>	<b>7,755</b>

	Community Land		Crown Land		Land improvements		Buildings non specialised	
	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	1,707	1,626	4,874	4,642	3,967	3,768	12,623	10,654
<b>Total gains or losses for the period</b>								
Recognised in profit or loss – realised (refer to Note B6-1)	116	81	–	232	–	–	–	57
Recognised in other comprehensive income – revaluation surplus	–	–	331	–	426	188	1,053	1,091
<b>Other movements</b>								
Purchases	–	–	–	–	71	125	818	1,082
Depreciation and impairment	–	–	–	–	(123)	(114)	(289)	(260)
Adjustments and transfers	–	–	–	–	–	–	–	(1)
<b>Closing balance</b>	<b>1,823</b>	<b>1,707</b>	<b>5,205</b>	<b>4,874</b>	<b>4,341</b>	<b>3,967</b>	<b>14,205</b>	<b>12,623</b>

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## E2-1 Fair value measurement (continued)

	Building specialised		Other structures		Roads		Bridges	
	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	37,883	33,897	17,901	17,077	184,183	177,034	7,285	7,090
<b>Total gains or losses for the period</b>								
Recognised in profit or loss – realised (refer to Note B6-1)	493	3,444	841	932	–	–	–	–
Recognised in other comprehensive income – revaluation surplus	2,666	–	523	–	11,176	2,883	390	79
<b>Other movements</b>								
Purchases	8,983	1,344	387	–	6,668	8,451	–	183
Depreciation and impairment	(850)	(803)	(104)	(108)	(15,463)	(4,185)	(65)	(69)
Adjustments and transfers	–	1	–	–	1	–	–	2
<b>Closing balance</b>	<b>49,175</b>	<b>37,883</b>	<b>19,548</b>	<b>17,901</b>	<b>186,565</b>	<b>184,183</b>	<b>7,610</b>	<b>7,285</b>

	Footpaths		Bulk earthworks		Other road assets		Stormwater drainage	
	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	19,743	17,501	33,842	33,136	3,892	3,853	26,671	25,261
<b>Total gains or losses for the period</b>								
Recognised in profit or loss – realised (refer to Note B6-1)	998	271	–	–	–	–	–	–
Recognised in other comprehensive income – revaluation surplus	–	–	4,095	566	233	23	2,947	663
<b>Other movements</b>								
Purchases	480	2,293	–	141	–	82	234	1,113
Depreciation and impairment	(350)	(322)	–	–	(69)	(66)	(387)	(367)
Adjustments and transfers	–	–	–	(1)	–	–	–	1
<b>Closing balance</b>	<b>20,871</b>	<b>19,743</b>	<b>37,937</b>	<b>33,842</b>	<b>4,056</b>	<b>3,892</b>	<b>29,465</b>	<b>26,671</b>

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## E2-1 Fair value measurement (continued)

	Water supply network		Sewerage network		Swimming pools		Other open spaces	
	2023	2022	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	37,530	35,135	32,325	32,421	4,535	4,218	9,747	8,404
<b>Total gains or losses for the period</b>								
Recognised in profit or loss – realised (refer to Note B6-1)	–	1,316	1,628	331	–	27	–	–
Recognised in other comprehensive income – revaluation surplus	4,663	696	844	–	396	208	1,016	730
<b>Other movements</b>								
Purchases	388	758	413	709	243	172	539	981
Depreciation and impairment	(713)	(787)	(676)	(724)	(101)	(91)	(423)	(369)
Adjustments and transfers	–	412	–	(412)	–	1	–	1
<b>Closing balance</b>	<b>41,868</b>	<b>37,530</b>	<b>34,534</b>	<b>32,325</b>	<b>5,073</b>	<b>4,535</b>	<b>10,879</b>	<b>9,747</b>

	Library books		Tip assets		Total	
	2023	2022	2023	2022	2023	2022
	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000
<b>Opening balance</b>	137	105	1,566	3,154	454,423	432,656
Recognised in profit or loss – realised (refer to Note B6-1)	–	–	–	–	4,076	7,060
Recognised in other comprehensive income – revaluation surplus	–	–	–	–	31,292	7,127
Purchases	40	39	–	–	19,902	18,659
Disposals	–	–	–	–	(180)	(10)
Depreciation and impairment	(8)	(6)	(100)	(165)	(20,930)	(9,649)
Adjustments and transfers	–	(1)	2,156	(1,423)	2,157	(1,420)
<b>Closing balance</b>	<b>169</b>	<b>137</b>	<b>3,622</b>	<b>1,566</b>	<b>490,740</b>	<b>454,423</b>

## Highest and best use

All of Council's non-financial assets are considered as being utilised for their highest and best use.



## E3-1 Contingencies

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure is considered relevant to the users of Council's financial report.

### 1. Guarantees

#### (i) Defined benefit superannuation contribution plans

Council participates in an employer-sponsored defined benefit superannuation scheme, and makes contributions as determined by the superannuation scheme's trustees.

Member councils bear responsibility of ensuring there are sufficient funds available to pay out the required benefits as they fall due.

The Local Government Superannuation Scheme however is unable to provide Council with an accurate estimate of its share of the net deficit and accordingly Council has not recorded any net liability from its defined benefit scheme obligations in accordance with AASB 119.

Future contributions made to the defined benefit scheme to rectify the net deficit position will be recognised as an expense when they become payable – similar to the accounting for defined contributions plans.

Member councils are treated as Pooled Employers for the purpose of AASB119. Pooled Employers are required to pay future service employer contributions and past service employer contributions to the Fund.

The future service employer contributions were determined using the new entrant rate method under which a contribution rate sufficient to fund the total benefits over the working life-time of a typical new entrant is calculated. The current future service employer contribution rates are:

Division B	1.9 times employee contributions for non-180 Point members
	Nil for 180 Point Members*
Division C	2.5% salaries
Division D	1.64 times employee contributions

\*For 180 Point Members, Employers are required to contribute 8.0% salaries for the year ending 30 June 2023 (increasing to 8.5% in line with the increase in the Superannuation Guarantee) to these members' accumulation accounts, which are paid in addition to members' defined benefits.

The past service contribution for each Pooled Employer is a share of total past service contributions of \$20.0 million per annum for 1 July 2022 to 31 December 2024, apportioned according to each employer's share of the accrued liabilities as at 30 June 2022. These past service contributions are used maintain the adequacy of the funding position for the accrued liabilities.

The adequacy of contributions is assessed at each triennial actuarial investigation and monitored annually between triennials.

As stated above, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses.

However, there is no relief under the Fund's trust deed for employers to walk away from their defined benefit obligations. Under limited circumstances, an employer may withdraw from the plan when there are no active members, on full payment of outstanding past service contributions. There is no provision for allocation of any surplus which may be present at the date of withdrawal of the entity.

There are no specific provisions under the Fund's trust deed dealing with deficits or surplus on wind-up.

There is no provision for allocation of any surplus which may be present at the date of withdrawal of an employer.

The plan is a defined benefit plan. However, each sponsoring employer is exposed to the actuarial risks associated with current and former employees of other sponsoring employers and hence shares in the associated gains and losses (to the extent that they are not borne by members). As such, there is not sufficient reliable information to allow each sponsoring employer to account for its proportionate share of the defined benefit obligation, sub-group assets and costs associated with the sub-group in the same way as it would for a single employer sponsored defined benefit plan.

The amount of Council employer contributions to the defined benefit section of the Local Government Superannuation Scheme and recognised as an expense and disclosed as part of superannuation expenses at Note B3-1 for the year ending 30 June 2022 was \$90,763.60.

The last valuation of the scheme was performed by Mr Richard Boyfield FIAA as at 30 June 2022.

Council's expected contribution to the Fund for the next annual reporting period is \$96,032.52.

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**E3-1 Contingencies (continued)**

The estimated employer reserves financial position for the Pooled Employers at 30 June 2022 is:

<b>Employer reserves only *</b>	<b>\$millions</b>	<b>Asset Coverage</b>
Assets	2,290.9	
Past Service Liabilities	2,236.1	102.4%
Vested Benefits		101.7%

\* excluding other accumulation accounts and reserves in both assets and liabilities.

The key economic long-term assumptions used to calculate the present value of accrued benefits are:

Investment return	6.0% per annum
Salary inflation	3.5% per annum
Increase in CPI	6.0% for FY 22/23, 2.5% per annum thereafter

The contribution requirements may vary from the current rates if the overall sub-group experience is not in line with the actuarial assumptions in determining the funding program; however, any adjustment to the funding program would be the same for all sponsoring employers in the Pooled Employers group.

Please note that the estimated employer reserves financial position above is a preliminary calculation, and once all the relevant information has been received by the Funds Actuary, the final end of year review will be completed around December 2023.

Council's past service contribution per annum of 0.30% of the total past services contributions for all Pooled Employers (of \$20 million for each year from 1 January 2022 to 31 December 2024) provides an indication of the level of participation of Council compared with other employers in the Pooled Employer sub-group.

**(ii) Statewide Limited**

Council is a member of Statewide Mutual, a mutual pool scheme providing liability insurance to local government.

Membership includes the potential to share in either the net assets or liabilities of the fund depending on its past performance. Council's share of the net assets or liabilities reflects Council's contributions to the pool and the result of insurance claims within each of the fund years.

The future realisation and finalisation of claims incurred but not reported to 30 June 2022 may result in future liabilities or benefits as a result of past events that Council will be required to fund or share in respectively.

**(iii) StateCover Limited**

StateCover is a company providing workers compensation insurance cover to the NSW local government industry and specifically Council.

Council has a contingent liability to contribute further equity in the event of the erosion of the company's capital base as a result of the company's past performance and/or claims experience or as a result of any increased prudential requirements from APRA.

These future equity contributions would be required to maintain the company's minimum level of net assets in accordance with its licence requirements.

**(iv) Other guarantees**

Council has provided no other guarantees other than those listed above.

**(v) Third party claims**

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

Council believes that it is appropriately covered for all claims through its insurance coverage and does not expect any material liabilities to eventuate.

**(vi) Potential land acquisitions due to planning restrictions imposed by Council**

Council has classified a number of privately owned land parcels as local open space or bushland.

As a result, where notified in writing by the various owners, Council will be required to purchase these land parcels.

At reporting date, reliable estimates as to the value of any potential liability (and subsequent land asset) from such potential acquisitions has not been possible.

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E3-1 Contingencies (continued)

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**ASSETS NOT RECOGNISED**

**(i) Land under roads**

As permitted under AASB 1051, Council has elected not to bring to account land under roads that it owned or controlled up to and including 30/6/08.

## F People and relationships

### F1 Related party disclosures

#### F1-1 Key management personnel (KMP)

Key management personnel (KMP) of the council are those persons having the authority and responsibility for planning, directing and controlling the activities of the council, directly or indirectly.

The aggregate amount of KMP compensation included in the Income Statement is:

	2023 \$ '000	2022 \$ '000
<b>Compensation:</b>		
Short-term benefits	872	929
Post-employment benefits	78	–
Other long-term benefits	92	84
<b>Total</b>	<b>1,042</b>	<b>1,013</b>

## F1-2 Councillor and Mayoral fees and associated expenses

	2023	2022
	\$ '000	\$ '000

The aggregate amount of Councillor and Mayoral fees and associated expenses included in materials and services expenses in the Income Statement are:

Mayoral fee	28	26
Councillors' fees	113	105
Other Councillors' expenses (including Mayor)	79	63
<b>Total</b>	<b>220</b>	<b>194</b>

## F1-3 Other related parties

		Transactions during the year \$ '000 Ref	Outstanding balances including commitments \$ '000	Impairment provision on outstanding balances \$ '000	Impairment expense \$ '000
<b>2023</b>					
Other	1	3	–	–	–
<b>2022</b>					
Infrastructure works		115	–	–	–
Other	1	200	–	–	–

Transaction provided for training 2023.

1

Two family members of different KMP work for council and they have not received any payments other than remuneration in terms of their employment contract \$182,241.19 in 2022.

## F2 Other relationships

### F2-1 Audit fees

	2023	2022
	\$ '000	\$ '000

During the year, the following fees were incurred for services provided by the auditor of Council, related practices and non-related audit firms

#### Auditors of the Council - NSW Auditor-General:

##### (i) Audit and other assurance services

Audit and review of financial statements

#### Total audit fees

132	86
<b>132</b>	<b>86</b>

**G Other matters****G1-1 Statement of Cash Flows information****(a) Reconciliation of net operating result to cash provided from operating activities**

	2023 \$ '000	2022 \$ '000
<b>Net operating result from Income Statement</b>	<b>10,543</b>	<b>19,003</b>
<b>Add / (less) non-cash items:</b>		
Depreciation and amortisation	10,153	9,886
(Gain) / loss on disposal of assets	(250)	(191)
Non-cash distribution from dissolution of Associate	–	385
Reversal of prior year IPP&E revaluation decrements / impairment previously costed direct to the P&L	(4,077)	(7,062)
Unwinding of discount rates on reinstatement provisions	(88)	–
<b>Movements in operating assets and liabilities and other cash items:</b>		
(Increase) / decrease of receivables	(390)	(275)
Increase / (decrease) in provision for impairment of receivables	154	7
(Increase) / decrease of other current assets	(208)	(6)
(Increase) / decrease of contract asset	(1,544)	–
Increase / (decrease) in payables	538	194
Increase / (decrease) in other accrued expenses payable	1,311	79
Increase / (decrease) in other liabilities	68	(39)
Increase / (decrease) in contract liabilities	2,624	(1,260)
Increase / (decrease) in employee benefit provision	69	(64)
Increase / (decrease) in other provisions	2,244	(1,423)
<b>Net cash flows from operating activities</b>	<b>21,147</b>	<b>19,234</b>

**(b) Non-cash investing and financing activities**

Non-cash distribution from dissolution of Central Murray County Council (CMCC)	–	(385)
<b>Total non-cash investing and financing activities</b>	<b>–</b>	<b>(385)</b>



## G2-1 Commitments

## Capital commitments (exclusive of GST)

	2023	2022
	\$ '000	\$ '000

Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:

**Property, plant and equipment**

Buildings	2,008	2,906
Open space and recreational assets	–	309
Water infrastructure	48	96
Sewer infrastructure	161	182
Roads	74	1,321
Motor vehicles and major plant acquisitions	–	1
ERC Merger projects	–	28
Swimming Pools	13	–
Other Infrastructure	5	–
<b>Total commitments</b>	<b>2,309</b>	<b>4,843</b>

**These expenditures are payable as follows:**

Within the next year	2,309	4,843
<b>Total payable</b>	<b>2,309</b>	<b>4,843</b>

**Details of capital commitments**

Commitments exist for various projects including the Edward River Village, Airport Runway upgrade, roads, water and sewer projects.

## G3-1 Events occurring after the reporting date

Council is unaware of any material or significant events that should be disclosed.

## G4 Statement of developer contributions as at 30 June 2023

### G4-1 Summary of developer contributions

	Opening balance at 1 July 2022 \$ '000	Contributions received during the year			Interest and investment income earned \$ '000	Amounts expended \$ '000	Internal borrowings \$ '000	Held as restricted asset at 30 June 2023 \$ '000	Cumulative balance of internal borrowings (to)/from \$ '000
		Cash \$ '000	Non-cash Land \$ '000	Non-cash Other \$ '000					
Roads	11	–	–	–	–	–	–	11	–
Parking	8	–	–	–	–	–	–	8	–
Open space	4	–	–	–	–	–	–	4	–
Community facilities	9	82	–	–	–	(82)	–	9	–
Other	1	–	–	–	–	–	–	1	–
<b>S7.11 contributions – under a plan</b>	<b>33</b>	<b>82</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>(82)</b>	<b>–</b>	<b>33</b>	<b>–</b>
<b>Total S7.11 and S7.12 revenue under plans</b>	<b>33</b>	<b>82</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>(82)</b>	<b>–</b>	<b>33</b>	<b>–</b>
S7.11 not under plans	6	–	–	–	–	–	–	6	–
<b>Total contributions</b>	<b>39</b>	<b>82</b>	<b>–</b>	<b>–</b>	<b>–</b>	<b>(82)</b>	<b>–</b>	<b>39</b>	<b>–</b>

Under the *Environmental Planning and Assessment Act 1979*, Council has significant obligations to provide Section 7.11 (contributions towards provision or improvement of amenities or services) infrastructure in new release areas. It is possible that the funds contributed may be less than the cost of this infrastructure, requiring Council to borrow or use general revenue to fund the difference.

## G4-2 Developer contributions by plan

	Opening balance at 1 July 2022 \$ '000	Contributions received during the year			Interest and investment income earned \$ '000	Amounts expended \$ '000	Internal borrowings \$ '000	Held as restricted asset at 30 June 2023 \$ '000	Cumulative balance of internal borrowings (to)/from \$ '000
		Cash \$ '000	Non-cash Land \$ '000	Non-cash Other \$ '000					
CONTRIBUTION PLAN (former Deniliquin)									
Roads	11	—	—	—	—	—	—	11	—
Parking	8	—	—	—	—	—	—	8	—
Open space	4	—	—	—	—	—	—	4	—
Community facilities	9	82	—	—	—	(82)	—	9	—
Other	1	—	—	—	—	—	—	1	—
Total	33	82	—	—	—	(82)	—	33	—

## G5 Statement of performance measures

### G5-1 Statement of performance measures – consolidated results

\$ '000	Amounts 2023	Indicator 2023	Indicators 2022      2021		Benchmark
<b>1. Operating performance ratio</b>					
Total continuing operating revenue excluding capital grants and contributions less operating expenses <sup>1,2</sup>	975	2.76%	10.97%	2.04%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>	35,376				
<b>2. Own source operating revenue ratio</b>					
Total continuing operating revenue excluding all grants and contributions <sup>1</sup>	21,958	53.86%	49.57%	58.50%	> 60.00%
Total continuing operating revenue <sup>1</sup>	40,771				
<b>3. Unrestricted current ratio</b>					
Current assets less all external restrictions	31,482	5.67x	5.54x	5.66x	> 1.50x
Current liabilities less specific purpose liabilities	5,552				
<b>4. Debt service cover ratio</b>					
Operating result before capital excluding interest and depreciation/impairment/amortisation <sup>1</sup>	11,128	∞	∞	∞	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	—				
<b>5. Rates and annual charges outstanding percentage</b>					
Rates and annual charges outstanding	1,011	6.70%	6.20%	6.97%	< 10.00%
Rates and annual charges collectable	15,084				
<b>6. Cash expense cover ratio</b>					
Current year's cash and cash equivalents plus all term deposits	51,282	23.91	27.97	32.19	> 3.00
Monthly payments from cash flow of operating and financing activities	2,145	months	months	months	months

(1) Excludes fair value increments on investment properties, reversal of revaluation decrements, reversal of impairment losses on receivables, net gain on sale of assets and net share of interests in joint ventures and associates using the equity method and includes pensioner rate subsidies

(2) Excludes impairment/revaluation decrements of IPPE, fair value decrements on investment properties, net loss on disposal of assets and net loss on share of interests in joint ventures and associates using the equity method

## G5-2 Statement of performance measures by fund

\$ '000	General Indicators <sup>3</sup>		Water Indicators		Sewer Indicators		Benchmark
	2023	2022	2023	2022	2023	2022	
1. Operating performance ratio							
Total continuing operating revenue excluding capital grants and contributions less operating expenses <sup>1,2</sup>	(6.58)%	0.04%	9.24%	43.66%	46.70%	32.80%	> 0.00%
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>							
2. Own source operating revenue ratio							
Total continuing operating revenue excluding capital grants and contributions <sup>1</sup>	42.01%	35.84%	98.61%	99.28%	99.29%	99.06%	> 60.00%
Total continuing operating revenue <sup>1</sup>							
3. Unrestricted current ratio							
Current assets less all external restrictions	5.67x	5.53x	74.39x	69.39x	22.31x	36.43x	> 1.50x
Current liabilities less specific purpose liabilities							
4. Debt service cover ratio							
Operating result before capital excluding interest and depreciation/impairment/amortisation <sup>1</sup>	∞	∞	∞	∞	∞	∞	> 2.00x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)							
5. Rates and annual charges outstanding percentage							
Rates and annual charges outstanding	9.70%	8.91%	0.00%	0.00%	0.00%	0.00%	< 10.00%
Rates and annual charges collectable							
6. Cash expense cover ratio							
Current year's cash and cash equivalents plus all term deposits	20.77 months	25.61 months	∞	∞	∞	∞	> 3.00 months
Monthly payments from cash flow of operating and financing activities							

(1) - (2) Refer to Notes at Note G6-1 above.

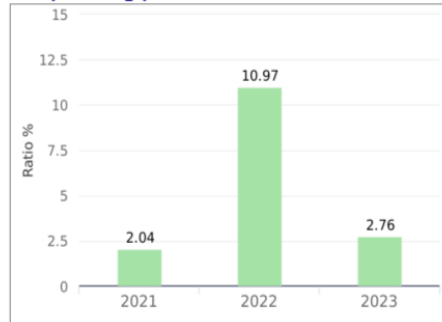
(3) General fund refers to all of Council's activities except for its water and sewer activities which are listed separately.

**End of the audited financial statements**

## H Additional Council disclosures (unaudited)

### H1-1 Statement of performance measures – consolidated results (graphs)

#### 1. Operating performance ratio



Benchmark: — > 0.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

##### Purpose of operating performance ratio

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

##### Commentary on 2022/23 result

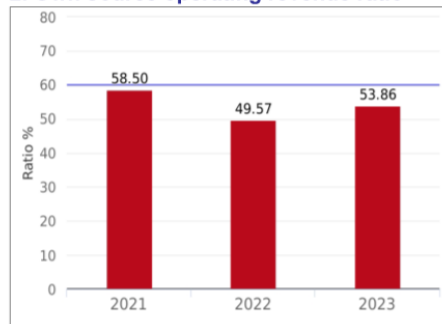
2022/23 ratio 2.76%

Council's operating performance ratio is again in the positive. Factors keeping the high positive ratio is from the Financial Assistance Grant prepayment portion being increased to approximately 100% from 75% the previous year. In addition, an increase in operational grants to help with repairs due to flooding and the increase in term deposit interest rates have also had an impact.

Ratio achieves benchmark

Ratio is outside benchmark

#### 2. Own source operating revenue ratio



Benchmark: — > 60.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

##### Purpose of own source operating revenue ratio

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.

##### Commentary on 2022/23 result

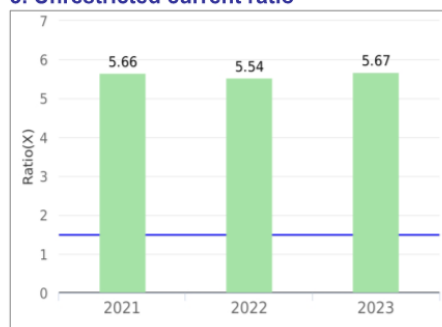
2022/23 ratio 53.86%

Council has been successful in acquiring grants to help fund natural disasters within the Edward River community. During the financial year Edward River encountered a major flooding event causing damage particularly to the road's infrastructure. The advanced payment of the financial assistance grant was also increased from the previous year from 75% to almost 100% of the 2023/24 financial year allocation.

Ratio achieves benchmark

Ratio is outside benchmark

#### 3. Unrestricted current ratio



Benchmark: — > 1.50x

Source of benchmark: Code of Accounting Practice and Financial Reporting

##### Purpose of unrestricted current ratio

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.

##### Commentary on 2022/23 result

2022/23 ratio 5.67x

Council has consistently managed to maintain its unrestricted current ratio above the benchmark over the years. This highlights its capacity to meet short term obligations as and when they arise. Council is in a very strong liquidity position, with unrestricted current assets able to cover current liabilities more than six times.

Ratio achieves benchmark

Ratio is outside benchmark

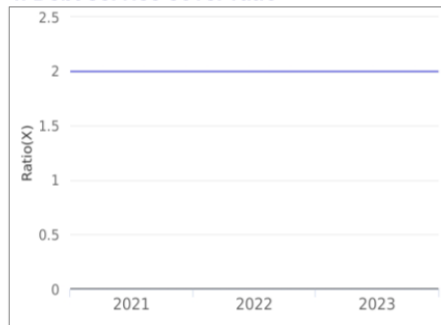
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## H1-1 Statement of performance measures – consolidated results (graphs) (continued)

## 4. Debt service cover ratio



## Purpose of debt service cover ratio

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments

## Commentary on 2022/23 result

2022/23 ratio ∞

Council did not have any borrowings during the year ending 30 June 2023

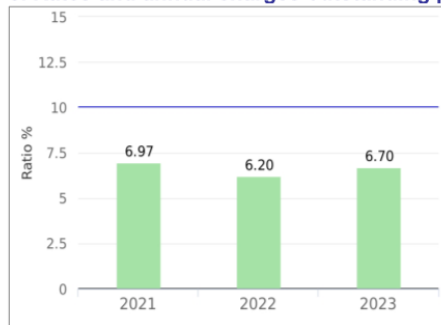
Benchmark: — &gt; 2.00x

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

## 5. Rates and annual charges outstanding percentage



## Purpose of rates and annual charges outstanding percentage

To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.

## Commentary on 2022/23 result

2022/23 ratio 6.70%

The Rates and annual charges outstanding percentage normalised from a peak of 10.62% in 2020 to be 6.7% for 2023. This was due to normalisation of debt recovery processes following the initial worsening situation as a result of the onset of the Covid-19 pandemic in 2020. The ratio as anticipated has settled around the 6%, which is well within the Rural councils benchmark of 10%.

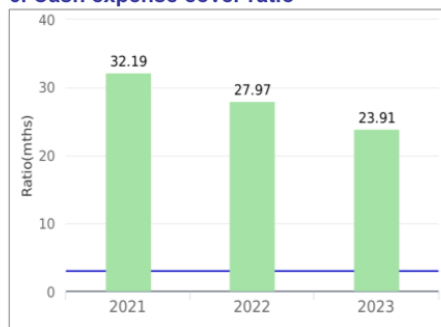
Benchmark: — &lt; 10.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

## 6. Cash expense cover ratio



## Purpose of cash expense cover ratio

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.

## Commentary on 2022/23 result

2022/23 ratio 23.91 months

Similar to the unrestricted current ratio, Council has a very strong liquidity position. Council's outstanding cash expense ratio shows that cash balances are sufficient to support its short-term operations for more than 30 months.

Benchmark: — &gt; 3.00months

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

## H1-2 Council information and contact details

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**Principal place of business:**

180 Cressy Street  
Deniliquin NSW 2710

**Contact details****Mailing Address:**

PO Box 270  
Deniliquin NSW 2710

**Telephone:** 03 5898 3000

**Facsimile:** 03 5898 3029

**Opening hours:**

8.30am to 5.00pm  
Monday to Friday

**Internet:** [www.edwardriver.nsw.gov.au](http://www.edwardriver.nsw.gov.au)

**Email:** [council@edwardriver.nsw.gov.au](mailto:council@edwardriver.nsw.gov.au)

**Officers****General Manager**

Philip Stone

**Responsible Accounting Officer**

Alistair Cochrane

**Auditors**

Audit Office NSW  
Level 19, Tower 2 Darling Park  
201 Sussex St  
Sydney NSW 2000

**Elected members****Mayor**

Cr Peta Betts

**Councillors**

Cr Paul Fellows - Deputy Mayor  
Cr Shirlee Burge  
Cr Harold Clapham  
Cr Linda Fawns  
Cr Pat Fogarty  
Cr Tarria Moore  
Cr Marc Petersen  
Cr Shannon Sampson

**Other information**

**ABN:** 90 407 359 958

Edward River Council | Notes to the Financial Statements 30 June 2023

Edward River Council

General Purpose Financial Statements  
for the year ended 30 June 2023

Independent Auditor's Reports:

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On the Financial Statements (Sect 417 [2])

**Independent Auditor's Report**

Please uplift Council's Audit Report PDF (opinion) for inclusion in the GPFS report (via the Home screen).

continued on next page ...

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Edward River Council | Notes to the Financial Statements 30 June 2023

Edward River Council

General Purpose Financial Statements  
for the year ended 30 June 2023

Independent Auditor's Reports: (continued)

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On the Financial Statements (Sect 417 [3])

**Independent Auditor's Report**

Please uplift Council's Audit Report PDF (commentary) for inclusion in the GPFS report (via the Home screen).

## Edward River Council

SPECIAL PURPOSE FINANCIAL STATEMENTS  
for the year ended 30 June 2023

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## Edward River Council

Special Purpose Financial Statements  
for the year ended 30 June 2023

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<b>Statement by Councillors and Management</b>	<b>3</b>
<b>Special Purpose Financial Statements:</b>	
Income Statement of water supply business activity	4
Income Statement of sewerage business activity	5
Statement of Financial Position of water supply business activity	6
Statement of Financial Position of sewerage business activity	7
<b>Note – Significant Accounting Policies</b>	<b>8</b>
<b>Auditor's Report on Special Purpose Financial Statements</b>	<b>11</b>

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**Background**

- i. These Special Purpose Financial Statements have been prepared for the use by both Council and the Office of Local Government in fulfilling their requirements under National Competition Policy.
- ii. The principle of competitive neutrality is based on the concept of a 'level playing field' between persons/entities competing in a market place, particularly between private and public sector competitors.

Essentially, the principle is that government businesses, whether Commonwealth, state or local, should operate without net competitive advantages over other businesses as a result of their public ownership.

- iii. For Council, the principle of competitive neutrality and public reporting applies only to declared business activities.

These include **(a)** those activities classified by the Australian Bureau of Statistics as business activities being water supply, sewerage services, abattoirs, gas production and reticulation, and **(b)** those activities with a turnover of more than \$2 million that Council has formally declared as a business activity (defined as Category 1 activities).

- iv. In preparing these financial statements for Council's self-classified Category 1 businesses and ABS-defined activities, councils must **(a)** adopt a corporatisation model and **(b)** apply full cost attribution including tax-equivalent regime payments and debt guarantee fees (where the business benefits from Council's borrowing position by comparison with commercial rates).

**Edward River Council****Special Purpose Financial Statements**for the year ended 30 June 2023

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**Statement by Councillors and Management made pursuant to the Local Government Code of Accounting Practice and Financial Reporting****The attached Special Purpose Financial Statements have been prepared in accordance with:**

- the NSW Government Policy Statement '*Application of National Competition Policy to Local Government*',
- the Division of Local Government Guidelines '*Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality*',
- the Local Government *Code of Accounting Practice and Financial Reporting*,
- the NSW Office of Water *Best-Practice Management of Water and Sewerage Guidelines*.

**To the best of our knowledge and belief, these statements:**

- present fairly the operating result and financial position for each of Council's declared business activities for the year, and
- accord with Council's accounting and other records.
- present overhead reallocation charges to the water and sewerage businesses as fair and reasonable.

**We are not aware of any matter that would render these statements false or misleading in any way.****Signed in accordance with a resolution of Council made on 17 October 2023.**

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**Peta Betts****Mayor**

17 October 2023

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**Paul Fellows****Deputy Mayor**

17 October 2023

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**Philip Stone****General Manager**

17 October 2023

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**Belinda Langlands****Responsible Accounting Officer**

17 October 2023



Edward River Council | Income Statement of water supply business activity | for the year ended 30 June 2023

## Edward River Council

Income Statement of water supply business activity  
for the year ended 30 June 2023

	2023 \$ '000	2022 \$ '000
<b>Income from continuing operations</b>		
Access charges	1,475	1,429
User charges	1,510	1,613
Interest and investment income	145	52
Grants and contributions provided for operating purposes	45	37
Reversal of revaluation decrements of IPPE previously expensed	–	2,039
Other income	62	–
<b>Total income from continuing operations</b>	<b>3,237</b>	<b>5,170</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	620	547
Materials and services	1,604	1,577
Depreciation, amortisation and impairment	714	789
<b>Total expenses from continuing operations</b>	<b>2,938</b>	<b>2,913</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>299</b>	<b>2,257</b>
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>299</b>	<b>2,257</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>299</b>	<b>2,257</b>
Less: corporate taxation equivalent (25%) [based on result before capital]	(75)	(564)
<b>Surplus (deficit) after tax</b>	<b>224</b>	<b>1,693</b>
<b>Plus opening accumulated surplus</b>	<b>43,805</b>	<b>41,548</b>
<b>Plus adjustments for amounts unpaid:</b>		
– Corporate taxation equivalent	75	564
<b>Closing accumulated surplus</b>	<b>44,104</b>	<b>43,805</b>
<b>Return on capital %</b>	<b>0.8%</b>	<b>6.3%</b>
<b>Subsidy from Council</b>	<b>1,253</b>	<b>–</b>
<b>Calculation of dividend payable:</b>		
Surplus (deficit) after tax	224	1,693
Less: capital grants and contributions (excluding developer contributions)	45	–
<b>Surplus for dividend calculation purposes</b>	<b>269</b>	<b>1,693</b>
<b>Potential dividend calculated from surplus</b>	<b>135</b>	<b>847</b>

Edward River Council | Income Statement of sewerage business activity | for the year ended 30 June 2023

## Edward River Council

Income Statement of sewerage business activity  
for the year ended 30 June 2023

	2023 \$ '000	2022 \$ '000
<b>Income from continuing operations</b>		
Access charges	3,183	3,086
User charges	236	237
Fees	6	12
Interest and investment income	113	42
Grants and contributions provided for operating purposes	37	32
Other income	32	–
Reversal of revaluation decrements of IPPE previously expensed	1,628	–
<b>Total income from continuing operations</b>	<b>5,235</b>	<b>3,409</b>
<b>Expenses from continuing operations</b>		
Employee benefits and on-costs	451	371
Materials and services	1,663	1,195
Depreciation, amortisation and impairment	676	725
<b>Total expenses from continuing operations</b>	<b>2,790</b>	<b>2,291</b>
<b>Surplus (deficit) from continuing operations before capital amounts</b>	<b>2,445</b>	<b>1,118</b>
<b>Surplus (deficit) from continuing operations after capital amounts</b>	<b>2,445</b>	<b>1,118</b>
<b>Surplus (deficit) from all operations before tax</b>	<b>2,445</b>	<b>1,118</b>
Less: corporate taxation equivalent (25%) [based on result before capital]	(611)	(280)
<b>Surplus (deficit) after tax</b>	<b>1,834</b>	<b>838</b>
<b>Plus opening accumulated surplus</b>	<b>36,984</b>	<b>35,866</b>
<b>Plus adjustments for amounts unpaid:</b>		
– Corporate taxation equivalent	611	280
<b>Closing accumulated surplus</b>	<b>39,429</b>	<b>36,984</b>
<b>Return on capital %</b>	<b>7.7%</b>	<b>3.5%</b>
<b>Subsidy from Council</b>	<b>–</b>	<b>52</b>
<b>Calculation of dividend payable:</b>		
Surplus (deficit) after tax	1,834	838
Less: capital grants and contributions (excluding developer contributions)	37	–
<b>Surplus for dividend calculation purposes</b>	<b>1,871</b>	<b>838</b>
<b>Potential dividend calculated from surplus</b>	<b>935</b>	<b>419</b>

Edward River Council | Statement of Financial Position of water supply business activity | for the year ended 30 June 2023

## Edward River Council

Statement of Financial Position of water supply business activity  
as at 30 June 2023

	2023 \$ '000	2022 \$ '000
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	2,807	2,095
Investments	5,391	5,391
Receivables	469	393
Other	37	31
<b>Total current assets</b>	<b>8,704</b>	<b>7,910</b>
<b>Non-current assets</b>		
Infrastructure, property, plant and equipment	38,610	36,009
<b>Total non-current assets</b>	<b>38,610</b>	<b>36,009</b>
<b>Total assets</b>	<b>47,314</b>	<b>43,919</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	117	114
<b>Total current liabilities</b>	<b>117</b>	<b>114</b>
<b>Total liabilities</b>	<b>117</b>	<b>114</b>
<b>Net assets</b>	<b>47,197</b>	<b>43,805</b>
<b>EQUITY</b>		
Accumulated surplus	40,494	43,805
Revaluation reserves	6,703	—
<b>Total equity</b>	<b>47,197</b>	<b>43,805</b>

Edward River Council | Statement of Financial Position of sewerage business activity | for the year ended 30 June 2023

## Edward River Council

Statement of Financial Position of sewerage business activity  
as at 30 June 2023

	2023 \$ '000	2022 \$ '000
<b>ASSETS</b>		
<b>Current assets</b>		
Cash and cash equivalents	3,917	2,119
Investments	3,242	3,242
Receivables	226	140
<b>Total current assets</b>	<b>7,385</b>	<b>5,501</b>
<b>Non-current assets</b>		
Infrastructure, property, plant and equipment	31,661	31,965
<b>Total non-current assets</b>	<b>31,661</b>	<b>31,965</b>
<b>Total assets</b>	<b>39,046</b>	<b>37,466</b>
<b>LIABILITIES</b>		
<b>Current liabilities</b>		
Payables	331	151
<b>Total current liabilities</b>	<b>331</b>	<b>151</b>
<b>Total liabilities</b>	<b>331</b>	<b>151</b>
<b>Net assets</b>	<b>38,715</b>	<b>37,315</b>
<b>EQUITY</b>		
Accumulated surplus	37,540	36,984
Revaluation reserves	1,175	331
<b>Total equity</b>	<b>38,715</b>	<b>37,315</b>

## Note – Significant Accounting Policies

A statement summarising the supplemental accounting policies adopted in the preparation of the special purpose financial statements (SPFS) for National Competition Policy (NCP) reporting purposes follows.

These financial statements are SPFS prepared for use by Council and the Office of Local Government. For the purposes of these statements, the Council is a non-reporting not-for-profit entity.

The figures presented in these special purpose financial statements have been prepared in accordance with the recognition and measurement criteria of relevant Australian Accounting Standards, other authoritative pronouncements of the Australian Accounting Standards Board (AASB) and Australian Accounting Interpretations.

The disclosures in these special purpose financial statements have been prepared in accordance with the *Local Government Act 1993* (Act), the *Local Government (General) Regulation 2021* (Regulation) and the Local Government Code of Accounting Practice and Financial Reporting.

The statements are prepared on an accruals basis. They are based on historic costs and do not take into account changing money values or, except where specifically stated, fair value of non-current assets. Certain taxes and other costs, appropriately described, have been imputed for the purposes of the National Competition Policy.

The Statement of Financial Position includes notional assets/liabilities receivable from/payable to Council's general fund. These balances reflect a notional intra-entity funding arrangement with the declared business activities.

### National Competition Policy

Council has adopted the principle of 'competitive neutrality' in its business activities as part of the National Competition Policy which is being applied throughout Australia at all levels of government. The framework for its application is set out in the June 1996 NSW Government Policy statement titled 'Application of National Competition Policy to Local Government'. *The Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality* issued by the Office of Local Government in July 1997 has also been adopted.

The pricing and costing guidelines outline the process for identifying and allocating costs to activities and provide a standard for disclosure requirements. These disclosures are reflected in Council's pricing and/or financial reporting systems and include taxation equivalents, Council subsidies, and returns on investments (rate of return and dividends paid).

### Declared business activities

In accordance with *Pricing and Costing for Council Businesses – A Guide to Competitive Neutrality*, Council has declared that the following are to be considered as business activities:

#### Category 1

(where gross operating turnover is over \$2 million)

##### a. Water business activity

##### b. Sewer business activity

#### Category 2

(where gross operating turnover is less than \$2 million)

Nil

### Taxation equivalent charges

Council is liable to pay various taxes and financial duties. Where this is the case, they are disclosed as a cost of operations just like all other costs.

However, where Council does not pay some taxes which are generally paid by private sector businesses, such as income tax, these equivalent tax payments have been applied to all Council-nominated business activities and are reflected in Special Purpose Financial Statements.

For the purposes of disclosing comparative information relevant to the private sector equivalent, the following taxation equivalents have been applied to all Council-nominated business activities (this does not include Council's non-business activities):

#### Notional rate applied (%)

Corporate income tax rate – 25%

continued on next page ...

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## Note – Significant Accounting Policies (continued)

**Land tax** – the first \$734,000 of combined land values attracts **0%**. For the combined land values in excess of \$734,001 up to \$4,488,000 the rate is **1.6% + \$100**. For the remaining combined land value that exceeds \$4,488,000 a premium marginal rate of **2.0%** applies.

**Payroll tax** – **5.45%** on the value of taxable salaries and wages in excess of \$900,000.

In accordance with the Department of Industry (DoI) – Water guidelines, a payment for the amount calculated as the annual tax equivalent charges (excluding income tax) must be paid from water supply and sewerage business activities.

The payment of taxation equivalent charges, referred to in the Best Practice Management of Water Supply and Sewer Guidelines as a 'dividend for taxation equivalent', may be applied for any purpose allowed under the *Local Government Act, 1993*.

Achievement of substantial compliance to the DoI – Water guidelines is not a prerequisite for the payment of the tax equivalent charges, however the payment must not exceed \$3 per assessment.

### Income tax

An income tax equivalent has been applied on the profits of the business activities.

Whilst income tax is not a specific cost for the purpose of pricing a good or service, it needs to be taken into account in terms of assessing the rate of return required on capital invested.

Accordingly, the return on capital invested is set at a pre-tax level - gain/(loss) from ordinary activities before capital amounts, as would be applied by a private sector competitor. That is, it should include a provision equivalent to the corporate income tax rate, currently 25%.

Income tax is only applied where a gain/ (loss) from ordinary activities before capital amounts has been achieved.

Since the taxation equivalent is notional – that is, it is payable to Council as the 'owner' of business operations - it represents an internal payment and has no effect on the operations of the Council. Accordingly, there is no need for disclosure of internal charges in the SPFS.

The rate applied of 25% is not the equivalent company tax rate prevalent at reporting date. No adjustments have been made for variations that have occurred during the year.

### Local government rates and charges

A calculation of the equivalent rates and charges for all Category 1 businesses has been applied to all assets owned, or exclusively used by the business activity.

### Loan and debt guarantee fees

The debt guarantee fee is designed to ensure that Council business activities face 'true' commercial borrowing costs in line with private sector competitors. In order to calculate a debt guarantee fee, Council has determined what the differential borrowing rate would have been between the commercial rate and Council's borrowing rate for its business activities.

#### (i) Subsidies

Government policy requires that subsidies provided to customers, and the funding of those subsidies, must be explicitly disclosed. Subsidies occur where Council provides services on a less than cost recovery basis. This option is exercised on a range of services in order for Council to meet its community service obligations. The overall effect of subsidies is contained within the Income Statements of business activities.

#### (ii) Return on investments (rate of return)

The NCP policy statement requires that councils with Category 1 businesses 'would be expected to generate a return on capital funds employed that is comparable to rates of return for private businesses operating in a similar field'.

Funds are subsequently available for meeting commitments or financing future investment strategies. The rate of return is disclosed for each of Council's business activities on the Income Statement.

The rate of return is calculated as follows:

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**Operating result before capital income + interest expense**

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continued on next page ...

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**Note – Significant Accounting Policies (continued)**

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**Written down value of I,PP&E as at 30 June**

As a minimum, business activities should generate a return equal to the Commonwealth 10 year bond rate which is 4.02% at 30/6/23.

**(iii) Dividends**

Council is not required to pay dividends to either itself (as owner of a range of businesses) or to any external entities.

Local government water supply and sewerage businesses are permitted to pay an annual dividend from its water supply or sewerage business surplus.

Each dividend must be calculated and approved in accordance with the Department of Industry – Water guidelines and must not exceed:

- 50% of this surplus in any one year, or
- the number of water supply or sewerage assessments at 30 June 2023 multiplied by \$30 (less the payment for tax equivalent charges, not exceeding \$3 per assessment).

In accordance with the Department of Industry – Water guidelines a Dividend Payment form, Statement of Compliance, Unqualified Independent Financial Audit Report and Compliance Audit Report are required to be submitted to the Department of Industry – Water.



Edward River Council

Special Purpose Financial Statements  
for the year ended 30 June 2023

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## Edward River Council

SPECIAL SCHEDULES  
for the year ended 30 June 2023

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Edward River Council

Special Schedules  
for the year ended 30 June 2023

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<b>Special Schedules:</b>	
Permissible income for general rates	3
Report on infrastructure assets as at 30 June 2023	5

Edward River Council | Permissible income for general rates | for the year ended 30 June 2023

## Edward River Council

## Permissible income for general rates

	Notes	Calculation 2022/23 \$ '000	Calculation 2023/24 \$ '000
<b>Notional general income calculation <sup>1</sup></b>			
Last year notional general income yield	a	7,769	7,933
Plus or minus adjustments <sup>2</sup>	b	7	30
<b>Notional general income</b>	c = a + b	<b>7,776</b>	<b>7,963</b>
<b>Permissible income calculation</b>			
Or rate peg percentage	e	2.00%	4.40%
Or plus rate peg amount	i = e x (c + g)	156	350
<b>Sub-total</b>	k = (c + g + h + i + j)	<b>7,932</b>	<b>8,313</b>
Plus (or minus) last year's carry forward total	l	—	1
Less valuation objections claimed in the previous year	m	—	(2)
<b>Sub-total</b>	n = (l + m)	<b>—</b>	<b>(1)</b>
<b>Total permissible income</b>	o = k + n	<b>7,932</b>	<b>8,312</b>
Less notional general income yield	p	7,933	8,310
<b>Catch-up or (excess) result</b>	q = o - p	<b>(1)</b>	<b>2</b>
Plus income lost due to valuation objections claimed <sup>4</sup>	r	2	—
<b>Carry forward to next year <sup>6</sup></b>	t = q + r + s	<b>1</b>	<b>2</b>

**Notes**

- (1) The notional general income will not reconcile with rate income in the financial statements in the corresponding year. The statements are reported on an accrual accounting basis which include amounts that relate to prior years' rates income.
- (2) Adjustments account for changes in the number of assessments and any increase or decrease in land value occurring during the year. The adjustments are called 'supplementary valuations' as defined in the *Valuation of Land Act 1916 (NSW)*.
- (4) Valuation objections are unexpected changes in land values as a result of land owners successfully objecting to the land value issued by the Valuer General. Councils can claim the value of the income lost due to valuation objections in any single year.
- (6) Carry-forward amounts which are in excess (an amount that exceeds the permissible income) require Ministerial approval by order published in the *NSW Government Gazette* in accordance with section 512 of the Act. The OLG will extract these amounts from Council's Permissible income for general rates Statement in the financial data return (FDR) to administer this process.

Permissible income for general rates

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## Edward River Council

## Report on infrastructure assets as at 30 June 2023

Asset Class	Asset Category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2022/23 Required maintenance <sup>a</sup>	2022/23 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		\$ '000	\$ '000	\$ '000	\$ '000			1	2	3	4	5
Buildings	Buildings – non-specialised	252	252	476	577	14,205	19,225	49.0%	26.0%	17.0%	5.0%	3.0%
	Buildings – specialised	1,840	1,840	–	–	49,175	74,607	27.0%	32.0%	26.0%	8.0%	7.0%
	<b>Sub-total</b>	<b>2,092</b>	<b>2,092</b>	<b>476</b>	<b>577</b>	<b>63,380</b>	<b>93,832</b>	<b>31.5%</b>	<b>30.8%</b>	<b>24.2%</b>	<b>7.4%</b>	<b>6.1%</b>
Other structures	Other structures	16	16	–	–	19,548	22,785	24.0%	57.0%	18.0%	1.0%	0.0%
	<b>Sub-total</b>	<b>16</b>	<b>16</b>	<b>–</b>	<b>–</b>	<b>19,548</b>	<b>22,785</b>	<b>24.0%</b>	<b>57.0%</b>	<b>18.0%</b>	<b>1.0%</b>	<b>0.0%</b>
Roads	Sealed roads	3,402	3,402	1,147	1,637	175,259	273,741	50.0%	24.0%	16.0%	6.0%	4.0%
	Unsealed roads	1,612	1,612	1,106	1,205	11,306	29,244	19.0%	12.0%	25.0%	29.0%	15.0%
	Bridges	–	–	5	1	7,610	11,453	11.0%	66.0%	23.0%	0.0%	0.0%
	Footpaths and kerb and gutter	516	516	72	70	20,871	30,955	37.0%	29.0%	25.0%	7.0%	2.0%
	Other road assets	44	44	117	131	4,056	5,174	60.0%	30.0%	3.0%	7.0%	0.0%
	Bulk earthworks	–	–	–	–	37,937	37,937	25.0%	15.0%	60.0%	0.0%	0.0%
	<b>Sub-total</b>	<b>5,574</b>	<b>5,574</b>	<b>2,447</b>	<b>3,044</b>	<b>257,039</b>	<b>388,504</b>	<b>43.2%</b>	<b>23.9%</b>	<b>21.7%</b>	<b>7.1%</b>	<b>4.1%</b>
Water supply network	Water supply network	1,319	1,319	2,075	2,281	41,868	69,499	10.0%	25.0%	40.0%	24.0%	1.0%
	<b>Sub-total</b>	<b>1,319</b>	<b>1,319</b>	<b>2,075</b>	<b>2,281</b>	<b>41,868</b>	<b>69,499</b>	<b>10.0%</b>	<b>25.0%</b>	<b>40.0%</b>	<b>24.0%</b>	<b>1.0%</b>
Sewerage network	Sewerage network	5,384	5,384	1,763	1,929	34,534	64,836	23.0%	20.0%	16.0%	21.0%	20.0%
	<b>Sub-total</b>	<b>5,384</b>	<b>5,384</b>	<b>1,763</b>	<b>1,929</b>	<b>34,534</b>	<b>64,836</b>	<b>23.0%</b>	<b>20.0%</b>	<b>16.0%</b>	<b>21.0%</b>	<b>20.0%</b>
Stormwater drainage	Stormwater drainage	216	216	354	225	29,465	44,169	20.0%	71.0%	0.0%	0.0%	9.0%
	<b>Sub-total</b>	<b>216</b>	<b>216</b>	<b>354</b>	<b>225</b>	<b>29,465</b>	<b>44,169</b>	<b>20.0%</b>	<b>71.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>9.0%</b>

## Edward River Council

## Report on infrastructure assets as at 30 June 2023 (continued)

Asset Class	Asset Category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2022/23 Required maintenance <sup>a</sup>	2022/23 Actual maintenance	Net carrying amount	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
		\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	\$ '000	1	2	3	4	5
Open space / recreational assets	Swimming pools	48	48	115	72	5,073	6,554	70.0%	22.0%	5.0%	1.0%	2.0%
	Other open space/ recreational	166	166	1,047	1,141	10,879	14,966	50.0%	34.0%	7.0%	8.0%	1.0%
	<b>Sub-total</b>	<b>214</b>	<b>214</b>	<b>1,162</b>	<b>1,213</b>	<b>15,952</b>	<b>21,520</b>	<b>56.1%</b>	<b>30.3%</b>	<b>6.4%</b>	<b>5.9%</b>	<b>1.3%</b>
	<b>Total – all assets</b>	<b>14,815</b>	<b>14,815</b>	<b>8,277</b>	<b>9,269</b>	<b>461,786</b>	<b>705,145</b>	<b>34.8%</b>	<b>28.8%</b>	<b>21.4%</b>	<b>9.4%</b>	<b>5.6%</b>

(a) Required maintenance is the amount identified in Council's asset management plans.

## Infrastructure asset condition assessment 'key'

#	Condition	Integrated planning and reporting (IP&R) description
1	Excellent/very good	No work required (normal maintenance)
2	Good	Only minor maintenance work required
3	Satisfactory	Maintenance work required
4	Poor	Renewal required
5	Very poor	Urgent renewal/upgrading required



## Edward River Council

## Report on infrastructure assets as at 30 June 2023

## Infrastructure asset performance indicators (consolidated) \*

\$ '000	Amounts 2023	Indicator 2023	Indicators 2022 2021		Benchmark
Buildings and infrastructure renewals ratio					
Asset renewals <sup>1</sup>	17,839	400.79%	158.50%	141.50%	> 100.00%
Depreciation, amortisation and impairment	4,451				
Infrastructure backlog ratio					
Estimated cost to bring assets to a satisfactory standard	14,815	3.16%	1.87%	1.99%	< 2.00%
Net carrying amount of infrastructure assets	469,437				
Asset maintenance ratio					
Actual asset maintenance	9,269	111.99%	95.99%	94.24%	> 100.00%
Required asset maintenance	8,277				
Cost to bring assets to agreed service level					
Estimated cost to bring assets to an agreed service level set by Council	14,815	2.10%	1.36%	1.42%	
Gross replacement cost	705,145				

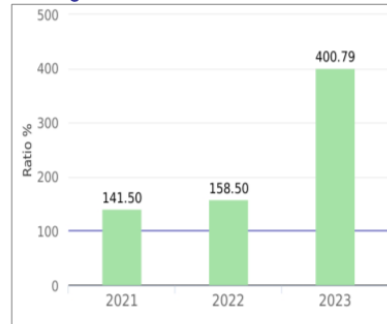
(\*) All asset performance indicators are calculated using classes identified in the previous table.

(1) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

## Edward River Council

### Report on infrastructure assets as at 30 June 2023

#### Buildings and infrastructure renewals ratio



##### Buildings and infrastructure renewals ratio

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.

Commentary on result

22/23 ratio 400.79%

Council completed a few major renewal projects during the financial year adding to the significant increase in the ratio.

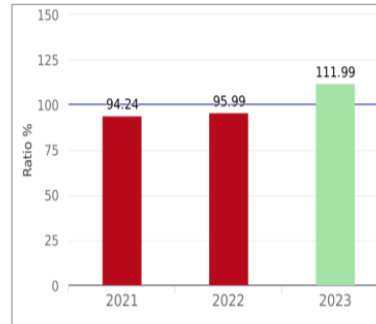
Benchmark: — > 100.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

#### Asset maintenance ratio



##### Asset maintenance ratio

Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog growing.

Commentary on result

22/23 ratio 111.99%

Council invested enough funds into the maintenance of assets during the year.

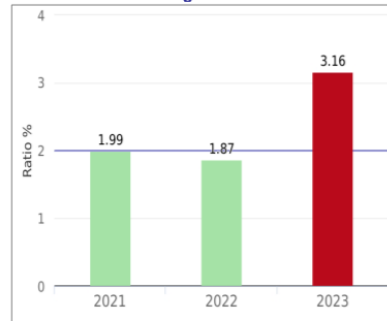
Benchmark: — > 100.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

#### Infrastructure backlog ratio



##### Infrastructure backlog ratio

This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.

Commentary on result

22/23 ratio 3.16%

Councils' infrastructure backlog ratio has increased due to a major flooding event mainly affecting the road infrastructure as well as an ongoing review of Councils assets and asset management plans.

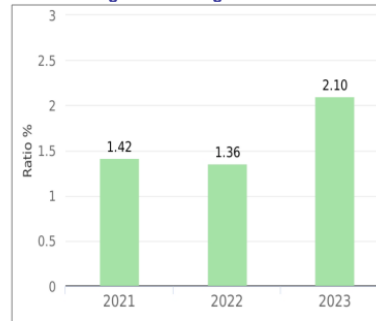
Benchmark: — < 2.00%

Source of benchmark: Code of Accounting Practice and Financial Reporting

Ratio achieves benchmark

Ratio is outside benchmark

#### Cost to bring assets to agreed service level



##### Cost to bring assets to agreed service level

This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.

Commentary on result

22/23 ratio 2.10%

Council continues to invest to achieve the agreed service levels.

## Edward River Council

## Report on infrastructure assets as at 30 June 2023

## Infrastructure asset performance indicators (by fund)

\$ '000	General fund		Water fund		Sewer fund		Benchmark
	2023	2022	2023	2022	2023	2022	
<b>Buildings and infrastructure renewals ratio</b>							
Asset renewals <sup>1</sup>							
Depreciation, amortisation and impairment	364.54%	155.86%	47.69%	0.00%	(42.23)%	0.00%	> 100.00%
<b>Infrastructure backlog ratio</b>							
Estimated cost to bring assets to a satisfactory standard							
Net carrying amount of infrastructure assets	2.06%	1.84%	3.15%	2.06%	15.59%	2.01%	< 2.00%
<b>Asset maintenance ratio</b>							
Actual asset maintenance							
Required asset maintenance	113.97%	95.77%	109.93%	98.12%	109.42%	94.61%	> 100.00%
<b>Cost to bring assets to agreed service level</b>							
Estimated cost to bring assets to an agreed service level set by Council							
Gross replacement cost	1.42%	1.42%	1.90%	1.19%	8.30%	1.09%	

(1) Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

## 12.9. INVESTMENTS AND RESERVES REPORT - SEPTEMBER 2023

**Author: Financial Accountant**

**Authoriser: Chief Financial Officer**

### RECOMMENDATION

That Council:

1. Note and receive the September 2023 report on Investments totalling \$42,513,699 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of September 2023 was \$140,324.
3. Note that total interest earned for the year to 30 September 2023 is \$448,728.
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 30 September 2023 as required by Regulation No 264 (Part 19) of the Local Government Act 1993.

As at 30 September 2023, Council had a total of \$42,513,699 in invested funds. Interest earned from investments during the month of September 2023 was \$140,324.

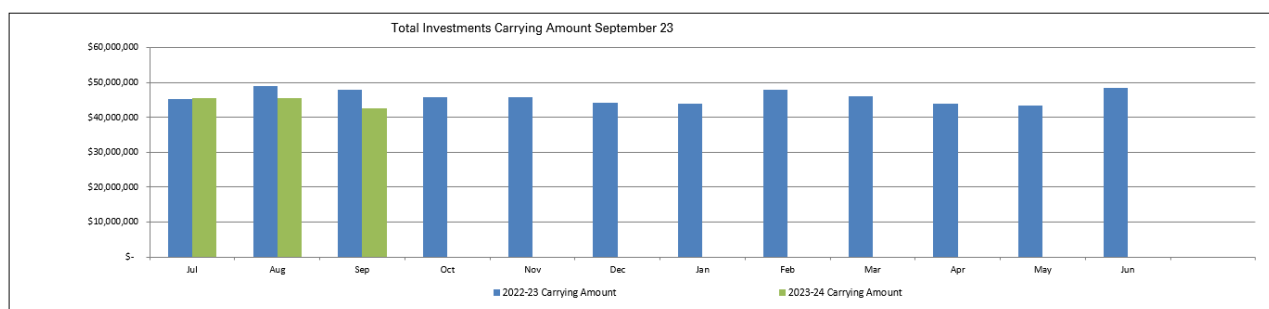
Included in this report are the following items:

- Council's Investments as at 30 September 2023
- Restrictions Applying to Investment Funds
- Investment Portfolio Performance
- Investment Commentary
- Monthly Report from Imperium Markets
- Certification by the Responsible Accounting Officer

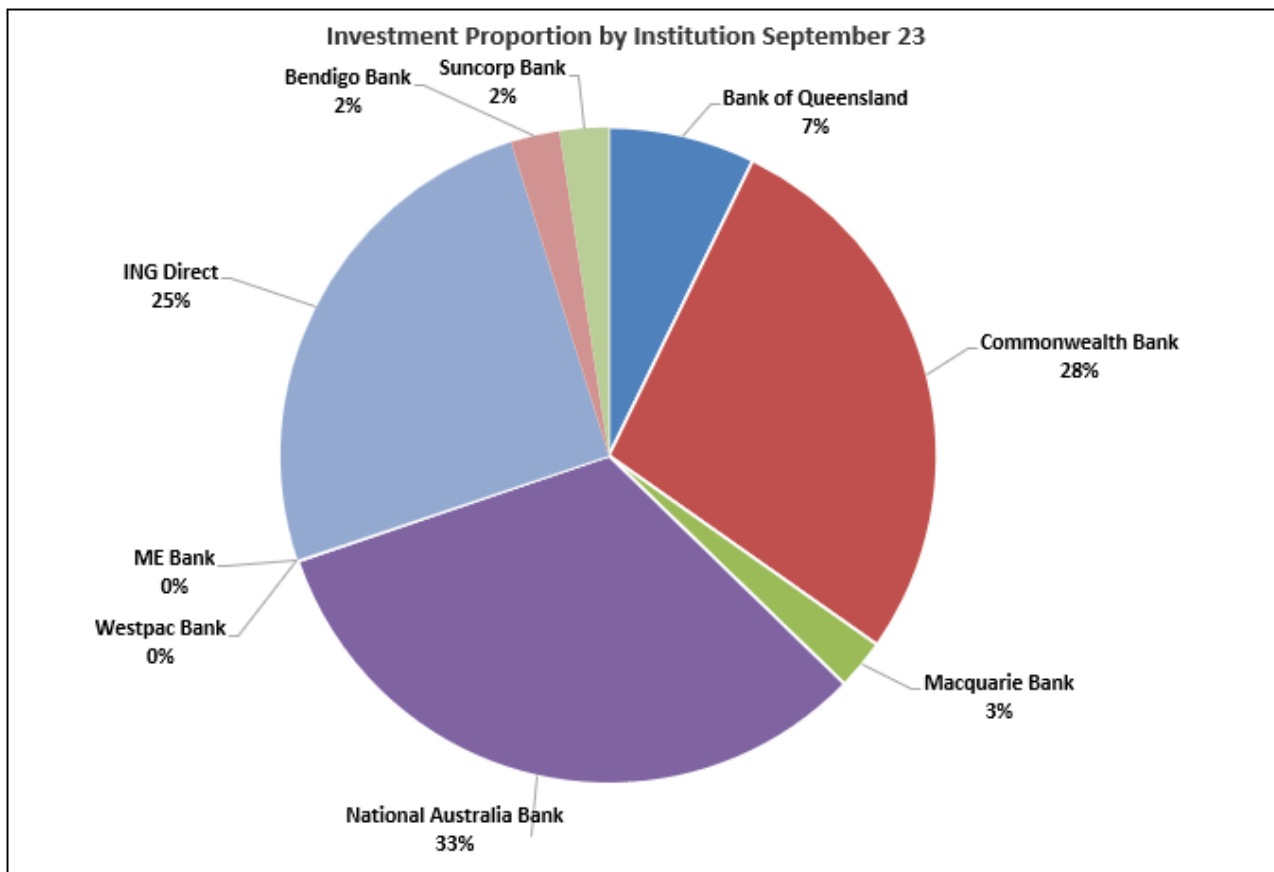
### ISSUE/DISCUSSION

As at 30 September 2023, Council had a total of \$42,513,699 in term deposits and cash at bank exclusive of unrepresented receipts or cheques.

The total investments balance has remained within the \$42M - \$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)



Summary of **cash at bank** from day-to-day operations

Cash Summary		Comment
Opening cash book balance	\$ 4,750,328	
Plus receipts	\$ 19,552,862	Grants, Investments, charges and receipts
Less payments	\$ 19,750,689	Capex and Opex payments
<b>Cash book balance as at 30 September 2023</b>	<b>\$ 4,552,501</b>	
<b>Statement Summary</b>		
Opening statement balance	\$ 4,428,934	
Plus receipts	\$ 11,862,334	Grants, Investments, charges and receipts
Less payments	\$ 11,779,235	Capex and Opex payments
<b>Bank statement balance as at 30 September 2023</b>	<b>\$ 4,512,033</b>	
plus Unpresented receipts	\$ 40,557	Receipts not yet presented at bank
less Unpresented payments	\$ 88	payments not yet presented at bank
less Unmatched receipts on the Bank Statement	\$ -	Adjustment Journal
plus Unmatched payments on the Bank Statement	\$ -	
<b>Reconciliation balance as at 30 September 2023</b>	<b>\$ 4,552,501</b>	

The following restrictions applied to the cash and investments balance:

**Internal Restrictions**

Infrastructure replacement	\$ 1,779,826
Plant replacement reserve	\$ 1,798,670
Recreation reserves/villages	\$ 1,113,000
Other internal reserves	\$ 750,971
Employee entitlements	\$ 692,727
Land Development Fund	\$ 385,000
Airport Development	\$ 207,447
Deposits, retentions and bonds	\$ 295,003
Edward River Village	\$ 520,000

**Total Internal Restrictions** **\$ 7,542,645**

**External Restrictions**

Water supplies fund	\$ 8,173,356
Sewerage services fund	\$ 9,283,248
Tip remediation	\$ 1,300,000
Unexpended Merger funds	\$ 299,033
Other unexpended grant funds	\$ 4,572,722
Library fund	\$ -
Other external reserves	\$ 180,610

**Total External Restrictions** **\$ 23,808,970**

**Unrestricted Funds** **\$ 11,162,084**

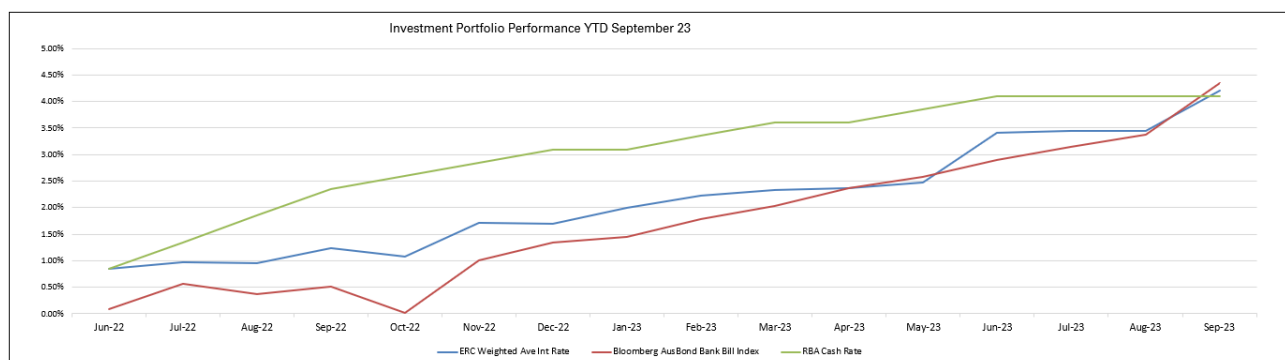
**Total Funds** **\$ 42,513,699**

**Fund Name****Bank and Investments Percentage**

General	\$ 25,057,095	58.94%
Water	\$ 8,173,356	19.23%
Sewer	\$ 9,283,248	21.84%
<b>Total Funds</b>	<b>\$ 42,513,699</b>	<b>100.00%</b>

The above excludes the Bob White Trust.

Total interest earned from investments during the month of September 2023 was \$140,324, compared to the original monthly budget of \$135,077.



As at 30 September 2023, Council's weighted average interest rate was 4.21%, which was -0.14% below the Bloomberg AusBond Bank Bill Index implied one-year return of 4.35%. Total interest

earned for the year to 30 September 2023 was \$448,728 compared to the budget of \$405,231 and previous year total of \$153,099.

It should be noted that the figures included in this report exclude the funds relating to the Conargo Hall - Bob White bequest.

### 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 2 - Investment Review September 2023 - 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 30 September 2023, all investments were within the defined Investment Policy limits. Council's investment portfolio consisted of term deposits (89%) and cash at bank/ on call (11%).

The Reserve Bank of Australia (RBA) elected to hold the official cash rate in September with the cash rate now at 4.10%. The deposit market has factored in the rate movements in recent months. The higher rates provide opportunities for Council to obtain progressively higher rates on investments as the current ones mature. To mitigate the re-investment risk of current recession fears, Council is following on the advice from Imperium Markets, to invest in term deposits with maturities 1 year or longer, 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
40%	A1+ rated institutions
15%	A2 rated institutions
\$250,000	A3 and unrated authorized deposit taking institutions

The overall portfolio credit framework limits applicable to any credit rating category are as follows:



100%	Commonwealth/State/Tcorp/M Funds
100%	A1+ rated institutions
60%	A1 rated institutions
35%	A2 rated institutions
5%	A3 and Unrated authorized deposit taking institutions

## LEGISLATIVE IMPLICATIONS

Local Government Act 1993	<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- 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 the 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>
Local Government Act 1993 Local Government (General) Regulation 2005	<p>212 Reports on council investments</p> <p>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 Act, the regulations and the council's investment</p> <p>2) The report must be made up to the last day of the month immediately preceding the meeting.</p> <p><b>Note-</b> 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.

Belinda Langlands

**Responsible Accounting Officer**

## ATTACHMENTS

1. Schedule of Investments - September 2023
2. Investment Review September 2023 - Imperium Markets

**Attachment 1 - Schedule of Investments September 2023(1)**

Schedule of Investments									
This Report is at date					30-September-2023				
Description	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	032-870 16-6545	A1+	N/a	N/a	365	0.00%	30,352	0.07%	Monthly
Westpac Business Cash Reserve	032-870 17-9231	A1+	N/a	N/a	365	0.05%	0	0.00%	Monthly
Westpac 31 Day Notice Account	032-870 23-2696	A1+	N/a	N/a	365	3.95%	1,666	0.00%	Monthly
Commonwealth Bank General Fund	062-533 00000010	A1+	N/a	N/a	365	3.40%	2,378,920	5.60%	Monthly
Commonwealth Bank Business On Line Saver	062-533 10151117	A1+	N/a	N/a	365	3.65%	2,050,418	4.82%	Monthly
Macquarie Bank - Rates	3005-79778	A1	N/a	N/a	365	0.00%	49,079	0.12%	Monthly
Macquarie Bank - Water	2643-18940	A1	N/a	N/a	365	0.00%	3264	0.01%	Monthly
<b>Total Oncall/ CMT Accounts</b>							<b>4,513,699</b>	<b>10.62%</b>	
<b>Term Deposits</b>									
National Australia Bank	20-049-8755	A1+	10-Jun-21	11-Jun-24	1097	0.75%	3,000,000	7.06%	67,623.29
National Australia Bank	50-665-2647	A1+	24-May-21	24-May-24	1096	0.75%	2,500,000	5.88%	56,301.37
National Australia Bank	75-932-6944	A1+	08-Dec-22	08-Dec-23	365	4.32%	1,500,000	3.53%	64,800.00
National Australia Bank	0	A1+	10-Nov-22	10-Nov-23	365	4.55%	1,000,000	2.35%	45,500.00
National Australia Bank	CDA 37543602	A1+	26-Jul-23	30-Jul-24	370	5.50%	1,500,000	3.53%	83,630.14
National Australia Bank	0	A1+	05-Sep-23	05-Sep-24	366	5.20%	1,500,000	3.53%	78,213.70
National Australia Bank	0	A1+	12-Sep-23	16-Sep-25	735	4.90%	2,000,000	4.70%	197,342.47
National Australia Bank	0	A1+	14-Sep-23	17-Oct-24	399	5.21%	2,000,000	4.70%	113,906.30
Commonwealth Bank	CDA 37543602	A1+	18-Feb-22	18-Feb-24	730	1.65%	1,500,000	3.53%	49,500.00
Commonwealth Bank	CDA 37543602	A1+	28-Nov-22	28-Nov-23	365	4.40%	1,000,000	2.35%	44,000.00
Commonwealth Bank	83-703-9114	A1+	04-Oct-22	04-Oct-23	365	4.45%	2,000,000	4.70%	89,000.00
Commonwealth Bank	0	A1+	12-Sep-23	17-Sep-24	371	5.00%	1,000,000	2.35%	50,821.92
Suncorp Bank	0	A1+	28-Nov-22	28-Nov-23	365	4.48%	1,000,000	2.35%	44,800.00
Macquarie Bank	CN055243	A1	14-Nov-22	14-Nov-23	365	4.36%	1,000,000	2.35%	43,600.00
<b>Total A1+ Deposits</b>							<b>22,500,000</b>	<b>52.92%</b>	
Bendigo Bank	0	A2	22-Mar-23	26-Mar-24	370	4.65%	1,000,000	2.35%	47,136.99
ING Direct	0	A2	22-Feb-23	22-Feb-24	365	4.95%	1,500,000	3.53%	74,250.00
ING Direct	0	A2	22-Mar-23	25-Mar-25	734	4.50%	1,000,000	2.35%	90,493.15
ING Direct	1100308	A2	13-Jun-23	18-Jun-24	371	5.41%	2,000,000	4.70%	109,978.63
ING Direct	0	A2	28-Jun-23	19-Dec-23	174	5.52%	2,000,000	4.70%	52,629.04
ING Direct	0	A2	28-Jun-23	09-Apr-24	286	5.55%	2,000,000	4.70%	86,975.34
ING Direct	35-071-3705	A1+	29-Jun-23	30-Jun-25	732	5.55%	2,000,000	4.70%	222,608.22
Bank of Queensland	623109	A2	10-Nov-22	11-Nov-24	732	4.70%	1,000,000	2.35%	94,257.53
Bank of Queensland	75-932-6942	A1+	29-Jun-23	16-Jul-24	383	5.56%	2,000,000	4.70%	116,683.84
MyState Bank	0	A2	28-Jun-23	28-Jun-24	366	5.65%	1,000,000	2.35%	56,654.79
<b>Total A2 Deposits</b>							<b>15,500,000</b>	<b>36.46%</b>	
Weighted Average Interest Rate						4.20%	<b>42,513,699</b>	<b>100.00%</b>	



## Monthly Investment Review



**Edward  
River**  
COUNCIL

September 2023

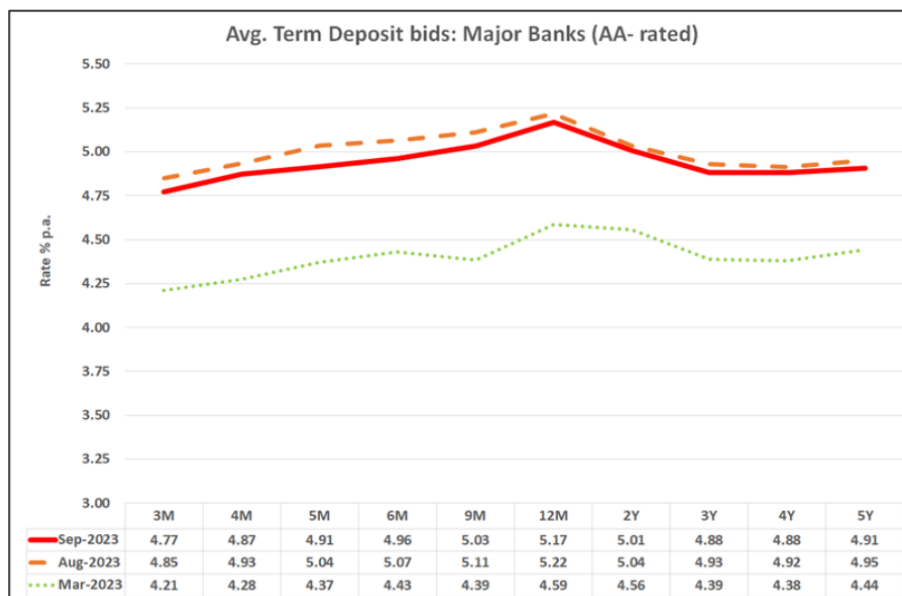
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## Market Update Summary

Financial markets were partially sold off in September with the view that sticky inflation may translate to official rates being held at higher levels than previously forecasted. Even though the peak of the rate hike cycle may be approaching, rates may stay at elevated levels for a longer period than previously thought with some underlying values of inflation remaining sticky. Domestically, the RBA remains on a tightening bias, warning that some further tightening may be required to ensure that inflation returns to target in a reasonable timeframe, but that this will continue to depend upon the data and the evolving assessment of risks. Markets are still factoring in one more rate hike in the US and Australia over coming months.

Over September, major bank deposit rates fell around 5–10bp across the 6–12 month part of the curve (compared to August), despite the RBA remaining on a slight tightening bias. The average bids by the major banks partially fell after CBA dropped their 'specials' by around 30–40bp across the shorter tenors this month. Deposit rates offered by the major banks continue to be lower in the long end (2–5 years) compared to the shorter-end (6–12 months), reflective of the major banks believing that rate cuts may be required in future years after inflation has seemingly peaked.



Source: Arlo Advisory

With recessionary fears being priced in coming years, investors may take an 'insurance policy' against a potentially lower rate environment by investing across 2–5 year fixed deposits, targeting rates above 5% p.a. (small allocation only).



## Edward River Council's Portfolio & Compliance

### Asset Allocation

The portfolio is mainly directed to fixed term deposits (~89%), with the remainder of the portfolio (~11%) being held in various overnight cash accounts.

Senior FRNs remain relatively attractive as spreads have generally widened over the past 12-18 months. New issuances may be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9-12 months to 2 years remains a more optimal strategy to maximise returns over a longer-term cycle.

With recessionary fears being priced in coming years (or at the very least an economic downturn), investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against any potential future rate cuts by investing across 2-5 year fixed deposits, locking in and targeting yields above 5% p.a.



### Term to Maturity

**The portfolio remains highly liquid with around 91% maturing within 12 months.** The weighted average duration of the deposit portfolio is around 8½ months and so the majority of the portfolio will turnover and be reinvested at higher prevailing rates over the next three quarters.

Where liquidity permits, we recommend investing surplus funds in the 1-2 year horizons to optimise the portfolio's returns in the long-run. 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	\$13,987,071	32.92%	15%	100%	\$28,500,000
✓	91 – 365 days	\$20,500,000	48.25%	0%	100%	\$21,987,071
✓	1 – 2 years	\$8,000,000	18.83%	0%	70%	\$21,740,950
✓	2 – 5 years	\$0	0.00%	0%	50%	\$21,243,535
		<b>\$42,487,071</b>	<b>100.00%</b>			



### Counterparty

As at the end of the September, Council did not have an overweight position to any single ADI – all are within compliance of the Policy limits. Overall, the portfolio is lightly diversified across the investment grade credit spectrum, with no exposure to the unrated ADIs.

We welcomed Council's decision to diversify and place a new deposit investment with MyState Bank (BBB) recently – we encourage further diversification in future – not only to reduce concentration risk, but in all likelihood, this will increase the overall returns of the portfolio.

Compliant	Issuer	Rating <sup>^</sup>	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	CBA	AA-	\$9,929,339	23.37%	40.00%	\$7,065,490
✓	NAB	AA-	\$15,000,000	35.30%	40.00%	\$1,994,828
✓	Westpac	AA-	\$52,234	0.12%	40.00%	\$16,942,594
✓	Macquarie Bank	A+	\$1,005,498	2.37%	25.00%	\$9,616,270
✓	Suncorp	A+	\$1,000,000	2.35%	25.00%	\$9,621,768
✓	ING	A	\$10,500,000	24.71%	25.00%	\$121,768
✓	BOQ	BBB+	\$3,000,000	7.06%	15.00%	\$3,373,061
✓	Bendigo-Adelaide	BBB+	\$1,000,000	2.35%	15.00%	\$5,373,061
✓	MyState Bank	BBB	\$1,000,000	2.35%	15.00%	\$5,373,061
			<b>\$42,487,071</b>	<b>100.00%</b>		

<sup>^</sup>Applying long-term ratings only.

ANZ's takeover of Suncorp was blocked by the Australian Competition and Consumer Commission (ACCC) in early August 2023, with the watchdog saying it was unconvinced the deal would deliver the public benefits claims put forward by ANZ (although ANZ has since appealed the decision).

### Credit Quality

The portfolio remains diversified from a credit ratings perspective. The entire long term portfolio is spread amongst the investment grade spectrum. All aggregate ratings categories were within the Policy limits at month-end:

Compliant	Credit Rating <sup>^</sup>	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AA Category	\$24,981,573	59%	100%	\$17,505,498
✓	A Category	\$12,505,498	29%	60%	\$12,986,744
✓	BBB Category	\$5,000,000	12%	35%	\$9,870,475
✓	Unrated Category	\$0	0%	5%	\$2,124,354
		<b>\$42,487,071</b>	<b>100.00%</b>		

<sup>^</sup> Applying long-term ratings only.





### Performance

Council's performance (excluding cash holdings) for the month ending September 2023 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.33%	1.02%	1.97%	1.02%	3.54%
AusBond Bank Bill Index	0.34%	1.08%	1.99%	1.08%	3.56%
Council's T/D Portfolio^	0.33%	0.91%	1.50%	0.91%	2.45%
Outperformance	0.00%	-0.17%	-0.49%	-0.17%	-1.11%

<sup>^</sup>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	4.10%	4.10%	3.98%	4.10%	3.54%
AusBond Bank Bill Index	4.18%	4.35%	4.01%	4.35%	3.56%
Council's T/D Portfolio^	4.13%	3.64%	3.02%	3.64%	2.45%
Outperformance	-0.05%	-0.71%	-1.00%	-0.71%	-1.11%

<sup>^</sup>Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of September, the portfolio (excluding cash) provided a return of +0.33% (actual) or +4.13% p.a. (annualised), largely performing in line with the benchmark AusBond Bank Bill Index return of +0.34% (actual) or +4.18% p.a. (annualised).

This relative 'underperformance' has been due to the unexpected aggressive rate hikes undertaken by the RBA. Whilst this 'underperformance' may continue in the short-term, we do anticipate this to be temporary given the high level of turnover and hopes that the RBA is approaching the end of its rate hike cycle.



### Recommendations for Council

#### **Term Deposits**

Going forward, Council's interest income can be increased by undertaking a slightly longer duration position (12-24 months), with rates on offer along this part of the curve likely to be offered up to ¼-½% p.a. higher compared to shorter tenors in a normal market environment. There is a growing belief that a recession is not too far away (or at the very least an economic downturn) and so locking in rates above or close to 5% p.a. across 1-3 year tenors may provide some income protection against a potential lower rate environment.

As at the end of September 2023, Council's **deposit** portfolio was yielding 4.29% p.a. (up 0.85% p.a. from the previous month), with a weighted average duration of around 262 days (~8½ months). We recommend Council extends this weighted average duration closer to 9-12 months incrementally over the financial year.

Please refer to the section below for further details on the Term Deposit market.

#### **Securities**

Primary (new) Senior **FRNs** (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario.

Please refer to the section below for further details on the FRN market.



## Term Deposit Market Review

### Current Term Deposits Rates

As at the end of September, we see value in:

Index	LT Credit Rating	Term	Rate % p.a.
P&N Bank	BBB	4-5 years	5.30%
ING	A	2-3 years	5.25%
P&N Bank	BBB	3 years	5.25%
P&N Bank	BBB	2 years	5.20%
Westpac	AA-	2 years	5.20%
NAB	AA-	2 years	5.20%
BoQ	BBB+	2 years	5.15%
CBA	AA-	2 years	5.09%
Suncorp	A+	2 years	4.99%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight 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 (we stress that rates are indicative, dependent on daily funding requirements and different for industry segments):

ADI	LT Credit Rating	Term	T/D Rate % p.a.
CBA (>\$2m)	AA-	12 months	5.34%
NAB	AA-	12 months	5.30%
ING	A	12 months	5.30%
ICBC	A	12 months	5.26%
CBA (>\$2m)	AA-	9 months	5.26%
NAB	AA-	11 months	5.25%
ING	A	11 months	5.25%
BoQ	BBB+	9-12 months	5.25%
Westpac	AA-	12 months	5.20%
BoQ	BBB+	6 months	5.15%
P&N Bank	BBB	12 months	5.15%
CBA (>\$2m)	AA-	6 months	5.13%
NAB	AA-	6 months	5.10%
NAB	AA-	3 months	4.90%

If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1-5 years), it will be rewarded over a longer-term cycle. Investing a spread of 12 months to 3 year horizons is likely to yield, on average, up to ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

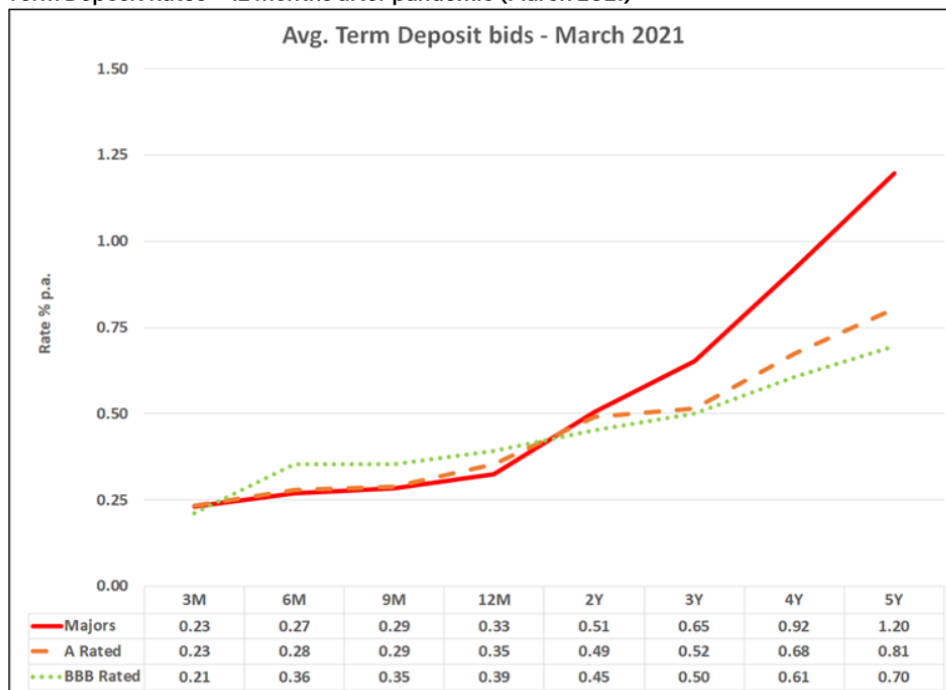
With recessionary fears and a global economic slowdown being priced in coming years, investors should consider allocating some longer term surplus funds and undertake an insurance policy by investing across 2-5 year fixed deposits, targeting rates above 5% p.a. This will provide some income protection if central banks decide to cut rates in future years, assuming inflation has stabilised.



### Term Deposits Analysis

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-2020, 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. 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 three years.

#### **Term Deposit Rates – 12 months after pandemic (March 2021)**



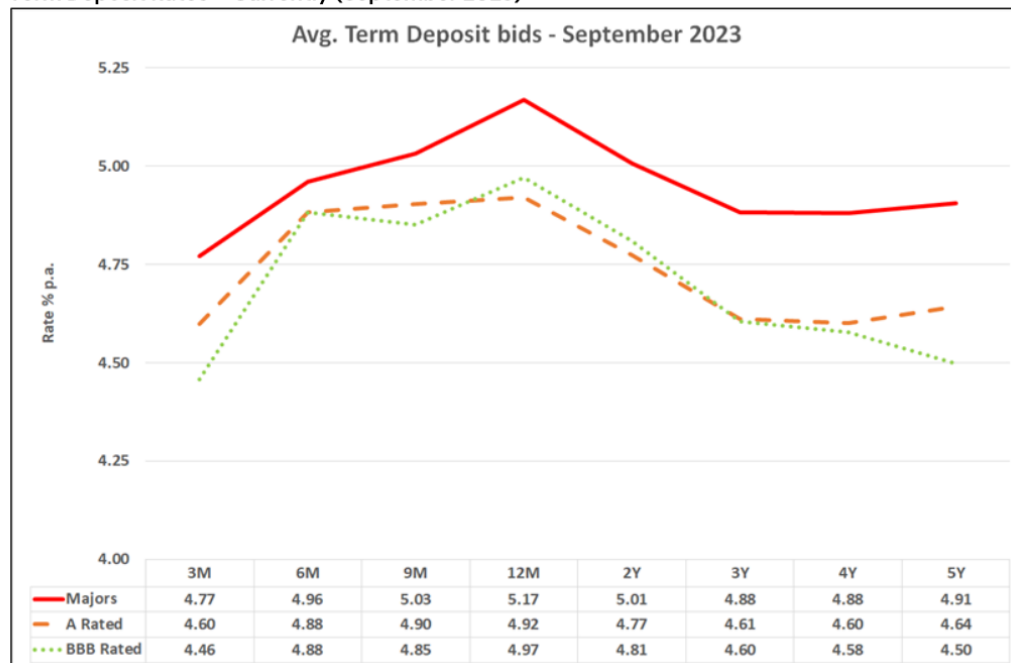
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases. In recent months, we have started to see some of the lower rated ADIs ("BBB" rated) offering slightly higher rates compared to the higher rated banks ("A" or "AA" rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.



Going forward, Council should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry. We are slowly seeing this trend emerge, although the past two months (August and September) have been an exception due to CBA (AA-), who was offering 'specials' on parcel sizes greater than \$2m, paying up to 30-40bp above the entire market:

#### Term Deposit Rates – Currently (September 2023)



Source: Imperium Markets

#### Regional & Unrated ADI Sector

Ratings agency S&P has commented that "*mergers remain compelling for mutual lenders*" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "the banking landscape will settle with a small number of larger mutual players". S&P expects that consolidation to continue over the next two years.

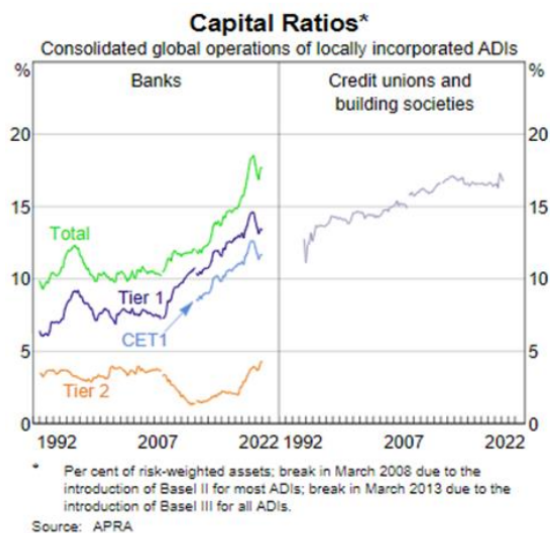
We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have 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). The financial regulator, APRA has noted that the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has increased by \$110 billion, or more than 70%, over the past nine years. Over the same time, banks' assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when 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".

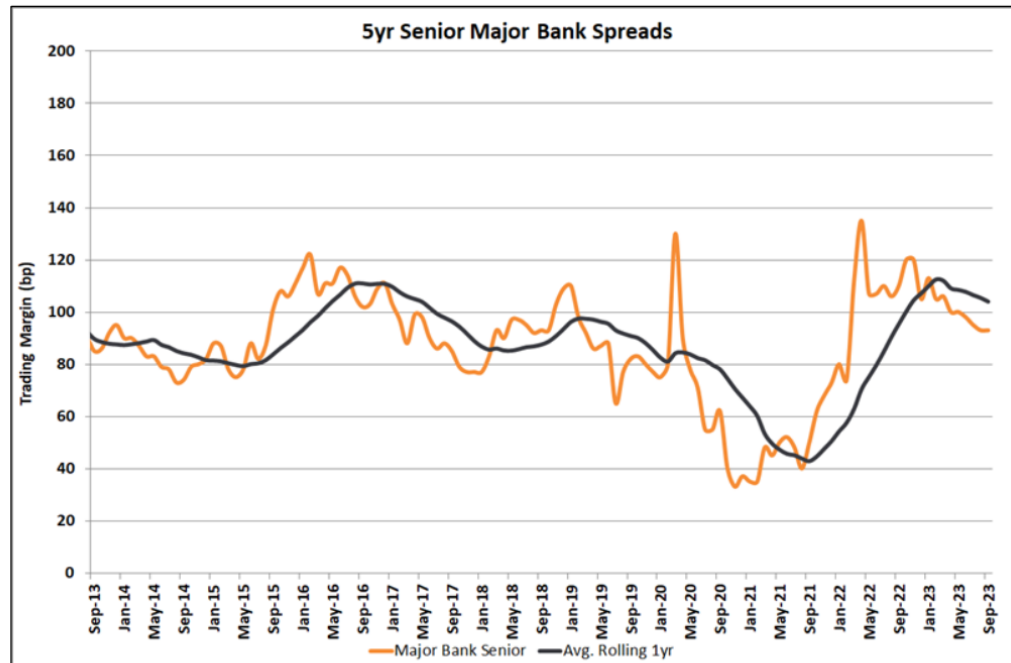






## Senior FRNs Market Review

Over September, amongst the senior major bank FRNs, physical credit securities remained flat at the long-end of the curve. Major bank senior securities remain at fair value in the rising rate environment (5yr margins above +90bp level). During the month, WBC (AA-) issued a new 5 year senior FRN at +93bp.



Source: IBS Capital

Outside of Westpac, there were a handful of other new (primary) issuances during September:

- 3yr Mizuho (A) senior FRN at +85bp
- 3yr Macquarie Bank (A+) senior FRN at +85bp

Amongst the "A" and "BBB" rated sector, the securities tightened by around 2bp at the longer-end of the curve. Credit securities are looking much more attractive given the widening of spreads over the past ~18 months. 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 future years (in a relatively stable credit environment).



Senior FRNs (ADIs)	30/09/2023	31/08/2023
"AA" rated – 5yrs	+93bp	+93bp
"AA" rated – 3yrs	+74bp	+75bp
"A" rated – 5yrs	+115bp	+118bp
"A" rated – 3yrs	+90bp	+92bp
"BBB" rated – 3yrs	+115bp	+120bp

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 2025 for the "AA" rated ADIs (domestic major banks);
- On or before mid-late 2024 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 challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



## Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation remaining elevated, this has seen a significant lift in longer-term bond yields over the past 12-18 months (valuations fallen) as markets have reacted sharply.

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
AU3CB0265403	Suncorp	A+	Senior	30/07/2024	0.83	1.85%	4.99%
AU3CB0266377	Bendigo	BBB+	Senior	06/09/2024	0.94	1.70%	5.02%
AU3CB0268027	BoQ	BBB+	Senior	30/10/2024	1.08	2.00%	5.22%
AU3CB0287498	Bendigo	BBB+	Senior	17/03/2025	1.46	3.00%	5.21%
AU3CB0273407	UBS	A+	Senior	30/07/2025	1.83	1.20%	5.37%
AU3CB0293967	Bendigo	AAA	Covered	11/11/2025	2.12	5.10%	5.17%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	2.60	1.40%	5.47%
AU3CB0282358	ING	AAA	Covered	19/08/2026	2.89	1.10%	4.99%
AU3CB0284149	BoQ	BBB+	Senior	27/10/2026	3.07	2.10%	5.49%



## Economic Commentary

### International Market

Financial markets were sold off on concerns that official interest rates may remain at higher levels than previously anticipated due to sticky inflation.

Across equity markets, the S&P 500 Index fell -4.87%, whilst the NASDAQ dropped -5.81%. Europe's main indices also experienced losses, led by Germany's DAX (-3.51%) and France's CAC (-2.48%). UK's FTSE was an exception, gaining +2.27%.

As universally expected, the US Fed kept the Funds rate target unchanged at 5.25%-5.50%. In the Statement, the main change is that the economy is described as growing at a "solid pace", an upward revision from "moderate pace" in July. Also as expected, the new Fed dot plot shows the median 2023 dot unchanged at 5.625% (meaning one more quarter point hike this year).

US core CPI printed at +0.278% m/m vs. +0.2% expected. In 3m annualised terms, the trend on core CPI is looking favourable at +2.4%, whilst the Fed's preferred PCE measure is running at +1.9%.

The US unemployment rate jumped up to 3.8% from 3.5% – its highest since February 2022 from where it has fallen to as low of 3.4%. The participation rate rose from 62.6% to 62.8%, the highest level prior to the pandemic.

Canada's inflation rose to +4.0% y/y from +3.3% y/y in July, faster than the +3.8% y/y expected. The annual rate has accelerated from +2.8% y/y in June as base effect tailwinds have rolled off and fuel prices rose.

The ECB raised interest rates 25bp, taking the deposit rate to 4.00%, commenting that "the Governing Council considers that the key ECB interest rates have reached levels that, maintained for a sufficiently long duration will make a substantial contribution to the timely return of inflation to the target".

Chinese CPI was in line with expectations, creeping back above zero to +0.1% y/y from -0.3%, supported by summer travel. CPI rose +0.3% m/m, picking up from +0.2% m/m in July. The core rate excluding food and energy costs rose to +0.8% y/y.

The Swiss National Bank defied widely held expectations for a 25bp hike and left its policy rate unchanged, while central banks for Sweden and Norway both hiked the expected 25bp respectively. Brazil's central bank cut rates by the expected 50bp, its first easing this cycle, following recent rate cuts by Poland and Chile.

The MSCI World ex-Aus Index fell -4.46% for the month of September:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	-4.87%	-3.65%	+19.59%	+8.44%	+8.03%	+9.81%
MSCI World ex-AUS	-4.46%	-3.81%	+20.16%	+6.48%	+5.61%	+6.53%
S&P ASX 200 Accum. Index	-1.50%	-0.77%	+13.46%	+11.00%	+6.67%	+7.43%

Source: S&P, MSCI



### Domestic Market

As unanimously expected, the RBA left its official cash rate unchanged at 4.10% for the third successive month in its September meeting. The accompanying statement continues to suggest the RBA retains a bias to tighten further if needed, but is hopeful that it has done enough to return inflation to target.

The RBA September Minutes confirmed there was little reassessment from their previous meeting. In deciding to hold rates at 4.10% for the third consecutive meeting, the Board again considered but opted against the case for a 25bp increase. That case was centred on *"the expectation that inflation will remain above the Bank's target for a prolonged period and the risk that this period might be extended"*. The case for a hold, the outcome at this meeting, reflected that *"the effects of tighter monetary policy were yet to be fully realised"*.

GDP rose by +0.4% q/q (+2.1% y/y), in line with consensus and slightly stronger than the RBA's August SMP (+0.2%). With an upward revision to Q1 (now +0.4%), this shows the economy broadly maintained momentum, despite a further small slowing in consumption growth, helped by government infrastructure and business investment spending.

Employment in August rose +65k (consensus +25k). Gains came in part-time (+62.1k), whilst full-time also rose slightly (+2.8k). The lift in the participation rate by 0.1% to a record high 67.0% meant the unemployment rate remained unchanged at 3.7%. Markets still sees very little chance of a hike from the RBA in October, but November pricing is around 36% from 31%.

The Monthly CPI Indicator for August rose to +5.2% y/y from +4.9%, with the underlying details revealing that services inflation remains sticky.

Retail sales rose +0.2% m/m in August, signalling a subdued pace of growth.

The July Trade Balance narrowed to \$8.0bn from a downwardly revised \$10.3bn (consensus \$10bn). That was driven by a combination of lower exports (-2.0% or \$1.1bn) and higher imports (+2.5% or +\$1.1bn).

The Australian dollar fell -0.42%, finishing the month at US64.58 cents (from US64.85 cents the previous month).

### Credit Market

The global credit indices widened significantly over September in the 'risk-off' environment. They are now back to their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	September 2023	August 2023
CDX North American 5yr CDS	73bp	64bp
iTraxx Europe 5yr CDS	80bp	71bp
iTraxx Australia 5yr CDS	89bp	78bp

Source: Markit



## Fixed Interest Review

### Benchmark Index Returns

Index	September 2023	August 2023
Bloomberg AusBond Bank Bill Index (0+YR)	+0.34%	+0.37%
Bloomberg AusBond Composite Bond Index (0+YR)	-1.53%	+0.74%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.37%	+0.46%
Bloomberg AusBond Credit Index (0+YR)	-0.58%	+0.99%
Bloomberg AusBond Treasury Index (0+YR)	+1.88%	+0.61%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-2.20%	+0.70%

Source: Bloomberg

### Other Key Rates

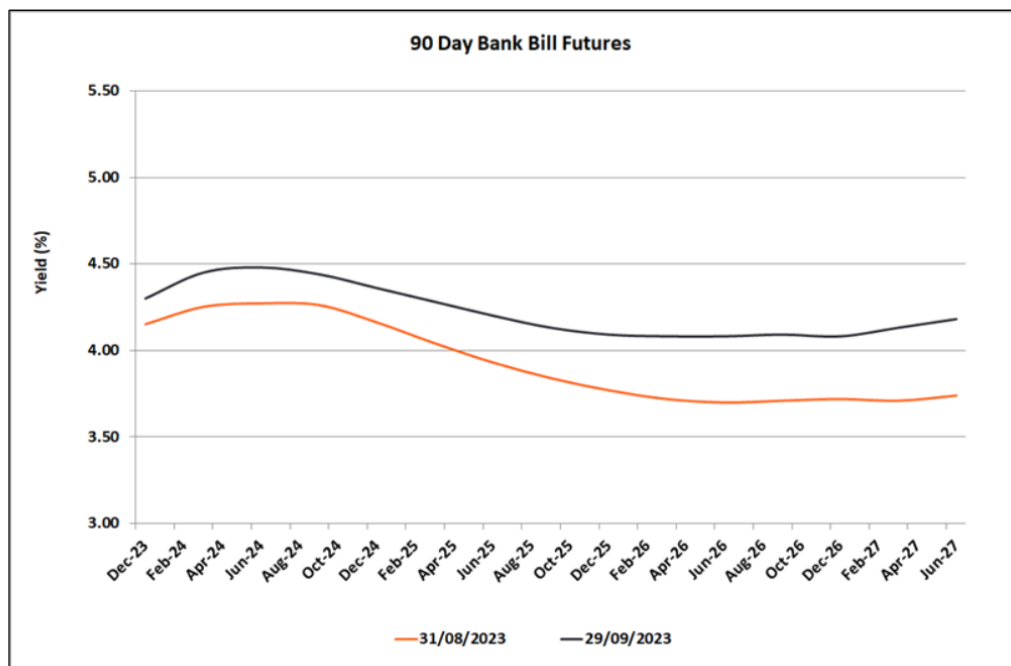
Index	September 2023	August 2023
RBA Official Cash Rate	4.10%	4.10%
90 Day (3 month) BBSW Rate	4.14%	4.13%
3yr Australian Government Bonds	4.08%	3.74%
10yr Australian Government Bonds	4.48%	4.02%
US Fed Funds Rate	5.25%-5.50%	5.25%-5.50%
2yr US Treasury Bonds	5.03%	4.85%
10yr US Treasury Bonds	4.59%	4.09%

Source: RBA, ASX, US Department of Treasury



### 90 Day Bill Futures

Bill futures rose across the board this month, following the movement in the global bond market. The RBA remains on a slight tightening bias and will react with additional hike(s) if economic data suggests inflation will remain elevated. The bills market continues to factor in the possibility of a recession over the next few years, highlighted by the drop in the futures pricing by the beginning of 2024:



Source: ASX





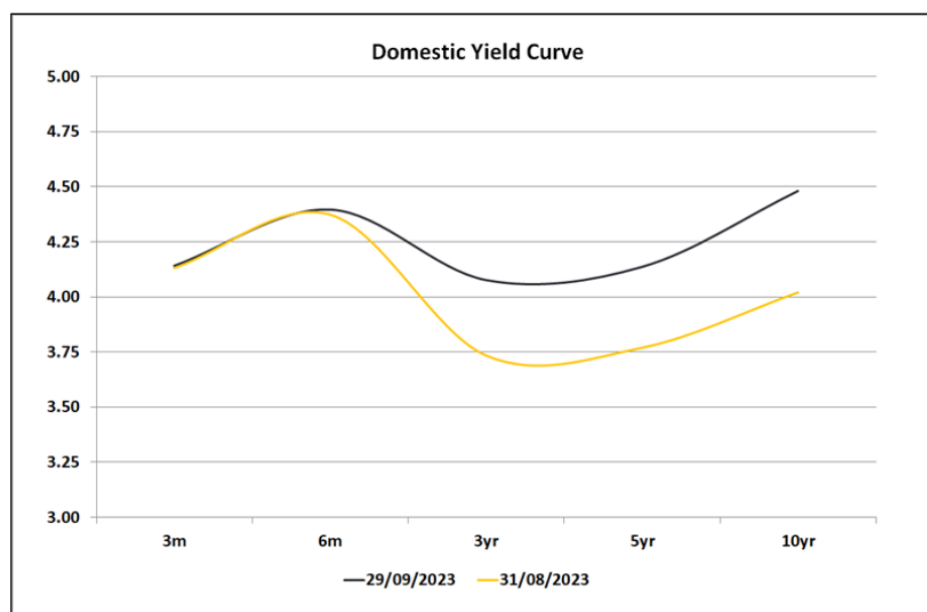
## Fixed Interest Outlook

Global inflation has accelerated in recent months – ending the trend of disinflation exhibited in early to mid-2023, albeit this largely reflected an uptick in India and Turkey, rather than a broad-based increase. Inflation among advanced economies continued to ease – edging down to +4.4% annually.

The slowing inflation trend in advanced economies has increased the likelihood that most major central banks have either reached the end of their tightening cycle or are near the peak. That said, this assumption is predicated on inflation continuing to trend lower (with rising energy prices a risk to headline inflation), and near-term risk around policy rates is still to the upside. There is considerable uncertainty around when central banks will start to cut rates – markets have pushed back their expectations over September, resulting the sell-off in bonds (yields rose).

Domestically, the RBA remains committed to tightening further if required, again warning that some further tightening may be required to ensure inflation returns to target in a reasonable timeframe, but this will continue to depend upon the data and the evolving assessment of risks. Broader measures of services inflation is running at +5.6% y/y, where it has been since December 2022, and illustrative of the stickiness in services inflation. This may force the RBA to hike again in coming months, consistent with what market expectations are pricing (likely to wait for confirmation in the full Q3 CPI on 25<sup>th</sup> October).

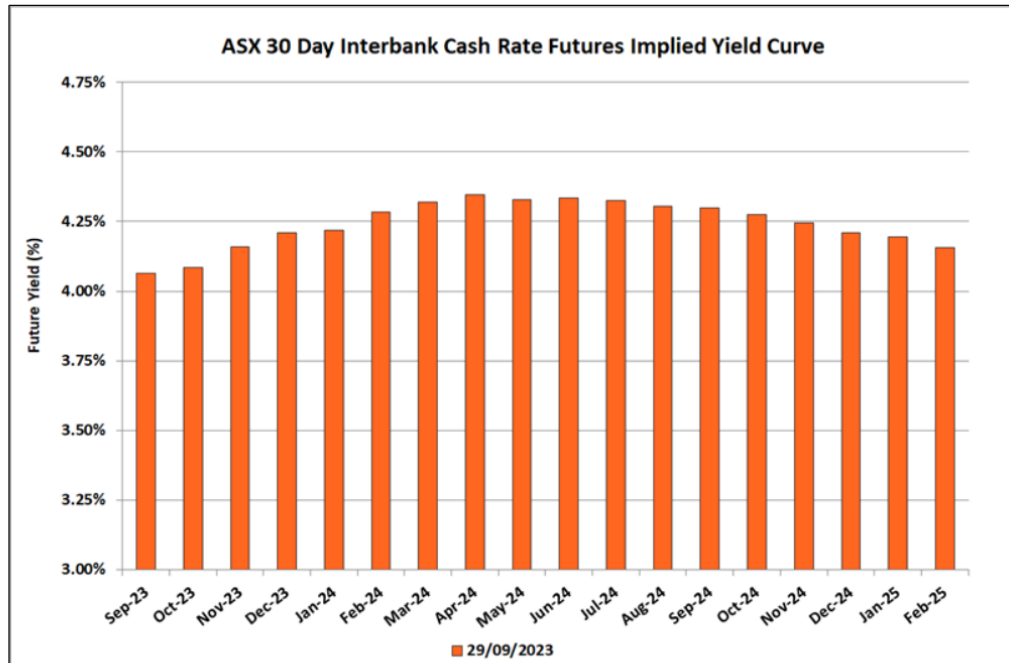
Over the month, yields rose up to 46bp at the long end of the curve:



Source: ASX, RBA



Markets have been quick to revise their interest rate forecasts with one more rate hike priced this cycle. Interestingly, rate cuts are still being forecasted, but not at least until Q3-Q4 2024:



Source: ASX

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## **12.10. LODGEMENT OF ANNUAL DISCLOSURES OF INTEREST AND OTHER MATTERS IN WRITTEN RETURNS 2022-2023**

**Author: Executive Assistant**

**Authoriser: Director Corporate Services**

### **RECOMMENDATION**

That Council note the tabling of *Annual Returns of Disclosure of Pecuniary Interests and Other Matters* in accordance with the requirements of Council's Code of Conduct.

### **BACKGROUND**

Clause 4.21 of Council's Code of Conduct (Code) requires a Councillor or Designated Person to make and lodge with the Chief Executive Officer (CEO) a return in the form set out in Schedule 1 of the Code, disclosing the Councillor's or designated person's interests as specified in Schedule 1 of the Code within three (3) months after 30 June of each year.

Clause 4.25 requires that the CEO must table all returns required to be lodged under 4.21(c) of the Code at the next Council meeting after the returns are lodged.

### **ISSUE/DISCUSSION**

All designated persons (as described in Council's Code of Conduct) must lodge their Annual Return with the Chief Executive Officer by 30 September each year, or at any other time when their pecuniary interests change (for example, the acquisition of new property).

Annual returns received from designated persons will be tabled at the October Council Meeting in accordance with the requirements of the Code of Conduct.

*Annual Returns of Disclosures of Interest and Other Matters* lodged under clause 4.21 of the Code are to be made publicly available in accordance with the *Government Information (Public Access) Act 2009*, the *Governance Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

### **STRATEGIC IMPLICATIONS**

Statutory compliance is a key governance requirement of Council. Council's register of completed annual returns is available for public scrutiny in accordance with the *Government Information (Public Access) Act 2009*.

### **COMMUNITY STRATEGIC PLAN**

The tabling of the returns supports council to achieve the following Community Strategic Plan objectives

5. Accountable leadership and responsive administration

### **FINANCIAL IMPLICATIONS**

There are no financial implications arising from this report.

### **LEGISLATIVE IMPLICATIONS**

This report supports Council to meet its obligations under the following legislation:

- *Local Government Act 1993*, Section 332(1)(a), Section 440
- *Local Government (General) Regulation 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**

There are no attachments to this report, however the returns will be tabled at the Council meeting.

## **12.11. CONSOLIDATION OF LOCAL ENVIRONMENTAL PLANS - PLANNING PROPOSAL 2022-3030**

**Author:** Manager Development Services

**Authoriser:** Director Infrastructure

### **RECOMMENDATION**

That Council resolves to:

1. Endorse the Planning Proposal provided as Attachment 1 to this report,
2. Lodge a Section 3.22 EP&A Act, minor amendment, to Department Planning and Environment, to transition Edward River Local Environmental Plan mapping to a digital format for finalisation of the Consolidated Edward River Local Environmental Plan,
3. Request the Department of Planning and Environment to prepare the draft Consolidated Edward River Local Environmental Plan, and
4. Request Parliamentary Counsel to prepare the draft Consolidated Edward River Local Environmental Plan under section 3.36 (1) of the Environmental Planning and Assessment Act 1979.

### **BACKGROUND**

A planning proposal was prepared to consolidate the provisions of the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013 and the Deniliquin Local Environmental Plan 1997 (currently administering the "deferred area") into a single consolidated Edward River Local Environmental Plan for all land in the Edward River LGA.

At the Council meeting held on 16 August 2022 Council resolved the following;

- 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.*

On 21 October 2022, Council was provided with Gateway determination for the planning proposal. A copy of the gateway determination is provided as Attachment 2.

All conditions of the gateway determination have now been met and Council subject to the endorsement of the Planning Proposal by Council, a request will be provided to the Department of Planning & Environment to prepare the draft Consolidated Edward River Local Environmental Plan under Section 3.36 of the Environmental Planning and Assessment Act 1979.

To transition Edward River LEP mapping to a digital format it is necessary to submit an application to DPE for a minor amendment under section s3.22 EP&A Act, to enable finalisation of the Consolidated ERLEP Maps.

### **ISSUE/DISCUSSION**

#### **Public Exhibition**

The gateway determination requirements have been met as follows;

- (a) The planning proposal must be publicly exhibited for a minimum of 28 days.

The proposal was exhibited for a period of 28 days by way of the Planning Portal, Local Newspaper, Councils website and notification provided to land owners where it was identified that the land was affected by a proposed land use permissibility change. Landowners in the Deferred area (Davidson St area between the two bridges), Conargo LEP - RU1 zone, Deniliquin LEP- R5 zone and Conargo LEP - R5 zone were notified due to land uses previously permitted under the previous LEP, now being prohibited.

The exhibition period concluded on 8 August 2023. Four (4) submissions were received. The submissions raised the following matters:

Submission	Issue	Response
Submission 1	Land use permissibility RU1 Primary Production zone  Concern that petrol stations and takeaway food premises are proposed to be prohibited in the RU1 zone and the effect this will have on workers involved in the NSW Interconnector West Project.	Should it be identified that this type of land use is required in conjunction with the energy projects there is permissibility for Highway Service Centres, Cafe and Restaurants. Additionally a temporary use could be approved for a similar purpose, provided that adequate facilities and controls could be implemented.
Submission 2	Land use permissibility R5 Large Lot residential  Concern that neighbourhood shops, takeaway food & drink premises, tourism & visitor accommodation are proposed to be prohibited in the R5 zone.	Artisan food and drink, Food & drink premises and Bed & Breakfast accommodation are all proposed to be permitted with consent in the R5 zone. These are seen to be smaller scale developments which would have less impact on the amenity of the areas and are more appropriate for a residential zone.
Submission 3	Land use permissibility RU1 Primary Production zone  Concern that the proposed RU1 land use controls applying to Lot 1892, DP1156156 (land associated with Stevens Weir infrastructure) will require development consent for recreation facilities and water recreation structures under the planning proposal.	The subject land is located on land zoned RU1 under the Conargo LEP. Infrastructure associated with Stevens Weir is located on the land and there are no recreation facilities or water recreation structures located on the subject land. The Infrastructure associated with Stevens Weir is for water supply systems and/or water storage works and as such any further development or works relating to these uses are

		exempt under the Transport & Infrastructure SEPP.
Submission 4	Land use permissibility RU1 Primary Production zone  Concern that permissibility for Electricity Infrastructure, Battery Energy Storage Systems, Data Centre, Wind farms and Solar farms are not listed as development which is permissible with consent.	Electricity Infrastructure, Battery Energy Storage Systems, Data Centre, Wind farms and Solar farms are given permissibility under the Transport & Infrastructure State Environmental Planning Policy (SEPP) which override the provisions of the LEP.

### Government Agency Consultation

Under the Gateway determination consultation was required with the following government agencies under Section 3.34(2)(d) of the Act and/or to comply with the requirements of the applicable directions of the Minister under section 9 of the Act;

#### NSW Rural Fire Service

Response provided that the Planning Proposal had been considered and based upon assessment of the information provided no objection was raised.

#### Regional NSW - Mining, Exploration and Geoscience

- Response provided that the subject areas had been reviewed and no concerns were raised in relation to section 9.1(2) of the Environmental Planning and Assessment Act 1979, Direction 8.1 Mining, Petroleum Production and Extractive Industries. Planning Proposal had been considered and

#### Department of Planning and Environment Biodiversity, Conservation and Science Directorate.

- No issues raised; comments not provided.

### STRATEGIC IMPLICATIONS

The Planning Proposal is required to consolidate the three (3) current LEPs into a single ERLEP. A consolidated LEP is needed to provide continuity of planning controls across the LGA and will provide for an integrated document that will guide sustainable development of the Edward River LGA. It is needed to enable a single LEP for Edward River LGA that provides a consistent approach to planning and development.

### COMMUNITY STRATEGIC PLAN

Shaping the Future

1.1 Pristine natural environment

1.2 Quality built environment

1.3 Enhanced Active and Passive Open Spaces

Delivering community assets and services

4.1 Vibrant villages and towns



**FINANCIAL IMPLICATIONS**

There are no financial implications relating to this matter.

**LEGISLATIVE IMPLICATIONS**

An LEP is an environmental planning instrument (EPI) and a statutory plan. LEP's must comply with the common format and content of LEP's as outlined in the Standard Instrument (Local Environmental Plans) Order 2006. If an LEP is to be amended or a new one created, the change must be made through a planning proposal.

**ATTACHMENTS**

Attachment 1 - Planning Proposal for Consolidated Edward River Local Environmental Plan

Attachment 2 - Gateway Determination

**Attachment 1 - FINAL DOC - PLANNING PROPOSAL LEP CONSOLIDATION request for finalisation**



Edward  
River  
COUNCIL

## PLANNING PROPOSAL

Consolidated Edward River Local Environmental Plan

**2022**

*Planning proposal  
Consolidated Edward River Local Environmental Plan*

## OBJECTIVES OR INTENDED OUTCOMES

The overall objective of this planning proposal is to consolidate the provisions of the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013, and the Deniliquin Local Environmental Plan 1997 (currently administering the “deferred area”) into a single consolidated Edward River Local Environmental Plan (ERLEP) for all land in the Edward River LGA.

The LEP consolidation will be achieved by:

- Consistent approach to zone objectives, principles, and application across the LGA area ensuring consistency with the Standard Instrument (SI) Local Environmental Plan (LEP).
- Consolidate duplicated or repetitive objectives within either DLEP 2013 or CLEP 2013 that are similar in intent.
- Retain all land use zones which are already within DLEP 2013 and CLEP 2013.
- Ensure consistency in permissible land uses across similarly zoned lands within the former Deniliquin and Conargo LGA’s.
- Adoption of those standards or provisions which enable the most flexible or generous approach to development standards in certain locations or situations to ensure that existing development potential of land is retained.
- Rezoning of those lands identified as “Deferred Area” (DM) currently administered under DLEP 1997 to appropriate SI zones to enable consolidation of this instrument with the proposed ERLEP.

Through the consolidation process the proposal also intends to rectify some current land use permissibility anomalies and zoning anomalies within the LEPs:

- Rezoning of several community recreation reserves/halls to RE1 Public Recreation.
- Shops in the E3 zone to be permitted with consent; and
- Information and Education Facilities in the E4 zone to be permitted with consent.

This Planning proposal has compared and assessed the DLEP 2013, CLEP 2013 and DLEP 1997 against the SI LEP template to prepare a consolidated Edward River LEP (ERLEP). The existing DLEP 2013 and CLEP 2013 were prepared in the SI LEP format, however the DLEP 1997 which currently applies to the ‘deferred area’ was prepared in an earlier format.

The planning proposal will result in one standard instrument which will apply over the Edward River local government area. The proposed clauses and land use tables in this planning proposal are to be viewed as a guide only. Final wording of the LEP may vary subject to PCO review and legal drafting.

*Planning proposal*  
*Consolidated Edward River Local Environmental Plan*

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# SECTION 1

## Edward River LEP - Consolidation of the DLEP 2013 & CLEP 2013

### Objectives

- Compare and assess the provisions of the CLEP 2013, DLEP 2013 and DLEP 1997 to create consistency to enable consolidation into a single LEP – Edward River Local Environmental Plan (ERLEP)

### ***ERLEP Part 1 - Preliminary***

---

Part 1 of the consolidated ERLEP will cover a range of preliminary matters including the overall aims of the Plan; where the Plan applies; relationships with other instruments as well as transitional arrangements.

### Key Issues

- The ERLEP is proposed to apply to the Edward River LGA; and
- The aims of the plan (Clause 1.2(2)) of DLEP 2013 and CLEP 2013 are proposed to be consolidated in the following manner:
  - a) to preserve rural land for all forms of primary production through the proper management, development, and conservation of natural and human-made resources,
  - b) to facilitate a range of residential and employment opportunities in accordance with demand, that contribute to the social, economic, and environmental resources of the area and support the long-term and economic viability of the local community,
  - c) to promote ecologically sustainable urban and rural development and sustainable economic growth,
  - d) to protect, conserve and enhance the natural assets and areas of significance for nature conservation and high scenic or recreational value.
  - e) to minimise land use conflicts and adverse environmental impacts
  - f) to provide for the orderly development of tourist activities
  - g) to minimise the cost to the community of fragmented and isolated development of rural land
  - h) to protect and conserve places and buildings of archaeological or heritage significance, including Aboriginal objects and places.
  - i) to promote the efficient and equitable provision of public services, infrastructure, and amenities
- All other clauses of this part of the DLEP 2013 and CLEP 2013 are consistent and will be retained in the new ERLEP.

## ERLEP Part 2 - Permitted or Prohibited Development

Part 2 of the consolidated ERLEP will cover the land use zones, the zone objectives and the permitted or prohibited development within each of the land use zones.

### Key Issues

- Clauses 2.1 – 2.8 of DLEP 2013 and CLEP 2013 are proposed to be retained in the Edward River LEP (ERLEP).
- Clause 2.5 enables Additional Permitted Uses which are addressed in “ERLEP Schedule 1 - Additional Permitted Uses” of this proposal.
- The RU1 Primary Production, R5 Large Lot Residential zones and E1 National Parks and Nature Reserves Zone are the only zones included in both the DLEP 2013 and CLEP 2013.
- Minor amendments are required to be made to the existing DLEP 2013 and CLEP 2013 zone RU1 zone objectives and land use permissibility to ensure consistency in consolidation. *Table 1* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 2* provides justification where changes are required.
- Minor amendments are required to be made to the existing DLEP 2013 and CLEP 2013 zone SP2 zone objectives and land use permissibility to ensure consistency in consolidation. Group Homes and Educational Establishments are to be permitted in the SP2 Infrastructure zone to align with the prescribed zones within Housing and Education SEPPs relatively. *Table 1* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 2* provides justification where changes are required.
- Minor amendments are also required to be made to the existing DLEP 2013 and CLEP 2013 R5 zone objectives and land use permissibility to ensure consistency in consolidation. *Table 3* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 4* provides justification where changes are required.
- The E1 National Parks and Nature Reserve Zone provisions are identical in both LEPs therefore will be retained in the consolidated LEP as is.
- All other current land use zones of DLEP 2013 and CLEP 2013 will be retained and the objectives and land use permissibility within these zones will be included in the ERLEP.
- This planning proposal includes the rezoning of the ‘deferred area’ to be consistent with SI zoning to enable consolidation into the proposed ERLEP (see Section 2 of this proposal). Part of the ‘deferred area’ is proposed to be zoned B6. (E3) *Table 6* below identifies an anomaly to the permissibility of *shops* in this zone proposed to be amended as part of this proposal.
- The General Industrial Zone of the DLEP 2013 prohibits Information and Education facilities. This is considered an anomaly and is proposed to be rectified as part of this LEP consolidation process. *Table 8* below identifies the proposed amendment to the permissibility of this land use in the INI zone.
- For clarity, all other zones, land uses or objectives of either DLEP 2013 or CLEP 2013 within this part NOT included within the tables below, are proposed to be incorporated into the ERLEP in its current form.



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RU1 Primary Production

**Table 2: Justification for Proposed Amendments to RUI Primary Production Land Use Zone Objectives and Land Use Permissibility**

<b>RUI Primary Production</b>		
<i>Issue 1: Non-mandated and duplicated, repetitive objectives between plans</i>		
<i>Issue</i>	<i>Justification</i>	<i>Action/Recommendation</i>
Zone Objectives	<p>CLEP 2013 includes 4 additional objectives to the mandated SI objective within DLEP 2013.</p> <p>The additional objectives of the CLEP 2013 are proposed to be consolidated into a single objective to be retained in the proposed ERLEP.</p>	<p>The objectives are proposed to be consolidated as follows:</p> <ul style="list-style-type: none"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To allow the development of non-agricultural land uses that are compatible with the character of the zone. Including function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural use.</li> </ul> <p><i>Note: all SI objectives will be retained.</i></p>
<i>Issue 2: Permissibility of Land Uses</i>		
Turf Farming	Turf Farming is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013 (Intensive Plant Agriculture). The impacts of the development in this zone are considered minor and like other intensive plant agriculture land uses which do not require consent. Therefore, the permissibility of CLEP 2013 is considered appropriate.	Permit Turf Farming without consent
Forestry	Forestry is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The potential impacts of	Permit Forestry with consent

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*Consolidated Edward River Local Environmental Plan*

	Forestry warrant the need for land use regulation through development assessment as opposed to being permitted without consent.	
Dual Occupancies	Dual Occupancies, Dual Occupancies (attached) and Dual occupancies (detached) are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. Several other forms of residential accommodation resulting in dual accommodation units are permissible, and this form should not be alienated. Potential land use conflict of such development can be mitigated through development assessment.	Permit Dual Occupancies, Dual Occupancies (attached) and Dual Occupancies (detached) with consent.
Home Business	Home Business is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The impacts of the development in this zone is considered minor therefore permissibility of CLEP 2013 is considered appropriate.	Permit Home Business without consent
Home Occupation (sex services)	Home occupation (sex services) are prohibited in the CLEP 2013 and permitted with consent in the DLEP 2013. The impacts of the development in this zone are considered minor however warrants control through development assessment therefore the permissibility of the DLEP 2013 is considered appropriate.	Permit Home occupation (sex services) with consent
Backpackers Accommodation, Hotel or Motels and Caravan Park	Backpackers Accommodation, Hotel or Motel and Caravan Park are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013.  With appropriate controls through the DCP and the development assessment process Caravan Park accommodation would have minor impact and are appropriate non-agriculture land	Permit caravan Park with consent  Prohibit Hotel Motel, Backpackers Accommodation,  Prohibit Tourism and Visitor accommodation (parent term)

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	<p>uses compatible with the character of the zone and consistent with the zone objectives.</p> <p>Backpackers accommodation however is considered to have potential local land use conflict in the agricultural area and is not consistent with the zone objectives. Other types of tourist accommodation are permissible in the zone. The use is considered to be more suitably located in alternate zones within the LEP.</p>	
Restaurant or Café, Highway Service Centre, Markets, Rural Supplies and Function Centres	<p>Restaurant or Café, Highway Service Centre, Markets, Rural Supplies and Function Centres are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. With appropriate controls through the DCP and the development assessment process these land uses would have minor impact and are appropriate non-agriculture land uses compatible with the character of the zone and consistent with the zone objectives.</p>	<p>Permit Artisan Food and Drink Industry, Highway Service Centre, Restaurant or Café, Markets, Rural Supplies and Function Centres with consent</p>
Takeaway food & drink premises, Garden centre, Kiosk, Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies	<p>Take away food &amp; drink premises, Garden centre, Kiosk, Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. These land uses are not suitable due to inconsistency with the objectives of the zone, likely alienation of resource land and potential land use conflicts with traffic, odours and noise. The uses are more suitably located in alternate zones within the LEP.</p>	<p>Prohibit Take away food &amp; drink premises, Garden centre, Kiosk, , Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies</p>
Industries	<p>Industries (parent term) is prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. It is proposed to be</p>	<p>Prohibit Industries (parent term)</p>

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	prohibited as not all sub terms are permissible.	
General Industries	General Industries are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. The use is not considered an appropriate use in this zone and is most appropriate in industrial zoned land in the LEP area. Land use conflicts relating to contamination, safety and alienation of resource land are likely with adjoining permitted agricultural land uses.	Prohibit General Industries
Light Industries (parent term) and High technology Industries	Light Industries (parent term) and High Technology Industries are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. The definitions of both require that development does not interfere with the amenity of the neighbourhood amongst other controls to minimise impact. Therefore, the permissibility of CLEP 2013 is considered appropriate.	Permit Light Industries (parent term) and High Technology Industries  Permit Artisan Food and drink industry (child term) with consent
Storage Premises (parent term), Self-Storage Units, Warehouse or Distribution Centres, Car Parks, Transport Depot, and Truck Depot	Storage Premises (parent term), Self-Storage Units, Warehouse or distribution centres, Car Parks, Transport Depot, and Truck Depot are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. Impact of such land uses is potentially minimal and likely able to be mitigated through the development assessment process. The permissibility of CLEP 2013 is considered appropriate.	Permit Storage Premises (parent term), Self -Storage Units, Warehouse or distribution centres, Car Parks, Transport Depot, and Truck Depot with consent
Roads	Roads are mandated under the SI to be either permitted with consent or permitted without consent. Roads are permitted with consent in the DLEP 2017 and permitted without consent in the CLEP 2017. The potential impacts of Roads warrant the need for land use regulation via development assessment as	Permit Roads with consent

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*Consolidated Edward River Local Environmental Plan*

	opposed to being permitted without consent. Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.	
Wharf or boating facilities and Charter & Tourism Boating facilities	Wharf or boating facilities are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. Charter & Tourism Boating Facilities are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. With appropriate controls this development would potentially have minor impact and is an appropriate non-agriculture land use consistent with the zone objectives.	Permit Wharf or boating facilities and Charter & Tourism Boating facilities with consent
Educational Establishment (parent term), Schools, Health consulting rooms, Childcare centres, Places of Public Worship, Public Administration Building, Recreation facilities (indoor) and Crematorium	Educational Establishment (parent term), Schools, Health consulting rooms, Childcare centres, Places of Public Worship, Public Administration Building, Recreation facilities (indoor) and Crematorium are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. This form of development will have potential land use conflict in the agricultural zone and is not consistent with the zone objectives. Such uses are more appropriate in more urban zones within the LEP area.	Prohibit Educational Establishment (parent term), Schools, Prohibit Health Consulting rooms, Childcare centres, Public Administration Building, Recreation facilities (indoor), Places of Public Worship and Crematorium
Building Identification Signage and Business identification Signage	Building Identification Signage and Business identification Signage are permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The impact of signage meeting these definitions in this zone are minimal therefore the permissibility of the CLEP 2013 is considered appropriate.	Permit Building Identification Signage and Business Identification Signage without consent
Boat building and repair, vehicle body repair workshops and vehicle repair stations	Boat building and repair, vehicle body repair workshops and vehicle repair stations are permitted with consent in CLEP	Permit Boat building and repair and vehicle repair stations with consent.

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	<p>2013 and prohibited in DLEP 2013. With appropriate controls Boat building and repair, vehicle repair stations would potentially have minor impact and is an appropriate ancillary land use consistent with the zone objectives.</p> <p>Vehicle body repair workshops are likely to result in land use conflict in the residential zone and this land use is not considered an appropriate use in the zone.</p>	Prohibit vehicle body repair workshops
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#### R5 Large Lot Residential

**Table 4: Justification for Proposed Amendments to R5 Large Lot Residential Land Use Zone Objectives and Land Use Permissibility**

R5 Large Lot Residential		
Issue 1: Non-mandated and duplicated, repetitive objectives between plans		
Issue	Justification	Action/Recommendation
Zone objectives	<p>CLEP 2013 includes 2 additional objectives to the mandated SI objective within DLEP 2013 relating to agriculture and the rural characteristics of the locality.</p> <p>These additional objectives are proposed to be amended and consolidated into one ensuring they are applicable to the proposed LEP area which includes additional R5 land in more urban localities.</p>	<p>The objectives are proposed to be consolidated as follows:</p> <ul style="list-style-type: none"> <li>• To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</li> <li>• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</li> <li>• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To provide opportunities for low intensity residential development and other non-residential development that is compatible with the characteristics of the locality.</li> </ul>

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		<i>Note: all SI objectives will be retained.</i>
<i>Issue 2: Permissibility of Land Uses</i>		
Bee keeping	Bee keeping is prohibited in the DLEP 2013 and permitted without consent in the CLEP 2013. The potential impacts of bee keeping are minimal, however warrant the need for land use regulation via development assessment in this zone.	Permit Bee keeping with consent
Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming	Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming are prohibited in the DLEP 2013 and permitted in the CLEP 2013. Most lots within this zone are relatively small therefore not suitable for extensive commercial crop or livestock production or provide appropriate buffers to mitigate impacts of Intensive Plant Agriculture and Turf farming. The surrounding rural lands provide for these agricultural uses.	Prohibit Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming.
Horticulture, Viticulture and Farm Buildings	Horticulture, Viticulture and Farm Buildings are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. In some circumstances impact may be contained to an appropriate level to mitigate land use conflict in this zone therefore the permissibility of CLEP 2013 is considered appropriate. Controls through DCP and appropriate Development assessment to minimise impact	Permit Horticulture, Viticulture and Farm Buildings with consent
Residential Accommodation (parent term), Group Homes, Group homes (permanent) and Group homes (transitional)	Residential Accommodation (parent term), Group Homes, Group homes (permanent) and Group homes (transitional) are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. Residential Accommodation in this form is consistent with the objectives of	Prohibit Residential Accommodation (parent term), Permit dwelling houses , dual occupancies Group Homes, Group homes (permanent) and Group homes (transitional)

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	the zone and considered a permissible use.	
Home occupation (sex services)	Home occupation (sex services) are prohibited in the CLEP 2013 and permitted with consent in the DLEP 2013. The impacts of the development in this zone are considered minor however warrants control through development assessment therefore the permissibility of the DLEP 2013 is considered appropriate.	Permit Home occupation (sex services) with consent
Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities	Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013.  Food and drink premises (parent term) is proposed to be prohibited as not all sub terms are permissible.  All other uses will have potential land use conflicts in the residential zone including noise, traffic and odour and are not consistent with the zone objectives.	Prohibit Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities
Restaurants or café, Take away food & drink premises, Garden Centres, Roadside stalls, Neighbourhood shops, Function Centres, Childcare centre, Community facilities, Information and education facilities, Places of public worship, Cemetery and Exhibition homes	Restaurants or café, Take away food & drink premises, Garden Centres, Roadside stalls, Neighbourhood shops, Function Centres, Childcare centre, Community facilities, Information and education facilities, Places of public worship, Cemetery and Exhibition homes are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. With appropriate controls these forms of development would potentially have minimal conflict between land uses in this zone and are an appropriate land use	Permit Restaurants or café, Artisan Food and drink Industry, Garden Centres, Roadside stalls, Childcare centre, Community facilities, Information and education facilities, Places of public worship, and Exhibition homes with consent.  Prohibit Cemeteries, Take away food & drink premises, Neighbourhood shops and Function Centres



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	consistent with the zone objectives.	
Roads and Building Identification Signage	Roads and Building Identification Signage are permitted with consent in the DLEP 2013 and permitted without consent in the CLEP 2013. Given the sensitivity of the residential zone the permissibility of the DLEP 2013 is considered appropriate. Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.	Permit Roads and building Identification Signage with consent

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### E3 Productivity Zone (B6 Enterprise Corridor)

Correction of anomaly to the current prohibition of Shops in this zone. Proposed to permit Shops with consent to ensure consistency with existing land uses in current and proposed E3 zoned land (see Section 2 below regarding rezoning of Davidson St).

**Note:** Council proposes the introduction of the new employment zones as part of this Planning Proposal. It is proposed that the existing B6 zone will transition to E3 Productivity zone. The Employment zone transitions are covered in Section 4

**Table 6: Justification for Proposed Amendment to E3 Productivity Zone**

#### Land Use Permissibility

E3 Productivity zone (B6 Enterprise Corridor Zone)		
Issue 1: Permissibility of Shops		
Issue	Justification	Action/Recommended
Shop	<p>The current DLEP 1997 administering the 'deferred area' permits Shops with consent in the Urban Zone. This area is proposed to be rezoned to E3 as part of this proposal which prohibits shops. The amendment is considered necessary to retain the existing development potential of the subject land.</p> <p>The prohibition of Shops is considered too restrictive having consideration to the current permissibility of the DLEP 1997 and existing land use patterns of the subject land.</p> <p>Most other Retail Premises group term are permitted in the E3 zone.</p> <p>Current B6 zoned land adjacent to the deferred area in Victoria St includes a butcher shop amongst other commercial activity, therefore it is considered the proposed correction is appropriate to existing B6 zoned land (E3 proposed). There is no other B6 zoned land in the LEP area.</p> <p>The objectives of the E3 zone include to maintain the</p>	Permit Shop with consent

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	<p><i>economic strength of centres by limiting retail activity.</i> New retail activity (which include shops) in the E3 area is constrained to an extent by the availability of existing premises, as new development is limited due to local flood restrictions. Therefore, it is not considered the permissibility of shops in this zone will compromise the CBD.</p> <p>The use is consistent with the objectives of the zone and considered a complimentary use in the E3 zone for Deniliquin.</p>	
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#### E4 General Industrial (INI General Industrial Zone)

**Correction of anomaly to the current prohibition of Information and Education Facilities in this zone. Proposed to permit Information and Education Facilities for the reasons outlined in the justification below.**

**Note:** Council proposes the introduction of the new employment zones as part of this Planning Proposal. It is proposed that the existing IN1 zone will transition to E4 General industrial zone. The Employment zone transitions are covered in Section 4.

**Table 8: Justification for Proposed Amendment to INI General Industrial Zone Land Use Permissibility**

E4 General Industrial (INI General Industrial)		
Issue 1: Permissibility of Information and Education Facility		
Issue	Justification	Action/Recommended
Information and Education Facility	<p>An Information and Education Facility which includes an art gallery, museum, library, and visitor information centre is prohibited in the INI (E4 proposed) zone of the DLEP 2013.</p> <p>Edward River Council has recently granted a DA for a part temporary use as an information and education facility (transport museum) in the INI Zone (E4 proposed). The applicant is seeking approval for a permanent use rather than a temporary use which requires an amendment to the land use permissibility within the LEP.</p>	Permit Information and Education Facility with consent

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	It is considered that impact of such land use in the INI zone of Deniliquin is minimal and if required able to be mitigated through provisions in the DCP and the development assessment process.	
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### SP2 Infrastructure

**Table 9: Justification for Proposed Amendment to SP2 Infrastructure Zone Land Use Permissibility**

SP2 Infrastructure		
Issue 1: Permissibility of Information and Education Facility		
Issue	Justification	Action/Recommended
Roads	Roads are permitted with consent in the DLEP 2013 and permitted without consent in the CLEP 2013. Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.	Permit Roads without consent
Group Homes	Group Homes are not permitted in the DLEP 2013 and the CLEP 2013. Development for the purpose shown on the Land zoning map that is Ancillary or incidental development for the purpose. shown is permitted with consent in the DLEP 2013 and CLEP 2013. To align with Housing SEPP prescribed zones Group homes to be permitted with Consent	Intent is to permit Group Homes with consent
Education Establishment	Education Establishments are not permitted in the DLEP 2013 and the CLEP 2013. Development for the purpose shown on the Land zoning map that is ancillary or incidental development for the purpose. shown is permitted with	Intent to permit Education Establishment with consent

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	consent in the DLEP 2013 and CLEP 2013. To align with Education SEPP prescribed zones Education Establishments to be permitted with Consent	
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### ERLEP Part 3 - Exempt and Complying Development

Part 3 of the consolidated ERLEP will identify the circumstances when development can be undertaken without consent (exempt development) and as complying development.

**Key Issues**

- Clauses 3.1 – 3.3 of CLEP 2013 and DLEP 2013 are consistent and proposed to be retained in the consolidated LEP.
- Clauses 3.1 and 3.2 enable Exempt and Complying Development Provisions and are addressed below in “ERLEP Schedule 2 - Exempt Development” and “ERLEP Schedule 3 - Complying Development” of this proposal.

### ERLEP Part 4 - Principal Development Standards

Part 4 of the consolidated ERLEP will cover the development standards for minimum subdivision sizes, rural subdivision, and erection of dwellings in certain rural and environmental protection zones. This part will also identify circumstances when the development standards may be altered or varied.

**Key Issues**

- *Table 9* below identifies where changes are required to specific objectives to ensure consistency.
- The DLEP 2013 includes some additional provisions in relation to subdivision and rural dwellings which are not part of the CLEP 2013. These provisions are proposed to be incorporated into the consolidated LEP as outlined in *Table 9* below.
- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.

**Table 10: Justification for proposed amendments to Principal Development Standards**

Lot Size & Subdivision		
Issue 1: Non-mandated and duplicated, repetitive objectives between plans		
Issue	Justification	Action/Recommendation
Clause objectives	This issue relates to DLEP 2013 and CLEP 2013 clauses 4.1.	The ERLEP should adopt a combination of DLEP 2013 and CLEP 2013 objectives as follows:

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	<p>The simplification of objectives promotes a more streamlined planning instrument and removes unnecessary duplication of objectives with similar intent.</p>	<ul style="list-style-type: none"> <li>• to maintain appropriate farm sizes for agricultural production and protect the productive capacity of agricultural land.</li> <li>• to ensure that rural residential development does not result in fragmentation of rural lands</li> <li>• to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area.</li> <li>• to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality and have a practical and efficient layout to meet their intended use.</li> <li>• to minimise the intensification of development on flood liable land</li> <li>• to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council</li> </ul>
<b>Issue 2: Minimum subdivision lot size for community title schemes &amp; strata plan schemes</b>		
Minimum subdivision lot size for community title schemes and strata plan schemes	<p>This issue relates to DLEP 2013 Clause 4.1AA and Clause 4.2A. It prevents land in the RU1, R5 and C3 Zones from being subdivided below the minimum lot size using a Community title scheme and Strata title scheme, respectively. Ultimately ensuring additional dwelling entitlements are not created. This is consistent with the intent and objectives of the applicable zones to this standard.</p>	<p>Include DLEP 2013 Clause 4.1AA – Minimum subdivision lot size for community title schemes and Clause 4.2A – Minimum subdivision lot size for strata plan schemes in certain rural, residential, and environmental protection zones.</p>
<b>Issue 3: Exceptions to minimum subdivision lot sizes</b>		
Exceptions to minimum subdivision sizes	<p>This issue relates to DLEP 2013 Clause 4.1A and Clause 4.1B. Both standards provide a more flexible approach to rural subdivision and should</p>	<p>Include DLEP 2013 Clause 4.1A – Exceptions to minimum subdivision lot sizes for certain split zones and Clause 4.1B Exceptions to minimum lot sizes for certain rural subdivisions</p>

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	therefore be adopted to ensure that existing development potential of land is retained.	
<b>Issue 4: Erection of dwelling houses on land in certain rural and environment protection zones</b>		
Erection of dwelling houses on land in certain rural and environment protection zones	This issue relates to DLEP 2013 Clause 4.2B and applies to RU1 and C3 land. This standard provides a more flexible approach to the erection of dwellings in these zones and should be adopted to ensure that existing development potential of land is retained.	Include DLEP 2013 Clause 4.2B – Erection of dwelling houses on land in certain rural and environment protection zones
<b>Issue 5: Boundary changes between lots in certain rural, residential and environment protection zones</b>		
Boundary changes between lots in certain rural, residential and environment protection zones	This issue relates to DLEP 2013 Clause 4.2D and applies to RU1, R5 and C3 land. This standard enables the subdivision of 2 or more adjoining lots below the minimum lot sizes in certain circumstances. This clause enables a more flexible approach to boundary changes and should be adopted to ensure that existing development potential of land is retained.	Include DLEP 2013 Clause 4.2D - Boundary changes between lots in certain rural, residential and environment protection zones.  Include 'Other issues' model clause.
<b>Issue 6: Subdivision for the purpose of intensive Plant agriculture</b>		
Subdivision for the purpose of plant agriculture	This issue relates to CLEP 2013 Clause 4.2D and applies to RU1. This standard provides a more flexible approach in the application for standards for subdivision for the purpose of intensive agriculture in the rural zone.	Include CLEP 2013 Clause 4.2D – Subdivision for the purpose of intensive plant agriculture

### ERLEP Part 5 - Miscellaneous Provisions

Part 5 of the consolidated ERLEP will cover miscellaneous provisions including acquisition for public purposes, classification of public land, controls relating to specific land uses, development near zone boundaries, conversion of fire alarms, heritage conservation and bushfire hazard reduction.

#### Key Issues

- Clause 5.4 is the only provision which is inconsistent between the DLEP 2013 and CLEP 2013 within this part. *Table 11* below identifies the changes required to this clause to ensure consistency.

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- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.

**Table 11: Justification for amendments to Miscellaneous Provisions**

Controls relating to miscellaneous permissible uses		
Issue 1: Inconsistent provisions		
Issue	Justification	Action/Recommended
Miscellaneous provisions	<p>This issue relates to both DLEP 2013 and CLEP 2013 Clause 5.4. Both are based on the SI LEP.</p> <p>This clause nominates the area or size of several land uses. In most instances these are different between the two plans.</p> <p>It is recommended that the provision which provides the most flexibility be adopted to ensure that existing development potential of land is retained.</p>	<p>The ERLEP should adopt the control which provides the greater flexibility.</p> <p>The CLEP 2013 provisions should be adopted for Industrial retail outlets, farm stay accommodation, neighbourhood shops, secondary dwellings and artisan food and drink industry exclusion.</p> <p>The DLEP 2013 provisions should be utilised for kiosks and roadside stalls</p>

## ERLEP Part 6 - Additional Local Provisions

Part 6 of the consolidated ERLEP will specify additional local provisions in relation to certain matters (e.g., flooding) and localities within the Local Government Area (LGA).

### Key Issues

- The local provisions for Salinity and Sex Services differ within the DLEP 2013 and CLEP 2013. *Table 12* below identifies the changes required to this clause to ensure consistency.
- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.
- Clause reference numbers within this Part will need to be renumbered.

**Table 12: Justification for amendments to Additional Local Provisions**

Additional Local Provisions		
Issue 1: Inconsistent salinity provisions		
Issue	Justification	Action/Recommendation
Salinity provisions	<p>This issue relates to DLEP Clause 6.5 and CLEP Clause 6.7 both regarding the management of salinity. There is a very minor discrepancy in wording between the two clauses of which does not change the intent of the</p>	<p>Include CLEP 2013 Clause 6.7 Salinity and remove DLEP 2013 Clause 6.5 Salinity.</p>



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	provision, however it is considered the wording of CLEP Clause 6.7 provides better clarity.	
<b>Issue 2: Inconsistent sex services provision</b>		
Sex services provisions	<p>This issue relates to DLEP Clause 6.8 and CLEP Clause 6.9 relating to the Location of sex services premises.</p> <p>The DLEP provision requires that when deciding whether to grant development consent for the purpose of sex services premises, consideration must be given to whether the premises will be located on land that adjoins or is directly opposite land in Zone R1 and Zone RE1. The CLEP provision refers to Zone RU5 and Zone R5 in this same requirement.</p> <p>It is appropriate and consistent with the objectives of this provision to consider all of these abutting zonings when deciding on a development application for a sex services premises.</p>	<p>Include Zone R1 General Residential, Zone RE1 Public Recreation, Zone RU5 Village and Zone R5 Large Lot Residential in point (2)(a)(a) of the additional local provision for Location of sex services premises.</p>
<b>Issue3: Inconsistent caravan park provisions</b>		
Caravan Park provisions	<p><u>This issue relates to the permissibility of caravan parks within the RU1 zone</u></p>	<p>Caravan parks to be permissible in the RU1 zone subject to Local provision as follows:</p> <p>1) The intent of the clause is to cover the following detail;</p> <p>(a) to enable appropriate forms of caravan parks to be developed in conjunction with primary production uses,</p> <p>(b) to encourage development that will not have an adverse impact on primary production activities in the existing area.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Before determining a development application for development for the purposes of a caravan park on land to which this clause applies, the consent authority must consider—</p>

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		<p>(a) the suitability of the site for the development, and</p> <p>(b) the likely impact of the development on adjoining and adjacent land, and</p> <p>(c) that adequate access exists or will be provided to service the development from a road other than a classified road, taking into account the scale of the development, and</p> <p>(d) the development will not have a significant adverse impact on agricultural production, the scenic amenity of the locality or significant features of the natural environment, and</p> <p>(e) that adequate on-site wastewater systems will service the land without having an adverse impact on the water quality of the area, and</p> <p>(f) that adequate water supply is available for potable and firefighting purposes, and</p> <p>(g) that the development will not be affected by natural hazards</p> <p>The of the Local clause is as stated however the final detail will be subject to Parliamentary Counsel drafting</p>
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### ERLEP Schedule 1 – Additional Permitted Uses

Schedule 1 of the Edward River Local Environmental Plan (ERLEP) will identify land within the Edward River Local Government Area (LGA), which has additional development entitlements beyond those specified in the land use tables. This Schedule will apply to Clause 2.5 (Additional permitted uses for particular land) of the ERLEP.

#### *Key Issues*

- CLEP 2013 does not specify additional permitted uses. DLEP 2013 contains two additional permitted use –

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1. Permitting Residential Accommodation with development consent at 321 Victoria Street, Deniliquin.

This will be retained in the consolidated LEP, as would otherwise be an inequitable outcome for this landholder.

2. This clause applies to land at 227 Augustus Street, Deniliquin (being Lot 114, DP 756310) identified as "1" on the [Additional Permitted Uses Map](#).

Development for the purpose of general industry (limited to the manufacture of precast concrete components) is permitted with development consent.

This will be retained in the consolidated LEP, as would otherwise be an inequitable outcome for this landholder.

3. An Additional Permitted Use is proposed in line with the new translation of the new employment zones .

This clause is to apply 137-143 Napier St (Lots 2 and 3 DP 1135813) development for the purpose of an office premises is to be permitted with consent.

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## ERLEP Schedule 2 – Exempt Development

Schedule 2 of the Edward River Local Environmental Plan (ERLEP) will identify exempt development, which may be undertaken without consent. This Schedule will apply to Clause 3.1 (Exempt development) of the ERLEP.

### *Key issues*

- DLEP 2013 does not specify additional exempt development. CLEP 2013 contains a number of exempt developments in relation to signage. These are proposed to be removed as identified in *Table 13* below.

**Table 13: Justification for amendments to Schedule 2 – Exempt Development**

Exempt Development		
Issue 1: Inconsistency with SEPP		
<i>Issue</i>	<i>Justification</i>	<i>Action/Recommendation</i>
Permissibility of Signage	This issue relates to CLEP 2013 Schedule 2: Exempt development. Circumstances the schedule exempts Advertisements and advertising structures, Real estate signs and Signs behind glass line of shop windows. These exemptions are inconsistent with the SEPP Exempt and Complying Development Codes and SEPP 64 Advertising and Signage. Therefore, to create a more streamlined planning instrument it is recommended the CLEP exemptions be removed.	The ERLEP should remove Advertisements and advertising structures, Real estate signs and Signs behind glass line of shop window from Schedule 2.

## ERLEP Schedule 3 - Complying Development

Schedule 3 of the ERLEP will identify development, which may be undertaken as complying development. This Schedule will apply to Clause 3.2 (Complying development) of the ERLEP.

### *Key Issues*

- Neither DLEP 2013 nor CLEP 2013 specifies complying development within Schedule 3 Complying Development.

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#### **ERLEP Schedule 4 - Classifications and Reclassification of Public Land**

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Schedule 4 of the ERLEP will identify any public land, which is proposed to be reclassified in accordance with the Provisions of the Local Government Act, 1993. This Schedule will apply to Clause 5.2 (Classification and reclassification of land) of the CLEP.

##### *Key Issues*

- Neither DLEP 2013 nor CLEP 2013 specifies any land within Schedule 4 Classifications and Reclassification of Public. There are no changes to Schedule 4 proposed as part of this amendment.

#### **ERLEP Schedule 5 - Environmental Heritage**

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Schedule 5 of the ERLEP will identify heritage items, heritage conservation areas and archaeological sites. This Schedule will apply to Clause 5.10 (Heritage conservation) of the CLEP.

##### *Key Issues*

- All listed Heritage Items and Heritage Conservation Areas included in the DLEP 2013 and CLEP 2013 are proposed to be retained within the ERLEP.
- It is likely that during the instrument drafting, amendments to the clause and subclause numbering (including in clause referral numbering) will be required.

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## JUSTIFICATION

### Section A – Need for the Planning proposal

*1. Is the Planning proposal a result of any Strategic Study or report?*

The planning proposal has been initiated following the amalgamation between the former Deniliquin Council and Conargo Shire Council on 12 May 2016.

Conargo Rural Lands Strategy was endorsed by the Department on 19 June 2013. The proposal is consistent with the Strategy. Deniliquin does not have an endorsed land use strategy.

The creation of a new Edward River Local Environmental Plan (ERLEP) will be achieved via a process of consolidation. The process will consolidate, simplify, and align where possible the controls within the Deniliquin Local Environmental Plan (DLEP 2013) Conargo Local Environmental Plan 2013 (CLEP 2013) and Deniliquin Local Environmental Plan (DLEP 1997) into a single environmental planning instrument (EPI).

*2. Is the Planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

All the matters covered by the Planning proposal relate to achieving a single environmental planning instrument (EPI). In this regard, the planning proposal is the only mechanism for achieving the intended outcomes and is a transparent community consultative process.

### Section B – Relationship to strategic planning framework

*3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 2.

*4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

Edward River Council does not have a comprehensive local land use strategy that applies to the former Deniliquin Local Government Area.

#### Local Land Use Strategies

The Conargo Shire Council Rural Lands Strategy (endorsed by Department 19 June 2013) applies to the proposal. This strategy applies to rural land only within the former Conargo Local Government Area. The Rural zone objectives, land use permissibility's and land use provisions are proposed to be amended to align existing planning instruments, including the strategy. The proposal is consistent with the strategy.

#### Edward River Local Strategic Planning Statement

The Edward River Council Local Strategic Planning Statement (LSPS) 2020 sets out the 20-year vision for land use planning in the Edward River Local Government Area (LGA), outlining how change will be managed to maintain the high levels of liveability and landscape quality that characterises the Edward River region. It identifies the special characteristics that contribute to the regions local identity and recognises the shared community values to be maintained and enhanced.

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The LSPS identifies Eight (8) Planning Priorities to achieve the Council's vision for the Edward River region being; Agriculture, Industry, Heritage, Liveability, Housing, Infrastructure, Climate Change and Natural Hazards and the Environment.

The statement is aligned with the Edward River Council Community Strategic Plan 2018-2030 and gives effect to the Riverina Murray Regional Plan 2036 implementing the directions and actions at a local level.

The Planning proposal is generally consistent with the objectives and principles of the LSPS by providing a consistent application of land use zones and uses and local clauses throughout the Edward River Council area.

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identifies the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan 2016-17. An assessment of the objectives of the Operational Plan has been undertaken, as attached to this proposal.

The Planning proposal is generally consistent with the objectives and principles of the CSP by providing a consolidated and consistent application of land use zones and uses throughout the Edward River shire.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 1.

The proposal is consistent with the relevant provisions.

6. *Is the Planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

The proposal has been considered against the relevant Ministerial Section 9.1 Directions. The full assessment of these Directions is contained within Appendix 3 of this proposal.

**Section C – Environmental, Social and Economic Impact**

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

No, there will be no change from current situation and planning controls.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The planning proposal does not propose any detrimental environmental impacts from the introduction of the consolidated Standard Instrument.

9. *Has the planning proposal adequately addressed any social and economic effects?*

The planning proposal provides an opportunity to consolidate the three current local planning instruments applicable within the Edward River LGA to reduce the number of documents to one single

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Local Environmental Plan. This will help to provide greater certainty to landowners, resolve any errors, align controls, and land uses where possible and promote greater certainty for new development.

The intention is to retain the development right of landowners where there is currently a development right and the use is considered appropriate. The ERLEP generally does not seek to alter the zoning or minimum lot sizes of land, outside of the Deniliquin deferred area. However, to achieve consolidation of the planning instruments the permissibility of several land uses are proposed to be amended in both the CLEP 2013 and DLEP 2013 in the RU1 and RU5 zones. These are ancillary or complementary to the objectives of these zones.

**Section D – State and Commonwealth Interests**

*10. Is there adequate public infrastructure for the planning proposal?*

The proposal is primarily a consolidation of the existing provisions of DLEP 2013 and CLEP 2013 and correction of some administrative anomalies. The implementation of the ERLEP is not expected to alter the infrastructure requirements for the LGA area.

*11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

Council has not consulted any state or Commonwealth public authorities in relation to this planning proposal at this time.

Consultation with relevant state agencies will be undertaken as required by the Gateway determination.



## SECTION 2

### Consolidation of DLEP 1997 into ERLEP

### Rezoning of “Deferred Area” of Davidson Street, Deniliquin

#### Objectives

- Consolidate the deferred area currently administered under the DLEP 1997 into the proposed ERLEP.

During the preparation of the Deniliquin Local Environmental Plan (DLEP 2013), Council had unresolved concerns regarding the rezoning of land in Davidson St. At its meeting on 25 September 2013, Council resolved to defer the rezoning of both sides of Davidson Street between the two bridges (image 1 below) pending provision and finalisation of the Edward River Flood Study. The intention of Council was that this land continue to be administered under the Deniliquin Local Environmental Plan 1997 until the Flood Study is completed. The Department of Planning and Environment (DPE) agreed to the deferral.



Image 1: “Deferred Area” to which LEP 1997 currently applies.

The Edward River Flood study is now complete, and the Department of Planning and Environment issued a **gateway** determination to proceed with a planning proposal (PP\_2018\_ERIVE\_001\_00) to amend the Deniliquin LEP 2013 and Deniliquin LEP 1997 to update Flood Planning Maps and Clauses as per the recommendations in the Floodplain Risk Management study and Plan. The Planning Proposal was finalised in June 2020.

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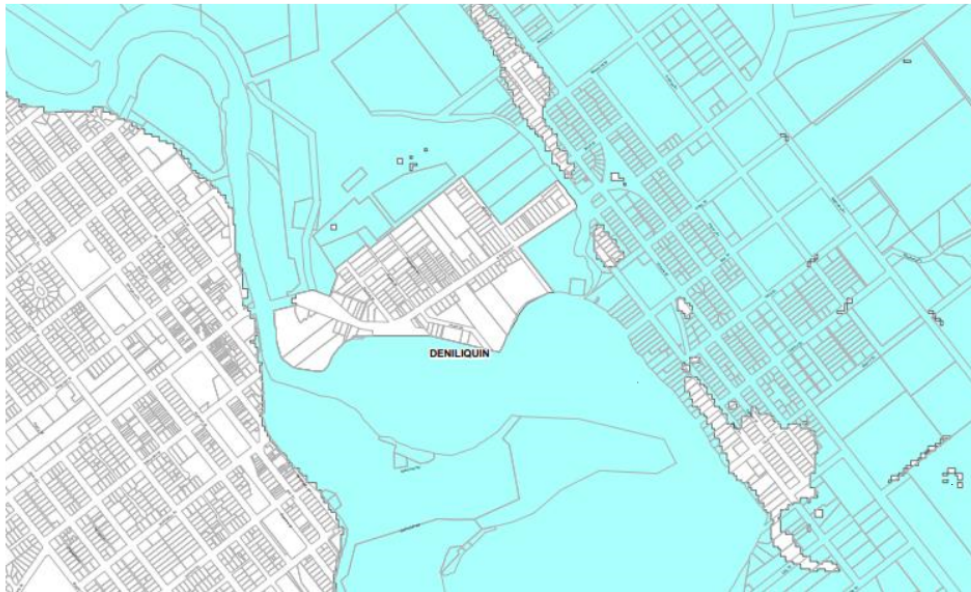
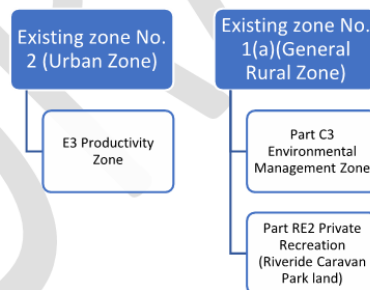


Figure 1 Flood Mapping DLEP 1997

It is proposed to include the deferred area currently administered under the Deniliquin LEP 1997 in the current DLEP 2013 and proposed ERLEP. This will require rezoning to be consistent with the Standard Instrument (SI) zoning, reflective of existing land uses. The land directly abutting Davidson St is currently zoned No. 2 (Urban Zone) with the remainder in this deferred area zone No. 1 (a)(General Rural Zone). It is proposed to rezone the land as follows:



The proposed zones identified in the draft ERLEP are the most suitable for this land when considering the flood prone nature of the land. Both zones reflect the existing land use patterns within the area; the E3 Productivity zone allows for a range of commercial and light industrial uses, and the C3 Environmental Management zone maintains dwelling entitlements and the existing minimum lot size. The RE2 zone is considered most appropriate zone for the existing Caravan Park situated at Lot 12 DP 808189, Lot 1 DP 1103707, Lot 2 DP 1103707 20 Davidson Street.

Current & proposed land use permissibility's are identified in *Appendix 5 Tables 17 and 18*. The proposed zoning is considered the best equivalent zone to the existing zoning.

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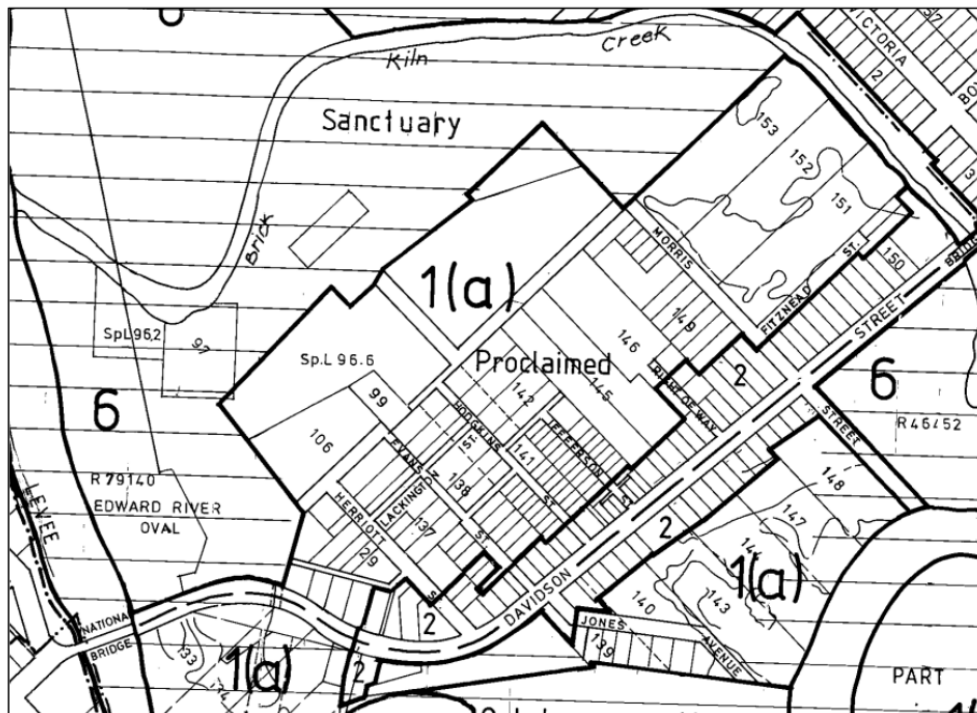


Figure 2 -Existing zones DLEP 1997

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Figure 3 - proposed zone map-

## JUSTIFICATION

### Section A – Need for the planning proposal.

1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategy study or report?*

The planning proposal is the result of the completion of the Edward River Flood Study. At its meeting on 25 September 2013, Council resolved to defer the rezoning of both sides of Davidson Street between the two bridges pending provision and finalisation of the Edward River Flood Study. The intention of Council was that this land continue to be administered under the Deniliquin Local Environmental Plan 1997 until such time as the Flood Study is completed. The Department of Planning Industry & Environment (DPIE) agreed to the deferral. The flood study is now complete and agreed by Office of Environment and Heritage.

The rezoning of the deferred area utilises comparison zones and seeks to maintain the existing development rights within the Davidson Street precinct.

2. *Is the Planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the only mechanism for achieving the intended outcome to rezone the deferred area to enable consolidation of the DLEP 1997 into Standard Instrument format in the proposed ERLEP and allows for a transparent community consultation process.



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**Section B – Relationship to strategic planning framework**

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 1.

4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identify the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan. The planning proposal is generally consistent with the objectives and principles of the CSP.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 2.

The proposal is consistent with the relevant provisions.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within Appendix 3 of this proposal. There are no inconsistencies.

**Section C – Environmental, Social and Economic Impact**

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The planning proposal does not propose any detrimental environmental impacts from the introduction of the standard instrument zones for the Davidson Street precinct. No land use changes are proposed as part of the rezoning, only permissibility of additional land uses that will be required to be assessed through the development application process.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Flooding

Council have updated the Floodplain Risk Management Plan through a planning proposal (PP\_2018\_ERIVE\_001\_00) to insert flood planning maps into the DLEP 2013. The flood planning area identified the Davidson Street precinct as being flood prone land. The provisions in relation to flood prone land are not changing because of the rezoning, and the flood planning controls in the DLEP

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2013 will still apply. The proposal will be referred to Office of Environment and Heritage for comment during the consultation process.

The flood impacts were assessed as part of the PP\_2018\_ERIVE\_001\_00. The proposal will manage flood risk by continuing the application of a Flood Planning Area and Flood Planning Levels that are consistent with the Standard Instrument.

The environmental impacts of the proposal will require Council to assess the impacts of development on the area at the development application stage, allowing development that is compatible with the land's flood hazard and avoid significant adverse impacts on flood behaviour and the environment.

*9. Has the planning proposal adequately addressed any social and economic effects?*

The planning proposal is considered to provide social and economic benefits to the community through the consideration of flood risk for development and existing land uses. The Planning proposal provides an opportunity to rezone the 'deferred area' of Deniliquin to be consistent with the Standard Instrument (SI) zoning, reflective of existing land uses. The intention is to retain the development right of landowners where there is currently a dwelling right and the use is considered appropriate having regard to the flood risk. The rezoning does not provide for any additional increase in dwelling potential through reduction in minimum lot size.

**Section D – State and Commonwealth Interests**

*10. Is there adequate public infrastructure for the Planning proposal?*

The planning proposal does not increase demand for public infrastructure including public transport, roads, utilities, waste management or essential services, beyond the capacity of the existing system.

*11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

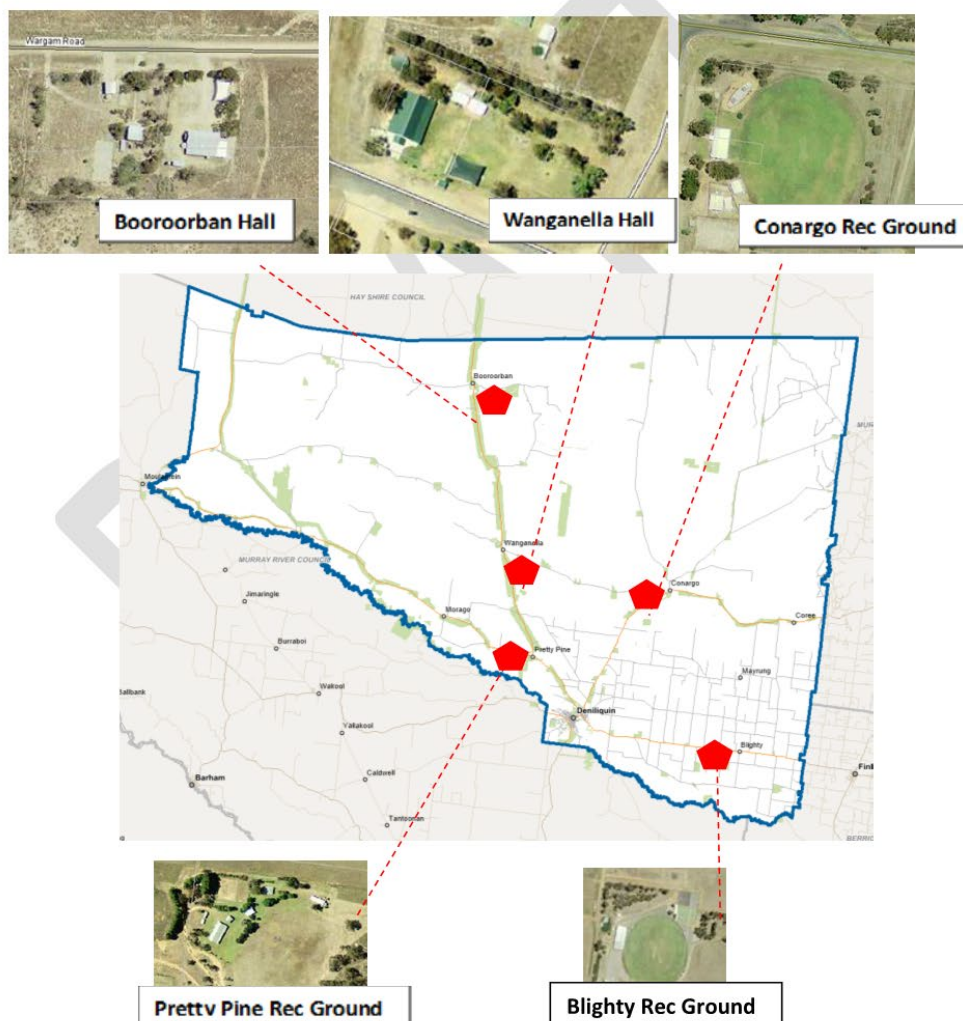
Council has not consulted any state or Commonwealth public authorities in relation to this planning proposal. Appropriate consultation will be completed as part of the community consultation as required by the Gateway determination.

## SECTION 3

### Rezoning of community recreation reserves / halls

#### Objectives

- Rezone the community halls and recreation reserves within the former Conargo Shire area to appropriately reflect the land use.



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A number of Edward River Council community halls and recreation reserves are located within the rural settlements of the LGA area (see image above). Currently the subject facilities are within the RU1 Primary Production Zone or RU5 Village zone, this is considered an anomaly which does not appropriately reflect the intended use of this land. It is proposed to rectify this anomaly through this proposal and rezone the subject land parcels to RE1 Public Recreation.

The RE1 Public Recreation Zone is the most appropriate zone allowing for a range of recreational and community uses and allows better management of the facilities by Council. The proposal will also remove the minimum lot sizes from the lots.

It is not proposed to reclassify or change any interests in the facilities.

**Table 19: Rezoning of community recreation reserves / halls**

Recreation Facility	Title Details	Current Zoning	Proposed Zoning	Minimum Lot Size
Pretty Pine Recreation Ground	Lot 7007 & Lot 7008 DP1023663	RU1	RE1	N/A
Wanganella Hall	Lot 88 DP1230613, Lot 7 & Lot 8 Sec 8 DP759045	RU5	RE1	N/A
Booroorban Hall	Lot 7303 DP1157228	RU1	RE1	N/A
Conargo Recreation Ground	Lot 123 DP756268	RU5	RE1	N/A
Blighty Recreation Reserve	Lot 72 DP756319	RU1	RE1	N/A

## JUSTIFICATION

### Section A – Need for the planning proposal

1. *Is the planning proposal a result of any Strategic Study or report?*

The planning proposal is not the result of any strategic study or report. The amendment to the zoning of the recreation facilities is being undertaken as part of the consolidation of the LEPs.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the most appropriate means of achieving the objectives of intended outcomes. It allows for a transparent and community consultation process.

### Section B – Relationship to strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 2.

4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*



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Edward River Council Community Strategic Plan 2018-2030

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identify the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan. The planning proposal is consistent with the Operational Plan.

The planning proposal is generally consistent with the objectives and principles of the CSP.

Edward River Local Strategic Planning Statement

The Edward River Local Strategic Planning Statement was endorsed by Council on 20 February 2020. The Statement sets a 20 year plan integrating land use, transport, and infrastructure planning. The proposed rezoning is in line with the LSPS Planning Priority 1: to control the form and scale of permissible development in rural areas and Planning priority 4: to actively seek opportunities/funding to upgrade/provide community facilities throughout the council area.

The planning proposal is consistent with the Local Strategic Planning Statement.

*5. Is the Planning proposal consistent with applicable State Environmental Planning Policies?*

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 1.

The proposal is consistent with the relevant provisions.

*6. Is the Planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within Appendix 3 of this proposal.

Direction 9.1.6.2 Reserving land for public purposes is applicable. The proposal is not inconsistent with the Direction, and the proposal does not change the reservation status of the land.

**Section C – Environmental, Social and Economic Impact**

*7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The proposal to rezone land to RE1 Public Recreation for the purposes of recreation, open space and parkland is consistent with the recommendations of the Edward River CSP 2018-2030. The amount of public land available will not be reduced and not result in a social cost to the community. The proposal is confirming the appropriate zone for the site.

*8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The planning proposal is likely to have an overall positive impact on subject land. The direct impacts of the proposal will be to reflect existing uses and rezone land already utilised for recreation, open space and parkland uses.

The proposal will strengthen the zoning and land use objectives applied to the recreational, open space and parkland areas and will ensure development is managed and compatible with the nature

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of the subject land, as identified in the proposal. This will retain social infrastructure and service in Edward River and potentially stimulate indirect economic impacts.

*9. Has the planning proposal adequately addressed any social and economic effects?*

The proposal will allow for appropriate uses to be undertaken on the sites, providing a social benefit to the community.

**Section D – State and Commonwealth Interests**

*10. Is there adequate public infrastructure for the Planning proposal?*

The planning proposal confirms but does not increase demand for public infrastructure including public transport, roads, utilities, waste management or essential services, beyond the capacity of the existing system.

*11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

The planning proposal is likely to be of minor significance to State and Commonwealth public authorities. Notwithstanding, appropriate consultation will be completed as required by the Gateway determination and community consultation requirements of the planning proposal.

## SECTION 4

### Translation of Employment zones

The Amendment Order to the Standard Instrument (Local Environmental Plans) Order introduces the new employment zones alongside the existing business and industrial zones and enables implementation into individual local environmental plans.

The new employment zones within the Standard Instrument Principal Local Environmental Plan came into effect on 1 December 2021.

Council proposes the introduction of the new employment zones as part of this Planning Proposal. The new employment zones to be adopted are as detailed in the table below and the translated land use tables

B2 – Business Centre	E1 – Local Centre
B6 – Enterprise Corridor	E3 – Productivity Support
IN1 – Industrial General	E4 – General Industrial

#### Current zone

#### Proposed zone

DLEP B2 Zone – Business Centre	ERLEP E1- Local Centre Zone
<p>1 Objectives of zone</p> <ul style="list-style-type: none"> <li>To provide a range of retail, business, entertainment, and community uses that serve the needs of people who live in, work in, and visit the local area.</li> <li>To encourage employment opportunities in accessible locations.</li> <li>To maximise public transport patronage and encourage walking and cycling.</li> <li>To encourage the development and expansion of business activity that will contribute to the economic growth of Deniliquin.</li> </ul>	<p>1 Objectives of zone</p> <ul style="list-style-type: none"> <li>To provide a range of retail, business and community uses that serve the needs of people who live, work, or visit the area.</li> <li>To encourage investment in local commercial development that generates employment opportunities and economic growth.</li> <li>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</li> <li>To encourage business, retail, community, and other non-residential land uses on the ground floor of buildings.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>
Environmental protection works; Home occupations; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems

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3 Permitted with consent	3 Permitted with consent
<p>Boarding houses; Childcare centres; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential care facilities; Respite Day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Water recycling facilities; Any other development not specified in item 2 or 4</p>	<p>Amusement centres; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Dwelling houses; Educational establishments; Entertainment facilities; Function centres; Home businesses; Home industries; Hotel or motel accommodation; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Residential care facilities; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; Water recycling facilities; Any other development not specified in item 2 or 4</p>
4 Prohibited	4 Prohibited
<p>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Transport depots; Vehicle body repair workshops; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities</p>	<p>Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Transport depots; Vehicle body repair workshops; Waste or resource management facilities;; Water treatment facilities; Wharf or boating facilities</p>

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DLEP B6 – Enterprise Corridor	ERLEP Zone E3 Productivity Support
<b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>• To promote businesses along main roads and to encourage a mix of compatible uses.</li> <li>• To provide a range of employment uses (including business, office, retail, and light industrial uses).</li> <li>• To maintain the economic strength of centres by limiting retailing activity.</li> <li>• To provide for residential uses, but only as part of a mixed-use development.</li> </ul>	<b>Objectives of zone</b> <ul style="list-style-type: none"> <li>• To provide a range of facilities and services, light industries, warehouses, and offices.</li> <li>• To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.</li> <li>• To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.</li> <li>• To provide for land uses that meet the needs of the community, businesses, and industries but that are not suited to locations in other employment zones.</li> <li>• To provide opportunities for new and emerging light industries.</li> <li>• To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.</li> <li>• To provide for residential uses, but only as part of a mixed-use development.</li> </ul>
<b>2 Permitted without consent</b>	<b>Permitted without consent</b>
Environmental protection works; Home occupations; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems
<b>3 Permitted with consent</b>	<b>Permitted with consent</b>

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Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Shop top housing; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4	Animal boarding or training establishments; Boat building and repair facilities; Building identification signs; Business identification signs; Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; Roads; Rural supplies; Service stations; Shops; Shop top housing; Specialised retail premises; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; Water recycling facilities; Wholesale supplies; Any other development not specified in item 2 or 4
<b>4 Prohibited</b>	<b>Prohibited</b>
Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Child care centres; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Places of public worship; Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities	Agriculture; Air transport facilities; Airstrips; Amusement centres; Biosolids treatment facilities; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industries; Open cut mining; Residential accommodation; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities

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**Current zone****Proposed zone**

<b>DLEP Zone IN1 General Industrial</b>	<b>ERLEP Zone E4 General Industrial</b>
<b>1 Objectives of zone</b>	<b>1 Objectives of zone</b>
<ul style="list-style-type: none"> <li>To provide a wide range of industrial and warehouse land uses.</li> <li>To encourage employment opportunities.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To support and protect industrial land for industrial uses</li> </ul>	<ul style="list-style-type: none"> <li>To provide a range of industrial, warehouse, logistics and related land uses.</li> <li>To ensure the efficient and viable use of land for industrial uses.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To encourage employment opportunities.</li> <li>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>
Environmental protection works; Water reticulation systems	Environmental protection works; Water reticulation systems
<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>
Aquaculture; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or	Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Information and education facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Roads; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4
<b>4 Prohibited</b>	<b>4 Prohibited</b>

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Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Child care centres; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Places of public worship; Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities	Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home businesses; Home occupations; Home occupations (sex services); Home-based child care; Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities
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## Local Provisions and Schedule 1 – Additional permitted uses

This table lists Local Provisions and Schedule 1 – Additional permitted uses.

Existing zone names will be updated to new zone names.

LEP	Clause / Schedule	Provision	Direction
Deniliquin LEP 2013	Schedule 1		
	Schedule 1, cl.1, 321 Victoria St, Deniliquin	Allows residential accommodation (land zoned B6)	Retain provision and number on APU map
	12. This clause applies to land at 227 Augustus Street, Deniliquin (being Lot 114, DP 756310) identified as "1" on the <a href="#">Additional Permitted Uses Map</a> .	Development for the purpose of general industry (limited to the manufacture of precast concrete components) is permitted with development consent	Retain provision and renumber on APU map
	Proposed new APUs for Schedule 1		
	Propose new item: 137-143 Napier St (Lots 2 and 3 DP 1135813)	Allows office premises (land zoned E4).	New provision and number on APU map.



## SECTION 5

### Mapping

Indicative mapping has been included in this proposal.

Prior to the submission of the planning proposal to the Department for finalisation, final LEP maps will be prepared as follows:

- Consolidate all mapping within LGA area into a single mapping format
- DLEP 1997 land zoning map amended to show rezoning of 'deferred area' (DLEP 1997)
- CLEP 2013 land zoning map amended to show rezoning of the Community Recreation Grounds
- Council requests that the Department prepare the new maps

## SECTION 6

### Community Consultation

In accordance with schedule 1 clause 4 of the Environmental Planning and Assessment Act 1979, it is proposed to exhibit the planning proposal for 28 days in the local media and on Council's website in accordance with the Guide to preparing local environmental plans (dated December 2018).

In accordance with Council's notification policy, individual landowner notifications will occur to landowners of the "Deferred Area" due to this issue previously being contentious. Individual landowner affected by land use prohibitions under the planning proposal will also be notified. Notification will not occur to the remainder of the LGA area due to the number of properties affected by this planning proposal.

Council will consult with Government authorities including

- Geoscience to meet the requirements of s9.1 Direction 1.3 Mining, Petroleum Production and Extractive Industries.
- Biodiversity and Conservation Division for Direction 4.3 Flood Prone Land.
- NSW Rural Fire Service for Direction 4.4 Planning for Bushfire Protection

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## SECTION 7

### Project Timeline

Given the nature of the amendment, Council proposes to complete the amendment in 12 months as follows.

Description	Milestone	Anticipated Completion date
<b>Planning proposal</b>	Preparation	June 2022
	Report to Council	August 2022
	Submission to Gateway	August 2022
	Issue of Gateway Determination	October 2022
<b>Public Exhibition</b>	Public notices/individual landowner notification	July 2023
<b>Consideration of submissions</b>	Consideration of Submissions	August 2023
	Report to Council	September/October 2023
<b>Preparation of LEP</b>	Resolution to prepare LEP	September/October 2023
	Preparation of written instrument	October 2023
	Preparation of mapping	October 2023
<b>Making of LEP</b>	Request for finalisation of LEP	October 2023

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## Appendix 1- State Environmental Planning Policies

SEPP's	Consistent	Comments		
		Consolidation of DLEP 2013 & CLEP 2013	Rezoning of "deferred area"	Rezoning of Rec Reserves
SEPP 21 Housing 2021 (SEPP (Affordable Rental Housing) (SEPP (Housing for Seniors and People with a Disability) (SEPP 70 – Affordable Housing) (SEPP 21 – Caravan Parks) (SEPP 36 – Manufactured Home Estates)	N/A	No impact	No impact	No impact
SEPP (Resilience and Hazards) 2021  (SEPP 33 Hazardous and Offensive Development ) (SEPP 55 (Remediation of Land) (SEPP (Coastal Management) 2018)	N/A	No impact	No impact	No impact
SEPP (Industry and Employment) 2021 (SEPP 64 Advertising and Signage)	Yes	The advertising signage exemptions listed in Schedule 2 of the CLEP 2013 are recommended to be removed as part of this consolidation to ensure consistency with this SEPP.	No impact	No impact
Draft Design and Place SEPP 2021  (SEPP 65 (Design Quality of Residential Flat Development) SEPP (Building and Sustainability Index; BASIX 2004)	N/A	No impact	No impact	No impact

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SEPP's	Consistent	Comments		
<b>SEPP (Planning Systems) 2021</b>  (SEPP (Aboriginal Land) 2019) (Concurrences and Consents) SEPP 2018) (SEPP (State and Regional Development) 2011)	N/A	No impact	No impact	No impact
<b>SEPP (Exempt and Complying Development Codes) 2008</b>	Yes	The ERLEP will specify the permissibility of land uses within certain zones. The operation of the Exempt and Complying Development Codes SEPP will mean that some land uses may be enabled without development consent in prescribed zones subject to compliance with the provisions of the SEPP. It is not the intent of the ERLEP to contradict the provisions of this SEPP.	No impact	No impact
<b>SEPP (Transport and Infrastructure) 2021</b> (  (SEPP (Infrastructure) 2007)  (SEPP (Educational Establishments and Childcare Facilities) 2017)	Yes	The ERLEP will specify the  permissibility of land uses within certain zones. The operation of the	No impact	No impact

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SEPP's	Consistent	Comments		
		Infrastructure SEPP (ISEPP) will mean that some land uses may be enabled with or without development consent in prescribed zones subject to compliance with the provisions of the SEPP. It is not the intent of the ERLEP to contradict the provisions of the ISEPP.		
<b>SEPP (Resources and Energy) 2021</b>  (SEPP (Mining, Petroleum Production and Extractive Industries) 2007)	N/A	No impact	No impact	No impact
<b>SEPP (Primary Production) 2021</b>  (SEPP (Primary Production and Rural Development) 2019)	Yes	The objectives, land use permissibility's and provisions of the Rural Zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of	The proposal will rezone land in the township of Deniliquin from 1 (a) General Rural to C3 Environmental Management and RE2 Private Recreation.  This land is within the township of Deniliquin with very	The proposal will correct an anomaly in the current LEP and rezone several Community Hall from RU1 to RE1 to more appropriately reflect the use.  The proposal is not considered to conflict

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SEPP's	Consistent	Comments
		<p>the Planning proposal.</p> <p>Existing minimum lot size of this land will not be changed, however the additional provisions of the DLEP 2013 will be included as detailed in the main body of the Planning proposal.</p> <p>These amendments are consistent with the principles of the Rural Lands SEPP.</p>
<p><b>SEPP (Biodiversity and Conservation) 2021</b></p> <p>(SEPP Murray Regional Environmental Plan No. 2 Riverine Land)</p> <p><b>(SEPP 19 Bushland in Urban Areas) 2019)</b></p> <p><b>(SEPP (Koala Habitat Protection) 2020)</b></p> <p><b>(SEPP (Koala Habitat Protection) 2021)</b></p> <p><b>(SEPP (Vegetation in Non-Rural Areas) 2017)</b></p> <p><b>(SEPP 50 Canal Estate Development)</b></p>	Yes	<p>Council is required to consider the planning principles of the Murray Regional Environmental Plan No. 2 Riverine Land when it is preparing a planning proposal.</p> <p>See Appendix 2.</p>

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**Appendix 2**

**SEPP (Biodiversity and Conservation) 2021**

**Murray Regional Environmental Plan No. 2 – Riverine Land Planning Principles**

Clause	Consistency/Comment
<b>1 Aim of the REP</b> The aims of the REP are to conserve and enhance the riverine environment of the river Murray for the benefit of all users.	The overall objective of this planning proposal is to consolidate current planning instruments into a single LEP for all land in the Edward River LGA. This will enable a more consistent approach to development within the riverine environment.
<b>2 Objectives of the REP</b> The objectives of the REP are: <ul style="list-style-type: none"> <li>To ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the river Murray.</li> <li>To establish a consistent and co-ordinate approach to environmental planning and assessment along the River Murray.</li> <li>To conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.</li> </ul>	The planning proposal includes the rezoning of the 'deferred area' in Davidson St which is flood prone land and a review of some land use permissibility's of the Rural Zone, which includes some riverine land, to ensure consistency between the current LEPs to enable consolidation. The proposed planning controls have considered flood risk and impact of potential development on the Murray River.
<b>3 Relevant River Management Plans</b> Consideration to be given to any relevant river management plan.	Council is not aware of any river management plans for this local government area.
<b>4 Downstream Local Government Areas</b> Any likely effect of the proposed plan or development on adjacent and downstream local government areas.	The proposed consolidated LEP will not impact on downstream LGA areas.
<b>5 Cumulative impacts of the proposed development on the River Murray.</b> Cumulative impact of proposed plan or development on River Murray.	The proposed consolidated LEP will continue to require Council to consider the impacts of development on flood behaviour and the impacts on the environment.
<b>6 Specific Principles – Access</b> Principles to be considered include alienation/obstruction of foreshore/waterway as a public resource, development along the River Murray should be for public purposes and human and stock access should be	The proposed consolidated LEP will not impact existing principles in relation to access.



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Clause	Consistency/Comment
managed to minimise impacts on uncontrolled river access on stability of the bank and vegetation growth.	
<b>7 Specific Principles – Bank Disturbance</b> Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	The proposed consolidated LEP will not alter existing controls in relation to bank disturbance resulting from the development of riverfront land.
<b>8 Specific Principles – Flooding</b> Specific principles for flooding are: <ul style="list-style-type: none"> <li>• The benefits to riverine ecosystems of periodic flooding</li> <li>• The hazard risk involved in developing land that is subject to flood inundation</li> <li>• The redistributive effect of the proposed development on floodwater</li> <li>• The availability of other suitable land in the locality not liable to flooding</li> <li>• The availability of flood free access for essential facilities and services</li> <li>• The pollution threat represented by any development in the event of flood</li> <li>• Cumulative effect of development on behaviour of flood water</li> <li>• The cost of providing emergency services and replacing infrastructure in the event of a flood</li> <li>• Flood mitigation works constructed to protect new urban development should be designed and maintained to meet technical specifications of the Department of Water Resources</li> </ul>	Not applicable to this planning proposal. The existing flood planning controls will apply and have been reviewed by OEH in accordance with the Floodplain Development Manual (2005).
<b>9 Specific Principles – Land Degradation</b> Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity and	Not applicable to this planning proposal.

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Clause	Consistency/Comment
adverse effects on the quality of terrestrial and aquatic habitats	
<b>10 Specific Principles – Landscape</b> Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species	Not applicable to this planning proposal.
<b>11 Specific Principles - River Related Uses</b> <ul style="list-style-type: none"> <li>Only development which has a demonstrated, essential relationship with the River Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray</li> <li>Development which would intensify the use of riverside land should provide public access to the foreshore</li> </ul>	Not applicable to this planning proposal
<b>12 Specific Principles – Settlement</b> New or expanding settlements (including rural residential subdivision, tourism, and recreational development) should be located on flood free land, close to existing services and facilities and on land that does not compromise the potential of prime crop and pasture land to produce food or fibre	Not applicable to this planning proposal
<b>13 Specific Principles – Water Quality</b> All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients enter River Murray and otherwise improve the quality of water in the River Murray	Not applicable to this planning proposal
<b>14 Specific Principles - Wetlands</b> <ul style="list-style-type: none"> <li>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values</li> <li>Land use and management decisions affecting wetlands should provide for a</li> </ul>	Not applicable to this planning proposal.

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Clause	Consistency/Comment
hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland, consider the potential impact of surrounding land uses and incorporate measures such as a vegetation buffer which mitigate against any adverse effects, control human and animal access and conserve native plants and animals	

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### Appendix 3

#### Section 9.1 Directions

The Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and Assessment Act 1979 are contained in the tables below. The numbering of the directions has been changed to reflect recent changes however the lists have not been re-ordered. These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced.

Section 9.1 Direction	Consistent	Comments		
		1. Consolidation of DLEP 2013 & CLEP 2013	2. Rezoning of "deferred area"	3. Rezoning of Rec Reserves
<b>7.1 Business and Industrial Zones</b>	Yes	Minor amendments are proposed to rectify differing provisions controlling the area or size of a number of commercial land uses as specified within Clause 5.4 of the LEP. These changes are required to consolidate existing planning controls.  The proposal is consistent with this Direction.	Some land in the 'deferred area' is proposed to be rezoned from Urban Zone to B6 to be consistent with the Standard Instrument (SI) zoning to allow consolidation into a single LEP. The proposal maintains the permissibility of the existing business and industrial areas, and provides permissibility within the zone for new uses that have previously been prohibited.  The proposal is consistent with this Direction.	N/A
<b>9.2 Rural Zone</b>	Yes	The ERLEP encompasses land which is zoned for rural purposes.	The proposal will rezone a small area of rural zoned land within the current 'deferred' area in the township of Deniliquin to E3 Environmental Management and RE2 Private Recreation. The	The proposal will rezone several Community Halls from RU1 Primary Production to RE1 Public

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Section 9.1 Direction	Consistent	Comments		
		The Rural zone objectives, land use permissibility's and land use provisions are proposed to be amended to align existing planning instruments. The proposal is consistent with this Direction.	land is within an urban environment and has very limited agricultural value or production capacity. This rezoning is reflective of existing land uses and is required to be consistent with the Standard Instrument (SI) zoning.  The proposal is considered to be of minor significance.	Recreation to appropriately reflect the intended land use of these sites. The existing use of the site for recreation purposes is therefore not considered to be a loss of agricultural land.  The proposal is consistent with this direction.
<b>8.1 Mining, Petroleum Production and Extractive Industries</b>	<b>Yes</b>	<p>The ERLEP does not seek to prohibit or restrict the mining of coal or other minerals, petroleum, or extractive materials. The proposal is consistent with this Direction.</p> <p>The proposal applies to the deferred area where part of the land is to be rezoned from Rural to part E3 and RE2. This may restrict mining therefore consultation with Geoscience is required prior to this direction being settled.</p> <p>In relation to rezoning RU1 land to RE1, this still allows mining, petroleum and extractive industries as agriculture is permitted in zone RE1. The proposal remains consistent. Consultation with Geoscience is required.</p>		
<b>9.3 Oyster Aquaculture</b>	<b>N/A</b>			
<b>9.2 Rural Lands</b>	<b>Yes</b>	This direction applies to this planning proposal as it will affect land within an existing rural and environmental protection	This direction applies as the proposal will affect a small area of rural zoned land within the current 'deferred' area in the township of Deniliquin. The land is proposed to be rezoned to E3 Environmental Management and RE2	This direction applies as the proposal affects Community Halls on land currently RU1 Primary Production.

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Section 9.1 Direction	Consistent	Comments		
		<p>zone and therefore must be considered.</p> <p>The objectives, land use permissibility and provisions of the Rural Zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of the Planning proposal (Part 2 - Principal Development Standards).</p> <p>Existing minimum lot size of this land will not be changed; however, some additional provisions will be included as detailed in the main body of the Planning proposal.</p> <p>These amendments are consistent with the</p>	<p>Private Recreation required to be consistent with the Standard Instrument (SI) zoning. This land is within the township of Deniliquin, not currently used for agricultural purposes and has limited agricultural value.</p> <p>The land is not identified as State Significant land. The proposal is of minor inconsistency with the Direction as the proposed changes are minor.</p>	<p>The land is proposed to be rezoned to the actual intended land use of these council owned sites to RE1 Public Recreation.</p> <p>The land is not identified as State Significant land. The proposal is of minor inconsistency with the Direction as the proposed changes are minor.</p>

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Section 9.1 Direction	Consistent	Comments		
		objectives of this direction.		
<b>3.1 Conservation Zones</b>	<b>Yes</b>	<p>The ERLEP encompasses land which is zoned for environmental protection purposes.</p> <p>The environmental protection standards of existing planning instruments are proposed to be retained. The proposal is consistent with this direction.</p>	<p>This direction applies as the proposal will rezone land from General Rural Zone to Conservation Management Zone. The proposal will increase the environmental protection standards for this land. The proposal is consistent with this direction.</p>	N/A
<b>4.2 Coastal Management</b>	<b>N/A</b>			
<b>3.2 Heritage Conservation</b>	<b>Yes</b>	<p>The heritage provisions of existing planning instruments are proposed to be retained with no amendments required within the ERLEP.</p> <p>The proposal is consistent with this Direction.</p>	N/A	N/A
<b>3.5 Recreational Vehicle Areas</b>	<b>Yes</b>	The proposal does not seek to enable land for recreational vehicle purposes. The proposal is consistent with this direction.		
<b>3.4 Application of E2 and E3 Zones and Environmental</b>	<b>N/A</b>			

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Section 9.1 Direction	Consistent	Comments		
<b>Overlays in Far North Coast LEPs</b>				
<b>4.4 Remediation of contaminated land</b>				
<b>6.1 Residential Zones</b>	<b>Yes</b>	<p>The ERLEP encompasses land which is zoned for residential purposes (specifically land zoned R1 &amp; R5).</p> <p>Some changes are proposed to the R5 zone objectives and land use permissibility to consolidate the existing planning instruments.</p> <p>The extent of amendments proposed are detailed in the main body of the Planning proposal and are consistent with this direction.</p>	<p>The proposal includes rezoning of part of the 'deferred area' from Urban Zone to B6 Enterprise Corridor. Shop top housing will be the only form of residential accommodation permitted in the zone. This rezoning will reduce housing choice deeming the proposal inconsistent with this Direction. The inconsistency is considered to be of minor significance as the land use remains permissible within appropriately zoned locations within the LGA and existing use rights are retained.</p>	N/A
<b>6.2 Caravan Parks and Manufactured Home Estates</b>	<b>Yes</b>	N/A	<p>The rezoning of the 'deferred area' includes land on which the Riverside Caravan Park is located. This land is proposed to be rezoned to RE2 which maintains permissibility of a Caravan Park. The proposal will retain the zonings of all other</p>	N/A



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Section 9.1 Direction	Consistent	Comments		
			existing caravan parks. The proposal is consistent with this direction.	
<b>5.1 Integrating Land Use &amp; Transport</b>	<b>Yes</b>	<p>Generally, the ERLEP does not seek to amend the location or provision of land zoned for residential, business, industrial, village or tourist purposes.</p> <p>The land use zone objectives, land use permissibility and land use provisions of the R5 zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of the Planning proposal. These changes are consistent with the intent of the zone and enable land uses which have regard for the availability of existing</p>	<p>The rezoning of the 'deferred area' along Davidson St to B6, E3 and RE2 will encourage commercial activity along this transport corridor with existing infrastructure provision.</p> <p>The proposal is consistent with this direction.</p>	N/A

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Section 9.1 Direction	Consistent	Comments		
		transport infrastructure.		
<b>5.3 Development Near regulated Airports and Defence Airfields</b>	Yes	The provisions of DLEP 2013 (Clause 6.6 Airspace Operations) are proposed to be incorporated within the ERLEP to address development near the Deniliquin Airport. The consolidation of the LEPs will not impact on the aerodrome. The proposal is consistent with this direction.	N/A	N/A
<b>5.4 Shooting Ranges</b>	Yes	N/A	N/A	This direction applies to this planning proposal as it will include the rezoning of land at the Pretty Pine Recreation Reserve from RU1 to RE2, which includes an existing shooting range.  A shooting range is defined as 'Recreation

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Section 9.1 Direction	Consistent	Comments		
				facility (outdoor)' which is permissible within the proposed land use table for RE2 land. There is no change to the permissibility of a shooting range within the proposed LEP and the proposal is considered to be consistent with this direction.
<b>7.2 Reduction in non-hosted short term rental accommodation period</b>	N/A			
<b>4.5 Acid Sulfate Soils</b>	N/A			
<b>4.6 Mine Subsidence and Unstable Land</b>	N/A			
<b>4.1.1 Flooding</b>	Yes	Areas of the Edward River LGA are flood prone.  The ERLEP will generally not alter existing zoning of land which is currently subject to DLEP 2013 and CLEP 2013, excluding land within the	Land within the 'deferred area' was intended to be administered under the Deniliquin Local Environmental Plan 1997 until such time as the Edward River Flood Study was completed. The Edward River Flood study is now complete and the Department of Planning, and Environment have issued a gateway determination to proceed with a planning proposal (PP_2018_ERIVE_001_00) to amend the Deniliquin LEP 2013 and Deniliquin	N/A

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Section 9.1 Direction	Consistent	Comments
		<p>'deferred area'.</p> <p>LEP 1997 to update Flood Planning Maps and Clause as per the recommendations in the Floodplain Risk Management study and Plan.</p> <p>This proposal will consolidate both current Deniliquin LEP's subject to the flood planning amendment which will require rezoning of the 'deferred area' administered under the DLEP 1997 to be consistent with the Standard Instrument (SI) zoning.</p> <p>Rezoning of this area will involve the rezoning of flood prone land from the General Rural Zone to B6 and will permit some development to be carried out without development consent as detailed in the main body of the report (Section 2 Deferred Area).</p> <p>Flood risk has been considered during the land zoning process and the proposal does not seek to permit a significant increase in the development of this land. The proposal is inconsistent with this direction however is in accordance with a floodplain risk management plan - the Edward River Flood Study.</p>

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Section 9.1 Direction	Consistent	Comments		
			Consultation with the Biodiversity and Conservation Division will be undertaken to address consistency with this Direction.	
<b>4.3 Planning for Bushfire Protection</b>	<b>Yes</b>	<p>Areas of the Edward River LGA are identified as bushfire prone land.</p> <p>The ERLEP will generally not alter existing zoning of land which is currently subject to DLEP 2013 or CLEP 2013, excluding those within the 'deferred area'.</p>	<p>The consideration of the 'deferred area' land has had regard for bushfire prone land during the land zoning process and does not seek to permit a significant increase in the development of such land. The proposal is consistent with this Direction.</p> <p>Consultation with the NSW Rural Fire Service will be undertaken prior to community consultation as required by the Direction.</p>	N/A
<b>5.2 Sydney Drinking Water Catchments</b>	<b>N/A</b>			
<b>9.4 Farmland of State and Regional Significance on the NSW Far North Coast</b>	<b>N/A</b>			
<b>7.3 Commercial and Retail Development along the Pacific Highway, North Coast</b>	<b>N/A</b>			
<b>5.8 Second Sydney Airport: Badgerys Creek</b>	<b>N/A</b>			
<b>1.17 North West Rail Link Corridor Strategy</b>	<b>N/A</b>			
<b>1.2 Implementation of Regional Plans</b>	<b>Yes</b>	<p>Refer to Appendix 4.</p> <p>The proposals seek to provide for a single planning instrument applicable to the Edward River LGA, reflective of the goals and directions within the Murray Regional Environmental Plan 2036. An assessment of the proposal identifies that it consistent with the intent of relevant goals, directions, and actions.</p>		

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Section 9.1 Direction	Consistent	Comments		
		The proposal is consistent with this Direction.		
<b>1.3 Development of Aboriginal Land Council land</b>	N/A			
<b>1.4 Approval and Referral Requirements</b>	Yes	This planning proposals do not propose to introduce any approval or referral requirements additional to those existing in the DLEP 2013 and CLEP 2013.		
<b>5.2 Reserving Land for Public Purposes</b>	Yes	This planning proposals do not intend to reserve additional land for public purpose but does create more land as RE1. The proposal is consistent with the Direction.		
<b>1.5 Site Specific Provisions</b>	N/A	The planning proposals do not propose to introduce any site-specific planning provisions.		
<b>7.1 Implementation of A Plan for Growing Sydney</b>	N/A			
<b>7.2 Implementation of Greater Macarthur Land Release Investigations</b>	N/A			
<b>1.6 Parramatta Road Corridor Urban Transformation Strategy</b>	N/A			
<b>1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</b>	N/A			
<b>1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	N/A			
<b>1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	N/A			
<b>1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor</b>	N/A			
<b>1.11 Implementation of Western Sydney Aerotropolis Plan</b>	N/A			

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Section 9.1 Direction	Consistent	Comments		
1.12 Implementation of Bayside West Precincts 2036 Plan	N/A			
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	N/A			

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**Appendix 4**

**Section 9.1 Direction 5.10 – Implementation of Regional Plans Checklist**

Directions that do not apply to this planning proposal have been removed.

**Direction 2: Promote and grow the agribusiness sector**

No	Action	Consistent			Comments
		Yes	No	N/A	
2.1	Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.	Yes			The planning proposal is consistent with DLEP 2013 and CLEP 2013. The proposal updates the DLEP 1997 to the Standard Instrument format and is therefore consistent with this Direction.
2.2	Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses.	Yes			The planning proposal involves the review of the Rural Zone objectives and land use permissibility and rural subdivision provisions to ensure consistency to enable consolidation. The proposal also involves some minor rezoning of rural zoned land to rectify anomalies. The protection of agricultural land and managing the interface with other land uses have been considered in this process. The removal of the Deferred Area is consistent with this action.
2.3	Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflict arising from the encroachment of incompatible land uses.			N/A	

**Direction 4: Promote business activities in industrial and commercial areas**

No	Action	Consistent			Comments
		Yes	No	N/A	
4.1	Encourage the sustainable development of industrial land to maximise the use of infrastructure and connectivity to the existing freight network.			N/A	



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4.2	Promote specialised employment clusters and co-location of related employment generators in local plans.	N/A	
4.3	Protect industrial land, including in the regional cities, from potential land use conflicts arising from inappropriate and incompatible surrounding land uses.	N/A	
4.4	Encourage the consolidation of isolated, unused, or underused pockets of industrial zoned land to create new development opportunities over the long-term.	N/A	
4.5	Monitor the supply and demand of employment and industrial land in regional cities to inform the planning and coordination of utility infrastructure to support new development.	N/A	
4.6	Accommodate future commercial and retail activity in existing commercial centres unless there is a demonstrated need and positive social and economic benefits for the community.	Yes	The planning proposal includes the rezoning of the 'deferred area' to be consistent with SI zoning. Part of this area will be zoned B6 which will encourage additional commercial activity along the Davidson St corridor and maintain the development opportunities for existing businesses.
4.7	Require proposals for new retail development to demonstrate how they: <ul style="list-style-type: none"> <li>• Respond to retail supply and demand needs;</li> <li>• Respond to innovations in the retail sector;</li> <li>• Maximise the use of existing infrastructure (including public transport and community facilities) commensurate with the scale of the proposal; and</li> <li>• Enhance the value of the public realm.</li> </ul>	N/A	

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**Direction 7: Promote tourism opportunities**

No	Action	Consistent			Comments
		Yes	No	N/A	
7.1	Align local land use strategies and tourism strategies with the Destination Management Plan for the Riverina Murray Destination Network.			N/A	
7.2	Enable opportunities for tourism development and associated land uses in local plans.	Yes			The planning proposal involves the review of the Rural Zone objectives and land use permissibility to ensure consistency to enable consolidation. This has considered and incorporated opportunities for tourism development. Rezoning the land to RE1 and RE2 enables opportunities for tourism.
7.3	Target experiential tourism opportunities and tourism management frameworks to promote a variety of accommodation options.			N/A	
7.4	Continue to implement actions and invest in boating infrastructure priorities identified in the Murray-Riverina Regional Boating Plan to improve boating safety, boat storage and waterway access.			N/A	

**Direction 16: Increase resilience to natural hazards and climate change**

No	Action	Consistent			Comments
		Yes	No	N/A	
16.1	Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards.			N/A	
16.2	Incorporate the findings of the Riverina Murray Enabling Regional Adaptation Project to inform future land use planning decisions.			N/A	
16.3	Adopt a whole-of-government approach to information exchange			N/A	

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	on climate change adaptation and preparedness.		
16.4	Respond to climate-related risks by applying and communicating fine-scale climate information to support decision-making.	N/A	
16.5	Implement the requirements of the NSW Floodplain Development Manual by updating flood studies and floodplain risk management plans.	N/A	
16.6	Incorporate the best available hazard information in local plans, consistent with, current flood studies, flood planning levels, modelling, and floodplain risk management plans.	Yes	The planning proposal includes the rezoning of the 'deferred area' to be consistent with SI zoning. The proposed rezoning to B6, E3 and RE2 is considered to be suitable for this land when considering the flooding nature of the land as informed by the Edward River Flood Study.
16.7	Update and share current information on environmental assets and natural hazards with councils to inform planning decisions.	Yes	The Edward River Flood Study has been completed and will be incorporated into the draft ERLEP.
16.8	Manage the risks of disturbance in areas affected by natural occurring asbestos.	N/A	

**Direction 27: Manage rural and residential development**

No	Action	Consistent			Comments
		Yes	No	N/A	
27.1	Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.			N/A	No new residential areas are proposed as part of the consolidation of the LEPs.
27.2	Locate new residential areas: <ul style="list-style-type: none"> <li>In close proximity to existing urban settlements to maximise the efficient</li> </ul>			N/A	No new residential areas are proposed as part of the consolidation of the LEPs.

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	<p>use of existing infrastructure and services and social and community infrastructure.</p> <ul style="list-style-type: none"> <li>• To avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and</li> <li>• To avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards.</li> </ul>		
<b>27.3</b>	Manage land use conflict that can result from cumulative impacts of successive development decisions.	Yes	The planning proposal involves the review of the Large Lot Residential Zone (R5) objectives and land use permissibility to ensure consistency to enable consolidation. This will assist in the management of land use conflict.

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### Appendix 5 – Land Use Tables

Changes to the zone objectives and some land use permissibility's required to ensure consistency.

*Table 1: RU1 Zone – Objectives and Land Use Permissibility (discrepancies and proposed changes in red)*

DLEP	CLEP	Proposed ERLEP
<b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> </ul>	<b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To allow for the development of processing and service industries relating to primary production.</li> <li>• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.</li> <li>• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.</li> <li>• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.</li> <li>• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.</li> </ul>	<b>1 Objectives of zone</b> <ul style="list-style-type: none"> <li>• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>• To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>• To minimise the fragmentation and alienation of resource lands.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To allow the development of non-agricultural land uses that are compatible with the character of the zone, including tourism and processing and service industries.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>

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Environmental protection works; Extensive agriculture; Home occupations; Intensive plant agriculture; Water reticulation systems	Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Forestry; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems	Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems
<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>
Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Mooring pens; Moorings; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Secondary dwellings; Turf farming; Veterinary hospitals; Water recreation structures; Water	Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; Health consulting rooms; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Jetties; Kiosks; Landscaping material supplies; Markets; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings;	Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industry; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Caravan Parks; Camping grounds; Car parks; Cellar door premises; Cemeteries; Charter and Tourism Boating facilities; Community facilities; Correctional centres; Depots; Dual occupancies; Dual occupancies (attached); Dual occupancies (detached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway Service Centre; Home-based child care; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Markets; Mooring pens; Moorings; Open cut mining; Plant nurseries; Places of public worship; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor);

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supply systems; Wharf or boating facilities	Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sex services premises; Storage premises; Take away food and drink premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies	Roads; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Self Storage Units; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wharf or boating facilities
<b>4 Prohibited</b>	<b>4 Prohibited</b>	<b>4 Prohibited</b>
Any development not specified in item 2 or 3	Serviced apartments; Any other development not specified in item 2 or 3	Serviced Apartments; Backpackers accommodation;; Child care centres; Educational Establishment; Garden centre; General industries; Light industries, High Technology Industries; Health consulting rooms; Hotel or motel accommodation; Industries; Industrial Retail Outlet; Kiosk; Public administration building; Recreation facilities (indoor); Schools; Sex Service Premises; Take away food & drink premises; Vehicle body repair workshops ;Wholesale Supplies; Any other development not specified in item 2 or 3

Changes to the zone objectives and some land use permissibility's required to ensure consistency.

**Table 3: R5 Zone – Objectives and Land Use Permissibility (discrepancies and proposed changes in red)**

DLEP	CLEP	Proposed ERLEP
<b>1 Objectives of zone</b>	<b>1 Objectives of zone</b>	<b>1 Objectives of zone</b>
• To provide residential housing in a rural setting while	• To provide residential housing in a rural setting while	• To provide residential housing in a rural setting while



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<p>preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> <li>• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</li> <li>• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> </ul>	<p>preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> <li>• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</li> <li>• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To provide opportunities for combining residential development with agricultural uses and home occupations of a domestic scale.</li> <li>• To facilitate and promote an increased range of living opportunities by providing for low-intensity residential development that is compatible with the rural characteristics of the locality.</li> </ul>	<p>preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> <li>• To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.</li> <li>• To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.</li> <li>• To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>• To provide opportunities for low density residential development and other non-residential development that is compatible with the characteristics of the locality.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>
Environmental protection works; Home occupations; Water reticulation systems	Building identification signs; Environmental protection works; Extensive agriculture; Home occupations; Roads; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems
<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>
Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Food and drink premises; Garden centres; Group homes; Home industries; Kiosks; Plant nurseries; Roads; Roadside stalls; Any other development not specified in item 2 or 4	Bed and breakfast accommodation; Business identification signs; Cellar door premises; Dual occupancies; Dwelling houses; Home industries; Hotel or motel accommodation; Intensive plant agriculture; Kiosks; Landscaping material supplies; Markets; Plant nurseries; Waste or resource transfer stations; Any other development not specified in item 2 or 4	Artisan food and Drink Industry, Bed and breakfast accommodation; Bee keeping; Building identification signs; Business identification signs; Cemetery; Childcare centre; Community facilities; Dual occupancies; Dwelling houses; Exhibition homes; Farm buildings; Food and drink premises; Garden centres; Group homes; Group homes (permanent); Group homes (transitional); Home



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		<p>occupation (sex services); Home industries; Horticulture; Information and education facilities; Kiosks; Places of public worship; Plant nurseries; Residential accommodation; Roads; Roadside stalls; Viticulture; Any other development not specified in item 2 or 4</p>
<b>4 Prohibited</b>	<b>4 Prohibited</b>	<b>4 Prohibited</b>
<p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Extractive industries; <b>Farm buildings</b>; Forestry; Freight transport facilities; Heavy industrial storage establishments; <b>Helipads</b>; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; <b>Passenger transport facilities</b>; Public administration buildings; <b>Pubs</b>; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; <b>Sewage treatment plants</b>; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; <b>Water recycling facilities</b>; Water treatment facilities; Wharf or</p>	<p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; <b>Cemeteries</b>; <b>Centre- based child care facilities</b>; Charter and tourism boating facilities; Commercial premises; <b>Community facilities</b>; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; <b>Exhibition villages</b>; Extractive industries; Forestry; Freight transport facilities; <b>Function centres</b>; Heavy industrial storage establishments; Highway service centres; <b>Home occupations (sex services)</b>; Industrial retail outlets; Industrial training facilities; Industries; <b>Information and education facilities</b>; Marinas; Mortuaries; Open cut mining; <b>Places of public worship</b>; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle</p>	<p>Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; <b>Cellar door premises</b>; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; <b>Dairy (pasture based)</b>; Depots; Electricity generating works; Entertainment facilities; <b>Extensive Agriculture</b>; Extractive industries; Forestry; Freight transport facilities; <b>Function centres</b>; Heavy industrial storage establishments; <b>Helipad</b>; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; <b>Intensive Plant Agriculture</b>; <b>Landscaping material supplies</b>; Marinas; <b>Markets</b>; Mortuaries; <b>Neighbourhood shops</b>; Open cut mining; <b>Passenger Transport Facilities</b>; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; <b>Restaurants or café</b>; Rural industries; Service stations Sex services premises; Signage; Storage premises; <b>Take away food &amp; drink</b></p>

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boating facilities; Wholesale supplies	repair stations; Warehouse or distribution centres; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies	premises; Tourist and visitor accommodation; Transport depots; Truck depots; <b>Turf farming</b> ; Vehicle body repair workshops; <b>Vehicle body repair workshops</b> ; Warehouse or distribution centres; Water treatment facilities; Wharf or boating facilities; Wholesale supplies
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**Table 5: B6 (E3) Zone— Objectives and Land Use Permissibility (proposed changes in red)**

**Note**

Note: B6 (E3) zone not included in CLEP.

DLEP	Proposed ERLEP
<b>1 Objectives of zone</b>	<b>1 Objectives of zone</b>
<ul style="list-style-type: none"> <li>To promote businesses along main roads and to encourage a mix of compatible uses.</li> <li>To provide a range of employment uses (including business, office, retail, and light industrial uses).</li> <li>To maintain the economic strength of centres by limiting retailing activity.</li> <li>To provide for residential uses, but only as part of a mixed-use development.</li> </ul>	<ul style="list-style-type: none"> <li>To promote businesses along main roads and to encourage a mix of compatible uses.</li> <li>To provide a range of employment uses (including business, office, retail, and light industrial uses).</li> <li>To maintain the economic strength of centres by limiting retailing activity.</li> <li>To provide for residential uses, but only as part of a mixed-use development.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>
Environmental protection works; Home occupations; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems
<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>
Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Shop top housing; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4	Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; <b>Shops</b> ; Shop top housing; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4
<b>4 Prohibited</b>	<b>4 Prohibited</b>
Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage



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establishments; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; <b>Shops</b> ; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities	establishments; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities
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**Table 7: INI Zone (E4)– Objectives and Land Use Permissibility (proposed changes in red)**

Note: (INI) Zone E4 not included in CLEP.

DLEP	Proposed ERLEP
<b>1 Objectives of zone</b>	<b>1 Objectives of zone</b>
<ul style="list-style-type: none"> <li>To provide a wide range of industrial and warehouse land uses.</li> <li>To encourage employment opportunities.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To support and protect industrial land for industrial uses.</li> </ul>	<ul style="list-style-type: none"> <li>To provide a wide range of industrial and warehouse land uses.</li> <li>To encourage employment opportunities.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To support and protect industrial land for industrial uses.</li> </ul>
<b>2 Permitted without consent</b>	<b>2 Permitted without consent</b>
Environmental protection works; Water reticulation systems	Environmental protection works; Water reticulation systems
<b>3 Permitted with consent</b>	<b>3 Permitted with consent</b>
Aquaculture; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4	Aquaculture; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; <b>Information and education facilities</b> ; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4
<b>4 Prohibited</b>	<b>4 Prohibited</b>
Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); <b>Information and education facilities</b> ; Public administration	Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Public administration buildings; Pubs; Registered clubs; Residential

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buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities	accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities
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**Development Standards**

**Table 9: Principle development standards (*discrepancies and proposed changes in red*)**

DLEP	CLEP	ERLEP
<b>4.1 Minimum subdivision lot size</b>		
(1) The objectives of this clause are as follows:	(1) The objectives of this clause are as follows:	(1) The objectives of this clause are as follows:
a) to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality, (b) to ensure that lot sizes for dwelling houses are consistent with lot sizes on adjoining lands, (c) to ensure that lot sizes have a practical and efficient layout to meet their intended use, (d) to prevent the fragmentation of rural lands, (e) to minimise the intensification of development on flood liable land.	(a) to protect the productive capacity of agricultural land, (b) to maintain appropriate farm sizes for agricultural production, (c) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area, (d) to prevent the fragmentation of natural and rural areas, (e) to ensure that new subdivisions reflect characteristic lot sizes and patterns in the surrounding locality, (f) to ensure that rural residential development does not prejudice future agricultural production, (g) to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council.	a) to maintain appropriate farm sizes for agricultural production and protect the productive capacity of agricultural land b) to ensure that rural residential development does not prejudice future agricultural production c) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area d) to prevent the fragmentation of natural and rural areas e) to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality, and have a practical and efficient layout to meet their intended use f) to minimise the intensification of development on flood liable land g) to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council
<b>4.1AA Minimum subdivision lot size for community title schemes</b>		
2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:	2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:	2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones:
(a) Zone RU1 Primary Production,	(a) Zone RU1 Primary Production,	(a) Zone RU1 Primary Production,

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(b) Zone R5 Large Lot Residential, (c) Zone C3 Environmental Management, but does not apply to a subdivision by the registration of a strata plan.	but does not apply to a subdivision by the registration of a strata plan.	(b) Zone R5 Large Lot Residential, (c) Zone C3 Environmental Management, but does not apply to a subdivision by the registration of a strata plan.
<b>4.1A Exceptions to minimum subdivision lot sizes for certain split zones</b>		
(1) The objectives of this clause are: (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, and (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development. (2) This clause applies to each lot (an original lot) that contains: (a) land in a residential or employment zone, and (b) land in Zone RU1 Primary Production or Zone E3 Environmental Management. (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if: (a) one of the resulting lots will contain: (i) land in a residential, or employment zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and (ii) all of the land in Zone RU1 Primary Production or Zone E3 Environmental Management that was in the original lot, and (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.	BLANK	(1) The objectives of this clause are: (a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, and (b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development. (2) This clause applies to each lot (an original lot) that contains: (a) land in a residential or employment zone, and (b) land in Zone RU1 Primary Production or Zone E3 Environmental Management. (3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if: (a) one of the resulting lots will contain: (i) land in a residential, or employment zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and (ii) all of the land in Zone RU1 Primary Production or Zone E3 Environmental Management that was in the original lot, and (b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.



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<b>4.1B Exceptions to minimum subdivision lot sizes for certain rural subdivisions</b>		
<p>(1) The objective of this clause is to permit the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of residential accommodation.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than residential accommodation) permitted under the existing development consent for the land.</p> <p>(4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and</p> <p>(b) the subdivision is necessary for the ongoing operation of the permissible use, and</p> <p>(c) the subdivision will not cause or increase rural land uses conflict in the locality, and</p> <p>(d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.</p>	BLANK	<p>(1) The objective of this clause is to permit the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of residential accommodation.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than residential accommodation) permitted under the existing development consent for the land.</p> <p>(4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and</p> <p>(b) the subdivision is necessary for the ongoing operation of the permissible use, and</p> <p>(c) the subdivision will not cause or increase rural land uses conflict in the locality, and</p> <p>(d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.</p>
<b>4.2B Erection of dwelling houses on land certain rural and environment protection zones</b>		
(1) The objectives of this clause are as follows:	(1) The objectives of this clause are as follows:	(1) The objectives of this clause are as follows:

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<p>(a) to minimise unplanned rural residential development,</p> <p>(b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones.</p> <p>(2) This clause applies to land in the following zones:</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone C3 Environmental Management.</p>	<p>(a) to minimise unplanned rural residential development,</p> <p>(b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p>	<p>(a) to minimise unplanned rural residential development,</p> <p>(b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones.</p> <p>(2) This clause applies to land in the following zones:</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone C3 Environmental Management.</p>
<p><b>4.2D Boundary changes between lots in certain rural, residential and environment protection zones</b></p>		
<p>(1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.</p> <p>(2) This clause applies to land in any of the following zones:</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone R5 Large Lot Residential,</p> <p>(c) Zone C3 Environmental Management.</p> <p>(3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots, being land to which this clause applies, if the subdivision will not result in any of the following:</p> <p>(a) an increase in the number of lots,</p> <p>(b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots.</p> <p>(4) In determining whether to grant development consent to the subdivision of land under this clause, the consent authority must consider the following:</p>	<p>BLANK</p>	<p>(1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone.</p> <p>(2) This clause applies to land in any of the following zones:</p> <p>(a) Zone RU1 Primary Production,</p> <p>(b) Zone R5 Large Lot Residential,</p> <p>(c) Zone C3 Environmental Management.</p> <p>(3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots, being land to which this clause applies, if the subdivision will not result in any of the following:</p> <p>(a) an increase in the number of lots,</p> <p>(b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots.</p> <p>(4) In determining whether to grant development consent to the subdivision of land under this clause, the consent authority must consider the following:</p>



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<p>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</p> <p>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone,</p> <p>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</p> <p>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</p> <p>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</p> <p>(5) This clause does not apply:</p> <p>(a) in relation to the subdivision of individual lots in a strata plan or a community title scheme, or</p> <p>(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</p>	<p>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</p> <p>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone,</p> <p>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</p> <p>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</p> <p>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</p> <p>(5) This clause does not apply:</p> <p>(a) in relation to the subdivision of individual lots in a strata plan or a community title scheme, or</p> <p>(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</p>
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**Table 11: Miscellaneous Provisions (discrepancies and proposed changes in red)**

DLEP	CLEP	ERLEP
<b>5.4 Controls relating to miscellaneous permissible uses</b>		
<p>(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 30% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>	<p>(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 50% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>	<p>1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 50% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>



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<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than <b>5 bedrooms</b>.</p>	<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than <b>10 bedrooms</b>.</p>	<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than <b>10 bedrooms</b>.</p>
<p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed <b>50 square metres</b>.</p>	<p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed <b>10 square metres</b>.</p>	<p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed <b>50 square metres</b>.</p>
<p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed <b>100 square metres</b>.</p>	<p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed <b>200 square metres</b>.</p>	<p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed <b>200 square metres</b>.</p>
<p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p>	<p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p>	<p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p>
<p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed <b>50 square metres</b>.</p>	<p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed <b>30 square metres</b>.</p>	<p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed <b>50 square metres</b>.</p>
<p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) <b>25% of the total floor area of the principal dwelling</b>.</p>	<p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) <b>50% of the total floor area of the principal dwelling</b>.</p>	<p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) <b>50% of the total floor area of the principal dwelling</b>.</p>

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<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 30% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>	<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 50% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>	<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 50% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>
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**Table 13: Additional Local Provisions (discrepancies and proposed changes in red)**

DLEP	CLEP	Proposed ERLEP
<b>Salinity</b>		
<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) Before determining a development application for development that the consent authority is satisfied may affect the process of salinisation or is proposed to be carried out on land affected by groundwater salinity, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.</p> <p>(3) Development consent must not be granted to development to which subclause (2) applies</p>	<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) This clause applies to development on land affected by groundwater salinity and development that may have an adverse impact on salinity processes on any land.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.</p>	<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) This clause applies to development on land affected by groundwater salinity and development that may have an adverse impact on salinity processes on any land.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise, or mitigate the impacts of the development.</p>



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<p>unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited, and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>(4) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited, and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>(4) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited, and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>
<b>Location of sex services</b>		
<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:</p> <p>(i) in Zone R1 General Residential or Zone RE1 Public Recreation, or</p> <p>(ii) used for the purposes of a centre-based childcare facility, a community facility, a school, or a place of public worship,</p> <p>(b) the impact of the development and its hours of operation on any place likely to be regularly frequented by children:</p>	<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from, land:</p> <p>(i) in Zone RU5 Village or Zone R5 Large Lot Residential, or</p> <p>(ii) used for the purposes of a centre-based childcare facility, a community facility, a school, or a place of public worship,</p> <p>(b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children:</p>	<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from, land:</p> <p>(i) in Zone R1 General Residential, Zone RE1 Public Recreation, Zone RU5 Village or Zone R5 Large Lot Residential, or</p> <p>(ii) used for the purposes of a centre-based childcare facility, a community facility, a school, or a place of public worship,</p> <p>(b) the impact of the proposed development and its hours of operation on any place likely to</p>

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(i) that adjoins the development, or (ii) that can be viewed from the development, or (iii) from which a person can view the development.	(i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.	be regularly frequented by children: (i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.
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## Schedule 2

Table 15: Schedule 2 – Exempt Development (*discrepancies and proposed changes in red*)

DLEP	CLEP	Proposed ERLEP
<b>Schedule 2 Exempt Development</b>		
BLANK	<p><b>Advertisements and advertising structures</b></p> <p>(1) Must not be illuminated.</p> <p>(2) Must relate to the lawful use of the premises.</p> <p>(3) Must not be located in land in a residential zone.</p> <p>(4) If located on land in Zone RU5 Village, maximum area—15% of the front elevation of a building on which it is displayed.</p> <p>(5) If located on land in any other zone, maximum area - 2.5m<sup>2</sup>.</p> <p>(6) Maximum height—3m above ground level (existing).</p> <p>(7) If sign is an under-awning sign, maximum height—height of the underside of the awning to which it is attached or 3m above ground level (existing), whichever is greater.</p> <p>(8) If sign is suspended from an awning along a public road—must be at least 2.7m above ground level (existing).</p> <p><b>Real estate signs</b></p> <p>(1) Maximum area:</p> <p>(a) if located on land in an environment protection zone - 2.5m<sup>2</sup>, or</p> <p>(b) if located on land in any other zone—4m<sup>2</sup>.</p> <p>(2) Must not be displayed for longer than 14 days after the date of sale or lease of the premises.</p> <p>(3) Maximum 2 signs per premises.</p> <p><b>Signs behind glass line of shop window</b></p> <p>If located on land in Zone R5 Large Lot Residential—must not be illuminated.</p>	BLANK

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**Land Use Table Deferred Matters – Davidson Street, Deniliquin**

Table 17 Current & proposed land use permissibility (*discrepancies and proposed changes in red*)

DLEP 1997 (current)	ERLEP (proposed)
<b>INI – 2 Urban Zone</b>	<b>B6 – Enterprise Corridor ( now</b>
<b>Permitted without consent</b>	<b>Permitted without consent</b>
Nil	Environmental protection works, Home Occupations, Water reticulation systems
<b>Permitted with consent</b>	<b>Permitted with consent</b>
Any development other than included in item 4	Business premises, Community facilities Garden centres, Hardware and building supplies, Hotel or motel accommodation, Landscaping material supplies, Light industries, Neighbourhood shops, Passenger transport facilities, Plant nurseries, Roads, Shop top housing, Warehouse or distribution centres, Water recycling facilities, Shop, Any other development not specified in item 2 or 4
<b>Prohibited</b>	<b>Prohibited</b>
Extractive Industries, Intensive livestock keeping establishments, Mines, Offensive or hazardous industries, Quarries	Agriculture, Air transport facilities, Airstrips, Amusement centres, Animal boarding or training establishments, Biosolids treatment facilities, Cellar door premises, Cemeteries, Correctional centres, Crematoria, Electricity generating works, Exhibition homes Exhibition villages, Extractive industries, Farm buildings, Farm stay accommodation, Forestry, Freight transport facilities, Heavy industrial storage establishments, Industrial training facilities, Industries, Open cut mining, Recreation facilities (major), Residential accommodation, Roadside stalls, Rural industries, Sewage treatment plants, Sex services premises, Waste or resource management facilities, Water recycling facilities, Wharf, or boating facilities



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**Table 18** Current & proposed land use permissibility (*discrepancies and proposed changes in red*)

DLEP 1997 (current)	ERLEP (proposed)	
<b>1(a) General Rural Zone</b>	<b>E3 - Environmental Management Zone</b>	<b>RE2 – Private Recreation Zone (Riverside Caravan Park land)</b>
<b>Permitted without consent</b>	<b>Permitted without consent</b>	<b>Permitted without consent</b>
Agriculture	Home occupations, Water reticulation systems	Environmental protection works, Water reticulation systems
<b>Permitted with consent</b>	<b>Permitted with consent</b>	<b>Permitted with consent</b>
Any development other than included in item 2 or 4	Aquaculture, Bed and breakfast accommodation, Boat launching ramps, Boat sheds, Building identification signs, Business identification signs, Camping grounds, Caravan parks, Cellar door premises, Community facilities, Dwelling houses, Eco-tourist facilities, Environmental facilities, Environmental protection works, Farm buildings, Flood mitigation works, Home-based child care, Home businesses, Home industries, Home occupations (sex services), Information and education facilities, Jetties, Kiosks, Mooring pens, Moorings, Recreation areas, Recreation facilities (outdoor), Research stations, Roads, Roadside stalls, Secondary dwellings, Veterinary hospitals, Water recreation structures, Water supply systems	Airstrips, Animal boarding or training establishments, Boat launching ramps, Boat sheds, Camping grounds, Caravan parks, Centre-based child care facilities, Charter and tourism boating facilities, Community facilities, Eco-tourist facilities, Emergency services facilities, Entertainment facilities, Environmental facilities, Farm buildings, Flood mitigation works, Food and drink premises, Function centres, Helipads, Information and education facilities, Jetties, Kiosks, Marinas, Mooring pens, Moorings, Places of public worship, Recreation areas, Recreation facilities (indoor), Recreation facilities (major), Recreation facilities (outdoor), Registered clubs, Respite day care centres, Roads, Seniors housing, Signage, Tourist and visitor accommodation, Water recreation structures, Water recycling facilities, Water supply systems
<b>Prohibited</b>	<b>Prohibited</b>	<b>Prohibited</b>
Motor showrooms, Residential flat buildings, Shops (other than general stores <200sqm)	Industries, Multi dwelling housing, Residential flat buildings, Retail premises, Seniors housing, Service stations, Warehouse or distribution centres, Any other development not specified in item 2 or 3	Bed and breakfast accommodation, Farm stay accommodation, Water treatment facilities, Any other development not specified in item 2 or 3

## Rezoning of recreation land

**Table 20:** Current and Proposed Objectives and Land Use Permissibility (*proposed changes in red*)

Current CLEP	Proposed
<b>RU1 Primary Production</b>	<b>RE1 Public Recreation</b>
<b>Objectives of zone</b>	<b>Objectives of zone</b>
<ul style="list-style-type: none"> <li>To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>To minimise the fragmentation and alienation of resource lands.</li> <li>To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> <li>To allow for the development of processing and service industries relating to primary production.</li> <li>To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.</li> <li>To allow for the development of non-agricultural land uses that are compatible with the character of the zone.</li> <li>To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.</li> <li>To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.</li> </ul>	<ul style="list-style-type: none"> <li>To enable land to be used for public open space or recreational purposes.</li> <li>To provide a range of recreational settings and activities and compatible land uses.</li> <li>To protect and enhance the natural environment for recreational purposes.</li> </ul>
<b>Permitted without consent</b>	<b>Permitted without consent</b>
Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Forestry; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems	Environmental protection works; Water reticulation systems
<b>Permitted with consent</b>	<b>Permitted with consent</b>
Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities;	Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Mooring

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<p>Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; Health consulting rooms; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Jetties; Kiosks; Landscaping material supplies; Markets; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sex services premises; Storage premises; Take away food and drink premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies</p>	<p>pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Water recreation structures; Water recycling facilities; Water supply systems</p>
<b>Prohibited</b>	<b>Prohibited</b>
Serviced apartments; Any other development not specified in item 2 or 3	Water treatment facilities; Any other development not specified in item 2 or 3
<b>Current CLEP</b>	<b>Proposed</b>
<b>RU5 Village</b>	<b>RE1 Public Recreation</b>
<b>Objectives of zone</b>	<b>Objectives of zone</b>
<ul style="list-style-type: none"> <li>To provide for a range of land uses, services and facilities that are associated with a rural village.</li> <li>To ensure that land uses are supported by satisfactory arrangements for water supply and effluent disposal.</li> <li>To enable a range of housing forms and land uses that complement the character of each rural village.</li> <li>To provide for land uses that support the role of the rural villages.</li> </ul>	<ul style="list-style-type: none"> <li>To enable land to be used for public open space or recreational purposes.</li> <li>To provide a range of recreational settings and activities and compatible land uses.</li> <li>To protect and enhance the natural environment for recreational purposes.</li> </ul>
<b>Permitted without consent</b>	<b>Permitted without consent</b>
Environmental protection works; Home occupations; Roads; Water reticulation systems	Environmental protection works; Water reticulation systems

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Permitted with consent	Permitted with consent
Agricultural produce industries; Centre-based childcare facilities; Community facilities; Dwelling houses; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Any other development not specified in item 2 or 4	Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Water recreation structures; Water recycling facilities; Water supply systems
Prohibited	Prohibited
Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Cellar door premises; Correctional centres; Crematoria; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Home occupations (sex services); Marinas; Mortuaries; Open cut mining; Rural industries; Rural workers' dwellings; Waste disposal facilities	Water treatment facilities: Any other development not specified in item 2 or 3

## Attachment 2 - Gateway determination PP2022-3030



### Department of Planning and Environment

Mr Phil Stone  
General Manager  
Edward River Council  
PO Box 270  
Deniliquin NSW 2710

Our ref: PP-2022-3030/ IRF22/3143

**Attention: Marie Sutton, Manager Development Services**

Dear Mr Stone

**Planning proposal (PP-2022-3030) to consolidate the Deniliquin LEP 2013, Conargo LEP 2013 and Deniliquin LEP 1997 into a single LEP for the Edward River Council local government area.**

I am writing in response to the planning proposal you have forwarded to the Minister under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) received on 8 September 2022 in respect of the planning proposal to create a single LEP for the Edward River Council local government area.

As delegate of the Minister for Planning, I have determined that the planning proposal should proceed subject to the conditions in the enclosed gateway determination.

I have also agreed, as delegate of the Secretary, the inconsistency of the planning proposal with applicable Directions of the Minister under section 9.1 of the Act being 9.1 Rural Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to the Directions.

Council may still need to obtain the agreement of the Secretary to comply with the requirements of relevant applicable directions of the Minister under section 9.1 of the Act being 4.3 Planning for Bushfire Protection, 8.1 Mining, Petroleum Production and Extractive Industries and 9.2 Rural Lands. Council should ensure this occurs prior to the LEP being made.

Given the planning proposal is a principal LEP amendment I have determined not to authorise Council to be the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised on or before 12 months following the Gateway determination date. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning and Environment to draft and finalise the LEP should be made eight (8) weeks in advance of the date the LEP is projected to be made.

The NSW Government has committed to reduce the time taken to complete LEPs. To meet these commitments, the Minister may appoint an alternate planning proposal authority if Council does not meet the timeframes outlined in the gateway determination.

The Department's categorisation of planning proposals in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) is supported by category specific timeframes for satisfaction of conditions and authority and Government agency referrals, consultation, and responses. Compliance with milestones will be monitored by the Department to ensure planning proposals are progressing as required.

Should you have any enquiries about this matter, I have arranged for Wayne Garnsey to assist you. Mr Garnsey can be contacted on 58526800.

Yours sincerely



21 October 2022

**Garry Hopkins**  
**Director, Western Region**  
**Local and Regional Planning**

Encl: Gateway determination





Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-3030):** Proposed Edward River Consolidated LEP.

I, the Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that the planning proposal to consolidate the Deniliquin Local Environmental Plan 2013, Deniliquin Local Environmental Plan 1997 and the Conargo Local Environmental Plan 2013 into the Edward River Local Environmental Plan should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be amended to include the following:
  - (a) identify where land is affected by proposed land use permissibility change, all landowners are to be notified and advised of the effect of the proposed change.
  - (b) an amended timetable which shows updated dates for key milestones and an expected end-to-end timeframe of 12 months.
  - (c) include the Department's Employment Zones reform – land use tables.
  - (d) identify matters from Deniliquin LEP 1997 that relate to the 'Deferred Matter' area that are to be transferred to the new Edward River LEP.
  - (e) clarify the proposed permissibility for zone RU1 Primary Production in relation to light industries, high technology industries and vehicle body repair workshops.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as principal as described in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2022).
3. Consultation is required with the following government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
  - Regional NSW - Mining, Exploration and Geoscience to meet the requirements of section 9.1 Direction 8.1 Mining, Petroleum Production and Extractive Industries.
  - NSW Rural Fire Service for Direction 4.3 Planning for Bushfire Protection

- Department of Planning and Environment Biodiversity, Conservation and Science Directorate in relation to flooding.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
  5. The LEP should be completed on or before 12 months after the Gateway determination date.

Dated

21<sup>st</sup> day of October

2022.



Garry Hopkins  
Director, Western Region  
Local and Regional Planning  
Department of Planning and Environment

Delegate of the Minister for Planning

PP-2022-3030 (IRF22/3143)

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## **12.12. DEVELOPMENT SERVICES ACTIVITY REPORT SEPTEMBER 2023**

**Author:** Manager Development Services

**Authoriser:** Director Infrastructure

### **RECOMMENDATION**

That Council receive and note the September 2023 Development Services Report

### **BACKGROUND**

Attachment 1 is the Development Services Report for September 2023.

### **ISSUE/DISCUSSION**

There are no items noted for discussion within the report

### **STRATEGIC IMPLICATIONS**

There are no specific implications within the report.

### **COMMUNITY STRATEGIC PLAN**

1. Shaping the Future

1.2 Quality built environment

1.3 Enhanced Active and Passive Open Spaces

### **FINANCIAL IMPLICATIONS**

There are no matters in this report which have specific financial implications

### **LEGISLATIVE IMPLICATIONS**

The activities and applications detailed in the report are governed by Legislative requirements

### **ATTACHMENTS**

1. Monthly Report

**Attachment 1 - 9 Environment Report September 2023**



Development Activity					
Applications received – September 2023					
Application	Property Description	Proposal	Date Received	Date Approved	Status
MOD2023/0006	Lot 2 DP 756316, Cobb Highway, Booroorban	Modification to Inground Swimming Pool	7/9/23	7/9/23	Approved
MOD2023/0007	Lot 170 DP 756325, 138 Hetherington Street, Deniliquin	Modification –Road Contribution condition	7/9/23	7/9/23	Approved
DA2023/0070	Lot 8 DP 215133, 215 River Street, Deniliquin	Demolition of Existing Dwelling	8/9/23	-	Under assessment
DA2023/0071	Lot 7 DP 285499, Pee Parade, Deniliquin	Install a Manufactured Home	12/9/23	-	Under assessment
PC CC 2023/0046	Lot 1 DP 756313, 7818 Cobb Highway, Booroorban	Inground Swimming Pool	28/9/23	8/9/23	Approved – Private Certifier
Complying Development Certificates					
PC CDC 2023/0010	Lot B DP 382635, 112 Napier Street, Deniliquin	Residential Shed	28/9/23	20/9/23	Approved – Private Certifier
PC CDC 2023/0011	Lot 112 DP 1051662, 171-173 River Street, Deniliquin	Inground Swimming Pool	28/9/23	13/9/23	Approved – Private Certifier
S68 Applications					
LG2023/0048	Lot 8 DP 655494, 5387 Conargo Road, Conargo	Install a Free Standing Wood Heater	12/9/23	-	Under assessment



LG2023/0049	Lot 7 DP 285499, Pee Parade, Deniliquin	Install a Manufactured Home, carry out water supply work, stormwater work	12/9/23	-	Under assessment
LG2023/0050	Lot 7 DP 285499, Pee Parade, Deniliquin	Install a Septic System	12/9/23	-	Under assessment

#### Development Applications by Type for September 2023

Development Type	New Dwellings	Dwelling Alts/Additions/sheds	Commercial/Industrial	Other	Subdivision	No of lots resulting
Number	5	4	0	5	2	4
<b>Totals 2023</b>	<b>21</b>	<b>37</b>	<b>8</b>	<b>24</b>	<b>6</b>	<b>13</b>

#### Processing Times for September 2023

Application Type	* Mean Gross Days	** Mean Net Days
DA	41	41
Mod (S4.55) of DA & DA/CC	-	-
CDC	-	-
CC	45	45
<b>S68 Applications</b>	<b>30</b>	<b>30</b>

\* 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 2022 and 2023										
Month	DA 2022	DA 2023	CDC 2022	CDC 2023	CC 2022	CC 2023	LG 2022	LG 2023	Value 2022	Value 2023
January	3	4	2	0	1	3	2	4	\$870,000	\$148,890
February	14	8	1	1	9	5	2	7	\$6,541,633	\$1,631,720
March	13	6	0	1	8	5	5	7	\$1,968,289	\$4,340,700
April	8	4	0	0	2	3	0	0	\$1,891,000	\$194,595
May	9	3	1	2	6	2	6	5	\$3,376,895	\$2,248,880
June	13	14	0	0	8	9	3	7	\$277,646	\$4,043,451
July	3	7	0	0	3	3	2	3	\$369,101	\$1,743,731
August	10	12	1	0	4	8	6	7	\$660,693	\$4,318,485
September	7	5	0	2	1	4	3	4	\$894,000	\$243,621
October	11		0		8		4		\$2,206,916	
November	10		0		9		7		\$2,002,070	
December	8								\$3,894,506	
<b>TOTALS</b>	<b>109</b>	<b>63</b>	<b>5</b>	<b>6</b>	<b>59</b>	<b>42</b>	<b>40</b>	<b>44</b>	<b>\$24,952,749.00</b>	<b>\$18,914,073.00</b>
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	18
Average processing time	0 days
Maximum time for processing	2



Inspections for September													
Site	Footing / Pier	Slab	Frame	Hot & Cold	Wet Area	Sewer / Septic	Storm Water	Final	Food Van	Trade Waste Site Visit	Meetings	Murrumbidgee Council	Total
11	6	7	8	2	2	8	0	10	30 sites Ute Muster	0	35	1	120

Swimming Pool Inspection Program				
Month	1 <sup>st</sup> Inspection	2 <sup>nd</sup> Inspection	3 <sup>rd</sup> Inspection	TOTAL 2023
September	5	0	-	54

Animal Control /Ranger Activities												
Ranger's Report – September 2023												
Companion Animals												
Seized / Surrendered / Dumped	Released to Owner prior to impounded	In Pound	Released to Owner after impounded	Re-Homed	Euthanised		Stolen or escaped	Still In Pound	Declared Dangerous Menacing	Micro Chipped	Registered	Fines Issued
					Cats	Dogs						
39	2	37	2	2	32	1	0	0	0	8	15	0
* Note: 32 cats euthanised – these were feral cats that were dumped												
Note: The figures contained in this report relate to animal control activities carried out in the current month being reported on. Rehoming/Return to owner etc may occur in a subsequent month and are therefore not captured in this reporting period.												
Clean Up			Parking		Impoundment							
Notices Sent	Illegal Dumping		Patrols	Fines	Vehicles		Live Stock		Euthanised			
12	1 – Found at front gate of Pretty Pine tip – no owner found		5	0	0		0		-			



Dog Attacks		
Date	Details	Outcome
September	-	-

#### Animal Control

A series of short, informative articles promoting responsible pet owner ship have appeared in the PT Community Page including;

- Responsibility controlling your dog in a public place
- Caring for your pet
- Off leash Dog Park
- Securing and keeping your pet safe
- Microchipping and registering your pet

Public Health Activities	
Details	
Temporary Food Premises Inspections – Deni Ute Muster	30 Food Premises were inspected for compliance at Deni Ute Muster

Environmental Planning Activities
<b>Local Heritage Fund 2023/24 - Round 2</b>  <b>Round 2</b> of Edward River Council's Local Heritage Fund 2023/2024 closed on 27 September 2023. A report is being report to the October Council meeting.



## **12.13. EMERGENCY REPAIRS AMENITIES BUILDINGS - MCLEAN BEACH CARAVAN PARK**

### **Emergency Repairs**

**Author:** Manager Projects and Capital Works

**Authoriser:** Chief Executive Officer

### **RECOMMENDATION**

To Council:

1. Notes the additional work required at McLean Beach Caravan Park as part of recovery works from the 2022 flood event, and
2. Allocates \$420,000 from the Infrastructure reserve for flood recovery works to Council owned buildings at McLean Beach Caravan Park.

### **BACKGROUND**

The heavy rain events and flood emergency that occurred late 2022 saw the inundation of much of the McLean Beach Caravan Park.

While the park is managed under a commercial lease arrangement, Council owns and is responsible for several buildings throughout the park including four amenities blocks. During the flood event these building were extensively damaged by the flood waters resulting in lack of sanitary facilities for park residents and visitors.

Repairs to two of the four amenities blocks have been completed using emergency funds provided by the Office of Local Government (OLG). Completion of the two remaining amenities blocks is required to ensure the safe occupation of all of the park.

### **ISSUE/DISCUSSION**

#### Works to be undertaken.

The works required to complete the repairs to Amenities Block 3 include:

- Demolition and removal of damaged tiles, partitions, toilets, cisterns, basins and benches,
- Restoration and preparation of surfaces for applications of tiles,
- Waterproofing,
- Tiling,
- Replace partitions and doors,
- Replace fixtures and fittings and
- Painting.

The works required to complete the repairs of Amenities Block 4 include:

- Removal & Replacement of toilet and shower stall doors & cisterns,
- Removal and replacement of existing benches with reuse of most of the existing basins,
- Replace fixtures and fittings,
- Jet out pipework to pans, showers, basins and floor drains,
- Connect pan, showers, basins and floor waste a black water tank and pump in the service area,

- Connect pump to mains sewer chamber, and
- Painting.

Works are required to ensure that the amenities are safe and healthy spaces for residents and visitors to use.

Council officers will oversee contract trades to ensure the safe and efficient conduct of the work.

#### Communications and Engagement

Council staff will communicate with the contractors and the site operators to ensure that works are completed with as little disruption to the ongoing activities within the park.

Regular updates will be provided to council management and park owners and operators.

#### Delegation to Undertake Emergency Works

The funds to repair damage to the park amenities was allocated from Office of Local Government (OLG) Flood Recovery in the 2022/23 budget, however, these funds were insufficient to complete the full extent of the necessary works. The work to date were carried out as emergency work under the current delegations for the Chief Executive Officer and Directors. This further repair work will be carried out under the same arrangement.

#### Funding Source and Costs to Complete Repair

Description	Amount
Funding allocated to flood recovery works at Memorial Park.	\$462,407
Funding allocated to date for flood recovery work sat McLean Beach Caravan Park (Office and Amenities Blocks 1 and 2).	\$537,592
Quoted cost to complete Block 3 (quoted)	\$268,881
Estimated cost to complete block 4	\$150,000
Total Estimated Expenditure	\$1,418,880
OLG Flood Recovery Funding	\$1,000,000
Unfunded repairs	<b>\$418,880</b>

It is noted that this cost has not been allowed for in the 2023/24 Operational Plan and, as emergency works, will be funded from the Infrastructure Reserve.

### **STRATEGIC IMPLICATIONS**

It is important that Council continues to support tourism in the region through recovery efforts from the 2022 flood event. This includes continuing with infrastructure recovery for Council owned assets.

### **COMMUNITY STRATEGIC PLAN**

1. Shaping the Future

1.2 Quality built environment

**FINANCIAL IMPLICATIONS**

The emergency works noted in this report are currently unfunded in the 2023/24 Operational Plan and will need to be funded from Council's Infrastructure reserves.

**LEGISLATIVE IMPLICATIONS**

Requires application of NSW Local Government Act 1993 Part 3, Division 1, Clause 55 3) (k) 'a contract made in a case of emergency'.

**ATTACHMENTS**

Nil

## **12.14. NAMING OF REST AREA IN NORTH DENILIQVIN**

**Author:** Director Infrastructure

**Authoriser:** Chief Executive Officer

### **RECOMMENDATION**

That Council:

1. Calls for public submissions regarding the naming for the rest area in North Deniliquin, formerly known as the North Deniliquin Tennis Courts, for a minimum period of 28 days, and
2. Receives a further report on the outcomes of the call for public submissions.

### **BACKGROUND**

Council has previously resolved to re-develop the North Deniliquin Tennis Courts, including the court area and associated clubrooms/amenities, into a rest area for visitors to Deniliquin. This was due to lack of usage of the facility and its condition. A copy of the masterplan for this re-development is included in Attachment 1 to this report. Council has completed Stage 1 of the development, being the construction of an amenities block and a walking path around the area.

### **ISSUE/DISCUSSION**

The area does not have a formal name and is colloquially known as the North Deniliquin Tennis Court rest area or the Truckalysers bay, in reference to one of the original purposes of the facility in providing an area for heavy vehicles to safely stop or be pulled over. Council has subsequently received a formal request to name the area in recognition of a community member with a long history relating to the tennis club and tennis in the Deniliquin area as well as several informal enquires regarding what the name of the rest area is.

Council does not have a specific policy regarding naming of parks or reserves and manages these requests on a case by case basis. In the past Council has undertaken the following process regarding the naming of parks and reserves:

1. Council receives a request to name, or rename, a park or reserve,
2. Council officers investigate the matter and provide a report to Council to consider whether it wishes to name the park or reserve,
3. If Council supports naming of the park or reserve, it resolves to call for public submissions on the matter,
4. Following the public consultation process, a further report is presented to Council with the preferred name and reasoning behind it, as well as other suggestions from the community, and
5. Council formally resolves to name the park or reserve.

Based on the formal request received for naming the rests area, Council officers recommend that Council calls for public submissions and a further report be presented.

### **STRATEGIC IMPLICATIONS**

This matter is consistent with Council's Open Space Strategy and the masterplan for the area formerly known as the North Deniliquin Tennis Courts.

### **COMMUNITY STRATEGIC PLAN**

1. Shaping the Future

1.3 Enhanced Active and Passive Open Spaces

4. Delivering community assets and services

4.1 Vibrant villages and towns

**FINANCIAL IMPLICATIONS**

There are no financial implications regarding this matter.

**LEGISLATIVE IMPLICATIONS**

There are no legislative implications regarding this matter.

**ATTACHMENTS**

1. Concept Plan for North Deniliquin Rest Area

## **Attachment 1 - Rest Area Concept Plan**



## **12.15. RESOLUTIONS OF COUNCIL**

**Author:** Executive Assistant

**Authoriser:** Chief Executive Officer

### **RECOMMENDATION**

That Council note the information in the Resolutions of Council as at 9 October 2023.

### **BACKGROUND**

The attached report details the status of open Resolutions of Council.

Total Resolutions of Council for the 2022/2023 Financial Year - 230

Total Closed Resolutions of Council for the 2022/2023 Financial Year - 227

Total Resolutions of Council for the 2023/2024 Financial Year - 58

Total Closed Resolutions of Council for the 2023/2024 Financial Year - 48

### **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 9 October 2023



**Attachment 1 - Council meeting resolutions at 9 October 2023**

## Council Meeting Resolutions as at 9 October 2023

19 September 2023	Ordinary Council Meeting	Responsibility	Status	Expected Date of Completion
2023/0919/11.1	Minutes of the Arts and Culture Advisory Committee Meetings 8 August and 4 September 2023 That Council: 1. Receives the draft Minutes of the Arts and Culture Advisory Committee meeting held on 8 August 2023 and the extraordinary meeting held on 4 September 2023. 2. Consider the recommendation of the extraordinary meeting held on 4 September being the funding of a consultant to develop an arts and culture strategy with the committee as a key stakeholder, through a \$20K budget allocation in the 2024/25 Operational Plan and Budget, for delivery in the 24/25 financial year. 3. Endorse the resolutions of the Arts & Culture Advisory Committee meetings held on 8 August 2023 and 4 September 2023.	Manager Community & Economy	Unfunded Project. Budget Bid for 2024-2025 Operational Plan	March 2024
2023/0919/12.2	Determination of number of Councillors for 2024-2028 Term of Office That Council, in accordance with section 224(2) of the <i>Local Government Act 1993</i> determine the number of Councillors for the 2024-2028 term of office to be nine (9), including the Mayor.	Senior Governance Officer	Office of Local Government have been advised.	Closed
2023/0919/12.4	2022-23 Draft Financial Statements for Presentation to Audit That Council 1. Establish internally restricted reserves for the Conargo Hall Committee Bob White bequest funds (\$2.636m) and the 2023-24 Financial Assistance Grant received in advance(\$6.972m) and to include these in the 2022-23 draft financial statements 2. Review the Draft Financial Statements for 2022-23, incorporating the General-Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules. 3. Recommend that they be presented for audit. 4. Note that the Audited Financial Statements will be provided to ARIC and Council in late October.	Acting Manager Governance Safety and Risk	Completed	Closed

## Council Meeting Resolutions as at 9 October 2023

2023/0919/12.5	<p>Local Government Grants Commission Financial Assistance Grants Correspondence</p> <p>That Council note:</p> <ol style="list-style-type: none"> <li>1. The correspondence received from the Local Government Grants Commission, advising that councils 2023-24 FA Grants estimated entitlement is \$6.987m, compared to the 2022-23 final entitlement of \$6.689m, an increase of \$298k (4.5%).</li> <li>2. That the Local Government Grants Commission requested the enclosed letter be tabled at the next Council meeting and,</li> <li>3. The Commissions concern about the unpredictability the practice of advance payments creates for councils.</li> </ol>	Acting Manager Governance Safety and Risk	Letter tabled	Closed
2023/0919/12.7	<p>Unrecoverable Rates</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the unrecoverable rates for 47 unclaimed properties in the Edward River Council LGA and approves the write-off of \$291,582.40 under reg 131(4)(d) of <i>Local Government (General) Regulation 2021</i> as per attachment one.</li> <li>2. Notes that the rates or charges written off under that regulation does not prevent council from taking legal proceedings to recover the amounts owed.</li> <li>3. Agrees to write to the Minister of Local Government and the Treasurer, requesting that the <i>Local Government Act 1993</i> section 556 (1) be amended to include unclaimed properties as land that is exempt from rates</li> <li>4. Investigates potential solutions to this issue.</li> </ol>	Acting Chief Financial Officer	<p>Minister &amp; Treasurer Correspondence sent.</p> <p>Update to be provided at November Briefing.</p>	November 2023
2023/0919/12.10	<p>Edward River Growth Strategy Advisory Committee</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Establishes a Committee of Council, being the Growth Strategy Committee, comprised of no more than seven people, which includes two Councillors. Cr Harold Clapham and Cr Shannon Sampson will sit on this committee, for the purpose of project oversight of the development of the Edward River Growth Strategy.</li> <li>2. Revise the previously tabled draft Terms of Reference to make clear the purpose, scope and composition of the Committee</li> </ol>	Manager Community & Economy	Terms of reference updated.	17 October 2023

## Council Meeting Resolutions as at 9 October 2023

	3. Notes that Committees must conduct their meetings in accordance with Councils Code of Meeting Practice.			
2023/0919/13.1	<p>Notice of Motion – Protect Water Sustainability of Regional Irrigation Communities</p> <p><b>MOTION</b></p> <p>That Council adopts the following motion to be submitted to the Local Government NSW Conference:</p> <p><b>Protect water sustainability of regional irrigation communities.</b></p> <p>That Local Government NSW calls on the Australian Government to acknowledge that water buy-back has a detrimental effect upon local communities.</p> <ol style="list-style-type: none"> <li>1. Acknowledge the Adverse Socio-Economic Impact: The Australian Government should openly acknowledge that water buybacks have an adverse socio-economic impact on regional communities. This recognition is the first step towards addressing the issue and finding sustainable solutions.</li> <li>2. Commitment to Financial Support: In the event that water buybacks proceed, it is imperative that the Federal Government commits to providing financial support to assist affected regional communities in their transition. This support should be designed to help local economies adapt to the changes brought about by water buybacks.</li> <li>3. At a minimum, Tie Assistance to Water Value: The level of structural assistance provided to impacted communities should be directly tied to the value of the water purchased from those Local Government Areas (LGAs). This ensures that communities are adequately compensated for the resources that are being extracted from their regions.</li> </ol>	Chief Executive Officer	Motion submitted	Closed
2023/0919/15.1	<p>Contract C2023-02 Operation and Management of Deniliquin Regional Sports and Entertainment Centre</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accepts the tender submitted by Deniliquin Sports Park Incorporated for Contract C2023-02 Operation and Management of the Deniliquin Regional Sports and Entertainment Centre for a three-year period ending 30</li> </ol>	Director Infrastructure	Contract Underway	November 2023

## Council Meeting Resolutions as at 9 October 2023

	<p>September 2026 and for the tender price of \$85,000+GST for the 2023/24 financial year, and</p> <p>2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/08 Operation and Management of the Deniliquin Regional Sports and Entertainment Centre, and</p> <p>3. Allocates an additional \$42,000 in the 2023/24 Operational Plan for management fees relating to the Operation and Management of the Deniliquin Regional Sports and Entertainment Centre.</p> <p>4. Ensure contract requirements are met.</p>			
<b>2023/0919/15.2</b>	<p>Contract C2021-20 Transfer Station Waste Disposal</p> <p>That Council:</p> <p>1. Accepts the tender submitted by Country Waste Services Pty Ltd for Contract C2021/20 – Transfer Station Waste Disposal for a period of three years at the schedule of rates for 2023/24 of:</p> <p>(a) \$8.52/week + GST for each bin hire,</p> <p>(b) \$2.78/km + GST for travel, and</p> <p>(c) \$97.20/bin + GST for each bin pick up.</p> <p>2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2021/20 Transfer Station Waste Disposal.</p>	Manager Utilities	Contract signed and seal affixed.	Closed
<b>2023/0919/15.3</b>	<p>Contract C2022-07 Road Reconstruction – Joint Council Sealed Roads – Package 1</p> <p>That Council:</p> <p>1. Accepts the tender submitted by Bild Infrastructure Pty Ltd for Contract C2022/07 – Road Reconstruction - Joint Council Sealed Roads - Package 1 for the value of the schedule of rates tender of \$1,353,238 + GST,</p> <p>2. Authorise the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract</p>	Manager Projects and Capital Works	Awarded. Execution of Formal Instrument of agreement is Underway.	November 2023

## Council Meeting Resolutions as at 9 October 2023

	documentation for Contract C2022/07 Road Reconstruction - Joint Council Sealed Roads - Package 1, and 3. Delegate the Contract Superintendent authority to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site.			
2023/0919/15.4	Contract C2022-08 Deniliquin Skate Park That Council: 1. Accepts the tender submitted by Independent Concrete Construction Pty Ltd for Contract C2022/08 - Deniliquin Skate Park for the lump sum of \$405,090 inclusive of GST, 2. Authorises the Mayor and Chief Executive Officer to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022/08 - Deniliquin Skate Park, and 3. Authorises the Contract Superintendent to approve variations on the contract up to a maximum value of 10% of the contract sum.	Manager Projects and Capital Works	Awarded. Execution of Formal Instrument of agreement is underway.	November 2023
2023/0919/15.5	Contract C2023-03 Supply of Crushed Rock to Nominated Stockpiles That Council: 1. Accepts the tenders submitted by Andrew Goldman Excavations Pty Ltd and EB Mawsons & Sons Pty Ltd for Contract C2023/03 for Supply of Crushed Rock to Nominated Stockpiles, and 2. Places all accepted tenders on a panel of contractors for the Supply of Crushed Rock to Nominated Stockpiles.	Manager Projects and Capital Works	Awarded. No formal execution required.	Closed
15 August 2023	<b>Ordinary Council Meeting</b>	<b>Responsibility</b>	<b>Status</b>	<b>Expected Date of Completion</b>
2023/0815/12.5	Draft Communications & Community Engagement Strategy for Public Exhibition That Council: 1. Endorses the draft Communications & Community Engagement Strategy (CCES) for public exhibition for a minimum period of 28 days commencing Friday 18 August 2023	Manager Community & Economic Development	Further report will go to the October Ordinary Council Meeting.	17 October 2023

## Council Meeting Resolutions as at 9 October 2023

	<ul style="list-style-type: none"> <li>2. Receive a further report on outcomes of the public exhibition</li> <li>3. Authorise the Chief Executive Officer to make any necessary amendments to the documents which do not alter the intent or result in material changes to these documents in preparation for public exhibition, including the graphic design of the draft Communications &amp; Community Engagement Strategy.</li> </ul>			
<b>18 July 2023</b>	<b>Ordinary Council Meeting</b>	<b>Responsibility</b>	<b>Status</b>	<b>Expected Date of Completion</b>
<b>2023/0718/12.1</b>	Edward River Growth Strategy Advisory Committee That Council delay formation of the Edward River Growth Strategy Advisory Committee until the Consultant has been engaged.	Manager Community & Economic Development	Open To September Council Meeting	15 August 2023 19 September 2023
<b>2023/0718/15.1</b>	Contract C2023/01-Regional Kerbside Collection Services Tender That Council: <ul style="list-style-type: none"> <li>1. Endorse the provision of additional recycling and food organics and garden organics kerbside collection services, commencing in July 2024,</li> <li>2. Accepts the tender submitted by JR Richards Pty Ltd for Contract C2023/01 - Regional Kerbside Collection Services, commencing 1 July 2024 until 30 June 2034, for the extended schedule of rates amount of approximately \$12,082,478 including GST over the 10-year period,</li> <li>3. Authorises the Chief Executive Officer and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2023/01 - Regional Kerbside Collection Services,</li> <li>4. Undertakes a review of waste management collection charges as part of preparation for the 2024/25 Operational Plan to minimise the impact of waste charges on the community.</li> <li>5. Notes grant funding from NSW Environmental Protection Authority of approximately \$200,000 to assist with the</li> </ul>	Manager Engineering and Assets	Contract to be signed	July 2024

## Council Meeting Resolutions as at 9 October 2023

	implementation of the additional food organic and garden organics collection services.			
<b>2023/0718/15.2</b>	<p>Growth Strategy Tender</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Accepts the tender submitted by AEC Group Pty Ltd for Contract C2022-06 – Edward River Growth Strategy 2050 for the lump sum amount of \$200,000+GST,</li> <li>2. Authorise the Chief Executive Officer and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2022-06 – Edward River Growth Strategy 2050,</li> <li>3. Note the changes to the project timelines allowing for appropriate research and consultation with finalisation of the strategy proposed before 30 June 2024.</li> </ol>	Manager Community and Economic Development	Contract to be signed.	Prior to 30 June 2024
<b>20 December 2022</b>	<b>Ordinary Council Meeting</b>	<b>Responsibility</b>	<b>Status</b>	<b>Expected Date of Completion</b>
<b>2022/1220/13.2</b>	<p>Notice of Motion – Flood Plans and Mitigation Works</p> <p>That Council:</p> <ol style="list-style-type: none"> <li>1. Agree to hold a community meeting prior to end of March 2023, providing an overview of Council's flood plans and mitigation works that are currently in place, and discussing potential options for North Deniliquin, following the November 2022 floods.</li> <li>2. Requests the Chief Executive Officer to invite an appropriate panel of expert staff to answer questions and provide information to the community on what could potentially be developed into the future.</li> <li>3. Provides a further report to a Councillor briefing, prior to June 2023, outlining a potential project for flood mitigation to be advocated to the state government for funding.</li> </ol>	Director Infrastructure	<p>1.Meeting held March 2023.</p> <p>2.WMA Water engaged to provide expert advice.</p> <p>3.Underway to be provided to September Briefing</p>	<p>May 2023</p> <p>July 2023 September 2023</p>



## Council Meeting Resolutions as at 9 October 2023

18 October 2022		Responsibility	Status	Expected Date of Completion
2022/1018/12.5	<p>Town Hall Land That Council:</p> <ol style="list-style-type: none"> <li>Commence the process to consolidate Lot 1 in DP1173376, Lots X and Y in DP410447, Lot 9 in DP662508, Lot 6 in DP667946 and Lot 6 in DP668426, and</li> <li>Apply to Crown Lands to undertake a boundary adjustment for Lot 7 Sec 21 DP758913, being the Town Hall land parcel, to allow for the new foyer entrance to the Town Hall.</li> </ol>	Manager Development	<p>Process commenced.</p> <p>Application made to Crown Lands.</p> <p>No further information to hand, Crown Lands to be followed up.</p>	<p>Open</p> <p>June 2023</p> <p>September 2023</p>
15 July 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/96	<p>Saleyards Strategic Plan That Council:</p> <ol style="list-style-type: none"> <li>Council defer decision to divest and close the cattle yards and not adopt strategic plan for 12 months.</li> <li>Form a user group to assist Council and the new lease holder to improve the facility.</li> <li>Council investigate the scaling down to three runs to a 300 head of cattle capacity in 12 months.</li> <li>Council initiate a complete WHS report on the three cattle runs.</li> <li>Provides a report with a recommendation on the outcome of the expression of interest process by November 2021.</li> <li>Includes the development of the Saleyards in its advocacy strategy and investigates funding opportunities to assist with future development of the sales.</li> </ol>	Director Infrastructure	<p>1. Noted</p> <p>2. Completed</p> <p>3. Underway with new lease holder</p> <p>4. WHS report received.</p> <p>5. Tender in currently being advertised.</p> <p>6. Underway as part of review of Advocacy Strategy</p>	<p>Completed</p> <p>Completed June 2024 October 2023</p> <p>Completed</p> <p>June 2023</p>

**Council Meeting Resolutions as at 9 October 2023**

	<p>7. Includes the development of the saleyards in Council's long term financial plan, and</p> <p>8. Prepares a management plan for the ongoing operation of the sale yards facility.</p>		<p>7. Included in scenarios for 23/24 LTFP.</p> <p>8. To be prepared as part of the commencement of new lease.</p>	<p>Completed</p> <p>August 2023</p> <p>October 2023</p>
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## 12.16. MAYOR, COUNCILLOR, CEO MEETINGS SEPTEMBER 2023

**Author: Executive Assistant**

**Authoriser: Chief Executive Officer**

### RECOMMENDATION

That Council

1. Note meetings attended on behalf of Council by the Mayor, Councillors and Chief Executive Officer during the month of September 2023.
2. Continue to advise the Chief Executive Officer's Executive Assistant of their meeting diaries and activities attendance.

### BACKGROUND

The report details meetings undertaken on behalf of Council by the Mayor, Councillors and the Chief Executive Officer during September 2023

### ISSUE/DISCUSSION

Date	Participants	Meeting
3 September 2023	Mayor, Cr Shannon Sampson	Pretty Pine Father's Day Expo
4 September 2023	Cr Tarria Moore, Chief Executive Officer	Edward River Council Arts & Culture Advisory Committee Extraordinary Meet
5 September 2023	Mayor, Chief Executive Officer	First Responders Heart2Heart Walk2023
6 September 2023	Mayor	PGA Pro-Am Deniliquin Golf Club Prizes and formalities
7 September 2023	Mayor, Chief Executive Officer	Visit to Deniliquin TAFE with Duncan Taylor
7 September 2023	Mayor, Chief Executive Officer	Meeting with representatives of Lozova, Ukraine
10 September 2023	Mayor, Cr Tarria Moore	Deni MHAG Family Fun Day
16 September 2023	Cr Marc Petersen	Collectors Club Rally Memorial Park
17 September 2023	Cr Marc Petersen, Cr Shirlee Burge	Book Launch - Challenging Times No.7 Service Flying Training School
20 September 2023	Mayor, Chief Executive Officer	Senator Deborah O'Neill, Federal Senator for NSW
20 September 2023	Cr Shirlee Burge	Rotary Park User Group Meeting
25 September 2023	Mayor, Cr Shirlee Burge, Chief Executive Officer	Health Services Advisory Committee Meeting

Date	Participants	Meeting
29 September 2023	Mayor, Cr Pat Fogarty, Cr Linda Fawns, Cr Tarria Moore, Chief Executive Officer	Deni Ute Muster - Chairman's Welcome

**STRATEGIC IMPLICATIONS**

N/A

**COMMUNITY STRATEGIC PLAN**

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

**ATTACHMENTS**

Nil

**13. NOTICES OF MOTIONS****13.1. NOTICE OF MOTION - LETTER OF SUPPORT FOR A PUBLIC POST OFFICE BANK IN AUSTRALIA**

**Author:** Cr Shirlee Burge

**Authoriser:** Chief Executive Officer

**RECOMMENDATION****NOTICE OF MOTION**

I, Cr Shirlee Burge, hereby give notice of the following motion to be resolved by Edward River Council:

**MOTION:**

That Council write a letter of support for the campaign for a public post office bank in Australia to the Federal Member for Farrer and the Australian Citizens Party

**BACKGROUND**

I have received information from the Australian Citizens Party regarding a campaign for a public post office bank in Australia.

The basic concept is detailed below:

The Australian Citizens Party is part of a nationwide campaign to establish a new government bank, like the original Commonwealth Bank, to operate in post offices, which would guarantee face-to-face financial services for all communities, and force the Big Four banks to compete on both cost and service.

The post office bank would also:

- Guarantee deposits, because it is a government bank.
- Maintain cash payments and processing, which the private banks are trying to do away with.
- Increase lending to individuals and small businesses in regional communities.
- Invest in more infrastructure, including through local government.

This policy is different to the existing banking service in post offices, Bank@Post, because it is a dedicated postal bank that will increase competition, whereas Bank@Post is an agency service for the existing banks which can be withdrawn at any time.

Dated this eighth day of September 2023

Signed by Cr Shirlee Burge

**STRATEGIC IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**LEGISLATIVE IMPLICATIONS**

Nil

**ATTACHMENTS**

Nil

**14. QUESTIONS WITH NOTICE****14.1. QUESTION WITH NOTICE - DEPUTY MAYOR CR PAUL FELLOWS**

**Author:** Chief Executive Officer

**Authoriser:** Chief Executive Officer

**QUESTION ON NOTICE**

Cr Paul Fellows:

Will Edward River Council consider leasing a portion of their permanent water allocation and recognise the water asset on the Edward River Council Balance Sheet?

**RESPONSE FROM CHIEF EXECUTIVE OFFICER**

The decision to undertake water trading and including water assets on the balance sheet as an asset of value would be subject to council resolution. As requested at a briefing session, Council staff are investigating options to provide to Council into the future. This information is envisaged to be presented at a briefing of the councillors followed by a report at an ordinary Council meeting. It is not known at this stage when this may be as the investigations are at an early stage.

## **14.2. QUESTION WITH NOTICE - CR PAT FOGARTY**

**Author: Governance Coordinator**

**Authoriser: Director Corporate Services**

### **QUESTION ON NOTICE**

Cr Pat Fogarty:

At its September 2023 Ordinary Meeting, Council received a report recommending the adoption of a revised *Code of Conduct* and *Procedure for the Administration of the Code of Conduct*.

During the discussion on this Agenda item, Cr Pat Fogarty asked for further information about the definition of "other business" in clause 5.23: "The Chief Executive Officer must not engage, for remuneration, in private employment, contract work or other business outside the service of Council without the prior approval of Council, made as a resolution of Council".

### **RESPONSE FROM CHIEF EXECUTIVE OFFICER**

Council's revised Code of Conduct has been drafted based on the NSW Office of Local Government's (OLG's) updated Model Code of Conduct.

Council has sought guidance from the OLG regarding a definition for "other business" in clause 5.23 of the Code.

OLG has provided the following advice:

"The relevant provision of the Model Code of Conduct (clause 5.23) is based on section 353(1) of the *Local Government Act 1993*. Where section 353(1) requires the general manager to obtain the council's approval for secondary employment and contract work, clause 5.23 of the Model Code of Conduct extends the requirement for council approval to "other business" that is remunerated (ie business that does not arise from an employment or contractual relationship)."

## **15. CONFIDENTIAL MATTERS**

## **16. CLOSE OF MEETING**