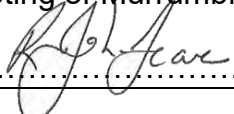


**REPORTS TO MURRUMBIDGEE COUNCIL MEETING
TO BE HELD FRIDAY 8 DECEMBER 2023**

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This is page 1 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

ACKNOWLEDGEMENT OF COUNTRY

We pay respect to the traditional custodians of the lands and waters of Murrumbidgee Local Government Area, and to all Aboriginal Elders, past and present and emerging. We are committed to honouring the continuing connection that First Australians hold to Murrumbidgee's land, waters and community, as one of the oldest living cultures in human history.

RECORDING & WEBCASTING OF MEETING

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

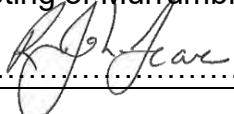
Murrumbidgee Council accepts no liability for any defamatory, discriminatory or offensive remarks or gestures that are made during the course of the Council Meeting. Opinions expressed or statements made by individuals are the opinions or statements of those individuals and do not imply any form of endorsement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


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This is page 2 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

OFFICERS' REPORTS FOR CONSIDERATION

ITEM NO: 1 - GENERAL MANAGER'S MONTHLY REPORT

Council Meeting:	8 December 2023
Report Date:	29 November 2023
Author:	General Manager
File #:	SC218
Approval:	General Manager

BACKGROUND

To provide information generally relating to past and future actions of the General Manager, along with specific action items being dealt with.

RECOMMENDATION

The information contained in the General Manager's monthly report be noted, and Council:

- a) Allocate lots 1 and 14 within the Young Street subdivision, Darlington Point, as the location for the two new 3 bedroom Council homes;
- b) Endorse the draft Councillor Use of Council Motor Vehicles whilst on Official Council Business Policy, and place on public exhibition for 42 days seeking public comment. At the completion of the exhibition period, the draft policy be presented for adoption.
- c) Submit the submission, as written by Council's General Manager, to the Local Government Remuneration Tribunal.

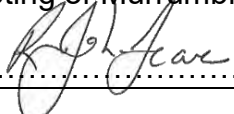
1. Farm Gate Recycling and General Waste Collection


We have requested that the information form being sent out with letters to rural properties in relation to the provision of a farm gate collection service be returned to Council by 15 February 2024.

As such I am not expecting to have this information back before Council for decision before March 2024.

I encourage all rural property owners to fill in and return the information form by the due date.

This is page 3 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

2. Housing

I have selected the real estate agent from Griffith to sell both of the Darlington Point residential properties.

As indicated, the Young Street subdivision is due to be practicably completed in February 2024. Currently both homes are provided for the workers associated with the Young Street subdivision development. I propose to commence the marketing of the two properties in late February 2024.

Attached is the subdivision plan of Young Street. I am proposing to build the two new Council homes on lots 1 and 14, once this has been decided I will go to the market to build two 3 bedroom homes on those lots. Council has already provided authority for them to be built. The aim is to have the prices back to the February Council meeting in 2024. At the same time I am proposing to bring the costings for the 4 x 2 bedroom homes in Jerilderie.

Recommendation

Council allocate lots 1 and 14 within the Young Street subdivision, Darlington Point, as the location for the two new 3 bedroom Council homes.

3. Councillor use of Council Motor Vehicles whilst on Official Council Business Policy

Council encourages family to partner Councillors and staff to official events associated with Council, be that conferences, meetings, training and the like.

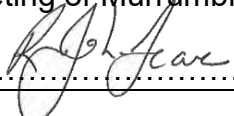
Unless private use of a motor vehicle is provided for by a policy, it is not permitted for family members to drive the vehicle at any time.


The attached draft policy has been written for elected representatives only, and in the New Year I will be working with the Consultative Committee on a similar version for the staff of Council.

It is legislation that an elected representative cannot receive private benefit from Council resources, and a guide is given by the State Government as to the benefits that can be provided to elected representatives to carry on the function as an elected representative.

This policy does not compromise the legislative rules, it provides for better health and safety of the elected representative by allowing the spouse or common law partner to drive the Council vehicle whilst on official business of Council, it also provides for financial saving to Council, as previously if the partner of the elected representative was accompanying them, they would take their own vehicle at a per km rate, so the accompanying partner could use the vehicle during times the elected representative was attending the official business.

This is page 4 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

In short, the policy allow for the partner to share the driving whilst on official business, and allow the partner, for a fee, to use the vehicle whilst the elected representative is attending the official function.

Recommendation

Council endorse the draft Councillor Use of Council Motor Vehicles whilst on Official Council Business Policy, and place on public exhibition for 42 days seeking public comment. At the completion of the exhibition period, the draft policy be presented for adoption.

4. Submission to Local Government Remuneration Tribunal

The Local Government Remuneration Tribunal sets the remuneration for elected representatives.

The legislation has continually restricted the Remuneration Tribunal from making an independent determination.

It is my understanding that the Local Government Minister has requested the Remuneration Tribunal look at the remuneration in a different light.

As such, I have dusted off previous submissions, updated it to current standing, and provide same for Council to resolve that this be Murrumbidgee Council's submission.

Recommendation

Council submit the submission, as written by Council's General Manager, to the Local Government Remuneration Tribunal.

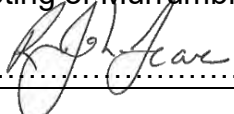
5. Country Mayors Association

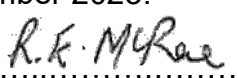
Cr McRae and I attended the Country Mayors' Association (CMA) Ordinary and Annual General Meetings held at Parliament House, Sydney on Friday 24 November 2023.

We heard from the following special guests speakers:

- a) The Hon Chris Minns MP, Premier of NSW
- b) The Hon Rose Jackson MLC, Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, Minister for Youth, Minister for the North Coast
- c) The Hon Steve Whan MP, Minister for Skills, TAFE and Tertiary Education
- d) The Hon Dugald Saunders MP, Leader of The Nationals, Shadow Minister for Regional NSW, Shadow Minister for Agriculture and Natural Resources
- e) The Hon Damien Tudehope MLC, Shadow Treasurer, Shadow Minister for Industrial Relations

This is page 5 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

- f) The Hon Steph Cooke MP, Shadow Minister for Water, Shadow Minister for Crown Land

Also in the room were the following MPs and MLCs

- Hon Jenny Aitchison MP, Member for Maitland
- Hon Adam Marshall, Member for Northern Tablelands
- Hon Cameron Murphy MLC
- Hon Natasha Maclaren-Jones MLC
- Hon Aileen McDonald MLC
- Hon Jacqui Munro MLC
- Dr Amanda Cohn, MLC
- Mr Dave Layzell MP, Member for Upper Hunter
- Mrs Tanya Thompson MP, Member for Myall Lakes
- Mr Michael Regan MP, Member for Wakehurst

As you can see from the list above, the CMA is a very well respected organisation.

At the AGM, Cr Patrick Bourke, Mayor of Federation Council, was appointed to a casual vacancy on the board.

The membership fees, which are currently set at \$750, were revised to \$1,150, in my opinion representing extreme value for the outputs of the organisation.

For Councillors' information I have attached a communique from the CMA.

6. Movements

14 Dec 2023 – 7 Jan 2024 - Annual leave
2 - 4 Feb 2024 – Strategic Workshop - Albury

SUSTAINABILITY

N/A

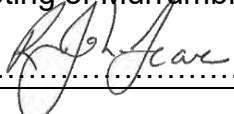
STATUTORY COMPLIANCE/POLICY


N/A

FINANCIAL

N/A

This is page 6 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

INTEGRATED PLANS

Theme 5: Our Leadership - Looking to our Future

5.1. Demonstrating Transparent Leadership through Accountability and Community Representation

RISK MANAGEMENT

N/A

CONSULTATION/ENGAGEMENT

N/A

OPTIONS

Option 1 (recommendation)

The information contained in the General Manager's monthly report be noted, and Council:

- a) Allocate lots 1 and 14 within the Young Street subdivision, Darlington Point, as the location for the two new 3 bedroom Council homes;
- b) Endorse the draft Councillor Use of Council Motor Vehicles whilst on Official Council Business Policy, and place on public exhibition for 42 days seeking public comment. At the completion of the exhibition period, the draft policy be presented for adoption.
- c) Submit the submission, as written by Council's General Manager, to the Local Government Remuneration Tribunal.

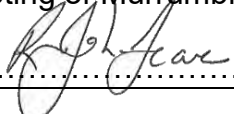
Option 2


Another recommendation of Council.

ATTACHMENT

- Attachment # 1: Young Street Subdivision layout
Attachment # 2: Draft Councillor Use of Council Motor Vehicles whilst on Official Council Business Policy
Attachment # 3: Remuneration Tribunal Submission
Attachment # 4: Country Mayors' Association Communique

This is page 7 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

ITEM NO. 2 - DRAFT DATA BREACH POLICY

Council Meeting:	8 December 2023
Report Date:	29 November 2023
Author:	Manager Corporate & Community Services
File #:	SC49
Approval:	General Manager

EXECUTIVE SUMMARY

The purpose of this report is to seek a resolution from Council to adopt the draft Data Breach Policy.

RECOMMENDATION

That Council adopt the draft Data Breach Policy

BACKGROUND

Amendments to the *Privacy and Personal Information Protection Act 1998* (PIIP Act) came into effect on 28 November 2023. The amendments impact the responsibilities of agencies under the PIIP Act, and require agencies to provide notifications to affected individuals in the event of an eligible data breach of their personal or health information by a NSW public sector agency or state-owned corporation subject to the PIIP Act. Agencies are required to prepare and publish a Data Breach Policy in compliance with section 59ZD.

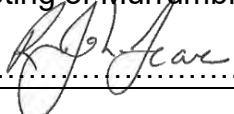
The changes to the PIIP Act include:


- creating a Mandatory Notification of Data Breach (MNDB) Scheme which will require public sector agencies bound by the PIIP Act to notify the Privacy Commissioner and affected individuals of data breaches involving personal or health information likely to result in serious harm;
- applying the PIIP Act to all NSW state-owned corporations that are not regulated by the Commonwealth *Privacy Act 1988*;
- repealing s117C of the *Fines Act 1996* to ensure that all NSW public sector agencies are regulated by the same mandatory notification scheme.

The MNDB Scheme requires agencies to satisfy other data management requirements, including to maintain an internal data breach incident register, and have a publicly accessible Data Breach Policy.

The Data Breach Policy sets out how Council will respond to a data breach. It establishes the roles and responsibilities of Council staff in relation to managing a breach and the steps Council will follow if a breach occurs.

This is page 8 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

OFFICER COMMENT

A report was presented to Council on 24 October 2023 introducing the draft Data Breach Policy. At that meeting it was resolved to place the draft policy on public exhibition.

The draft policy was placed on exhibition from 25 October 2023, with the close of submissions being 24 November 2023. No submissions have been received.

SUSTAINABILITY

N/A

STATUTORY COMPLIANCE/POLICY

The draft policy complies with the provisions of Section 59ZD of the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

FINANCIAL

N/A

INTEGRATED PLANS

Murrumbidgee Council Community Strategic Plan
Leading by Example:

1. We have strong partnerships with our community, government and other stakeholders and are seen as a trusted and reliable organisation

RISK MANAGEMENT

N/A

CONSULTATION / ENGAGEMENT

- Councillor Workshop
- October 2023 Council Meeting

OPTIONS

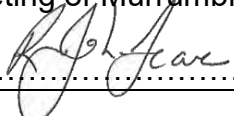
Option 1 (recommendation)


That Council adopt the draft Data Breach Policy

ATTACHMENT

Attachment # 5: Draft Data Breach Policy

This is page 9 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

ITEM NO. 3 - SECTION 355 COMMITTEES

Council Meeting:	8 December 2023
Report Date:	28 November 2023
Author:	Manager Corporate & Community Services
File #:	SC21, SC22, SC23, SC24
Approval:	Director Planning, Community & Development

EXECUTIVE SUMMARY

The purpose of this report is to seek a resolution in relation to the future management and roles of Council's Section 355 Committees.

RECOMMENDATION

That:

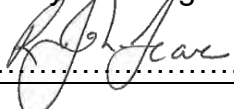
- Council formally appoint the following committees as Section 355 Committees of Council:**
 - Heritage Darlington Point**
 - Central Coree Sports Complex Management Committee**
 - Yamma Recreation Reserve Management Committee**
 - Coleambally Australia Day Committee**
 - Jerilderie Australia Day Committee**
 - Jerilderie Tidy Towns Committee**
 - Coleambally Townlife Committee**
 - Darlington Point Townlife/Australia Day Committee.**
- Council adopt the Terms of Reference for each of the Committees.**
- The management of the Balmeringa units in Jerilderie be brought in under Council control.**

BACKGROUND

Following advice from Council's insurance brokers regarding an incident which resulted in the death of a volunteer member of a Section 355 Management Committee, and advice from the Office of Local Government encouraging Council's to review the operations of committees established under section 355 of the *Local Government Act 1993* (the Act), a review of the current committees has been undertaken.

The review has shown that four Committees manage Council facilities - Heritage Darlington Point, Balmeringa Management Committee, Central Coree Sports Complex Management Committee and Yamma Recreation Reserve Management Committee – and meet S.355 committee criteria by managing a Council asset, the other committees all perform a function of Council.

This is page 10 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

A review the current s.355 Committee guidelines showed that a number of areas needed to be addressed including:-

- A formal resolution of Council to appoint all Section 355 Committees;
- Updating WHS requirements for s.355 Committees;
- Training for volunteers;
- Due diligence training for officers;
- Adherence to operational and financial reporting requirements; and
- Increased communication with s.355 Committees;

A new operations manual has been developed, as well as Terms of Reference for all Committees, which will upgrade WHS requirements for s.355 Committees and increase communication between Council and Committees.

OFFICER COMMENT

It is considered that the proposed changes to Council's Section 355 Committees will bring the management and functions into line with current standards, as well as reduce the risk.

STATUTORY COMPLIANCE/POLICY

Local Government Act 1993 (the Act), Section 355

FINANCIAL

If Council were to undertake the functions that are currently being performed by Section 355 volunteer committees there would be an increase in expenses as well as staff time.

INTEGRATED PLANS

Community Strategic Plan

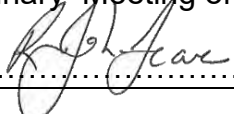
Community

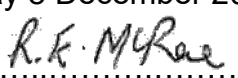
- Creating community opportunities and equitable access to Council and community services and programs

RISK MANAGEMENT

Updating WHS requirements for s.355 Committees, training for volunteers, due diligence training for officers, adherence to operational and financial reporting requirements and increased communication with s.355 Committees will mitigate any risks.

This is page 11 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

CONSULTATION / ENGAGEMENT

Councillors
Current Section 355 Committees
Executive Team
Statewide Mutual Insurance

OPTIONS

Option 1 (recommendation)

That:

1. Council formally appoint the following committees as Section 355 Committees of Council:
 - Heritage Darlington Point
 - Central Coree Sports Complex Management Committee
 - Yamma Recreation Reserve Management Committee
 - Coleambally Australia Day Committee
 - Jerilderie Australia Day Committee
 - Jerilderie Tidy Towns Committee
 - Coleambally Townlife Committee
 - Darlington Point Townlife/Australia Day Committee.
2. Council adopt the Terms of Reference for each of the Committees.
3. The management of the Balmeringa units in Jerilderie be brought in under Council control.

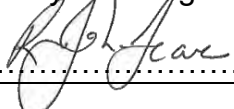
Option 2

Any other resolution of Council.

ATTACHMENTS

- Attachment # 6: Terms of Reference - Central Coree Sports Complex Committee
- Attachment # 7: Terms of Reference - Heritage Darlington Point Committee
- Attachment # 8: Terms of Reference - Yamma Recreation Reserve Committee
- Attachment # 9: Terms of Reference - Coleambally Australia Day Committee
- Attachment # 10: Terms of Reference – Coleambally Townlife Committee
- Attachment # 11: Terms of Reference – Darlington Point Townlife/Australia Day Committee
- Attachment # 12: Terms of Reference – Jerilderie Australia Day Committee
- Attachment # 13: Terms of Reference – Jerilderie Tidy Towns Committee

This is page 12 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

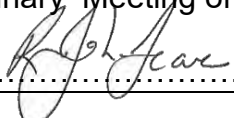
.....General Manager

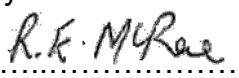
.....Mayor

REPORTS/MINUTES OF COUNCIL COMMITTEES

NIL

This is page 13 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

OFFICERS' REPORTS FOR NOTING

ITEM NO. 4 - MONTHLY INVESTMENT REPORT – NOVEMBER 2023

Council Meeting:	8 December 2023
Report Date:	30 November 2023
Author:	Accountant
File #:	SC133
Approval:	General Manager

EXECUTIVE SUMMARY

Under Clause 212 of the *Local Government (General) Regulation 2021*, Council's Responsible Accounting Officer is required to present Council with a monthly report setting out details of Council's investments.

This report sets out details of all money Council had invested under section 625 of the *Local Government Act 1993* as at the end of November 2023.

RECOMMENDATION

Council note the monthly Investment Reports identifying all money Council has invested under section 625 of the *Local Government Act 1993*.

BACKGROUND

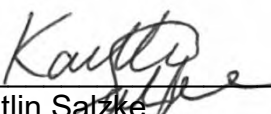
As at 30 November 2023, Council's total invested funds were \$29,432,278, as detailed in the attachment.

Funds invested with Bendigo Bank were approximately 55%.

Murrumbidgee Council's money-weighted rate of return (MWRR) outperformed the Bloomberg AusBond Bank Bill Index benchmark rate for both the month and the financial year to date.

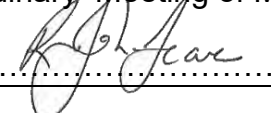
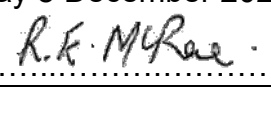
OFFICER COMMENT

I certify that the investments have been invested in accordance with the Local Government Act and Regulations and the Murrumbidgee Council Investment Policy.



Kaitlin Salzke
Responsible Accounting Officer

This is page 14 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

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

SUSTAINABILITY

NIL

STATUTORY COMPLIANCE/POLICY

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

FINANCIAL

Nil, for information only.

INTEGRATED PLANS

Leading By Example

5.1.3 Maintain sound legislative decision-making that is ethical, accountable and transparent.

RISK MANAGEMENT

N/A

CONSULTATION / ENGAGEMENT

- General Manager
- Chief Financial Officer
- Finance Manager
- Finance Customer Service

OPTIONS

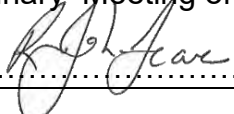
Option 1 (recommendation)

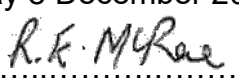
Council note the monthly Investment Reports identifying all money Council has invested under section 625 of the *Local Government Act 1993*.

ATTACHMENTS

Attachment # 14: Investments as at 30 November 2023

This is page 15 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

.....General Manager

.....Mayor

ITEM NO. 5 – DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATION – NOVEMBER 2023

Council Meeting:	8 December 2023
Report Date:	29 November 2023
Author:	Director Planning, Community & Development
File #:	SC210
Approval:	General Manager

EXECUTIVE SUMMARY

Information report provided to Council on Development Applications Approved Under Delegation during November 2023.

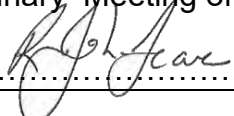
RECOMMENDATION


The information contained in the Development Applications Approved under Delegation, November 2023 Report be noted.

BACKGROUND

Application No	Address	Decision Date	Decision
DA24-2023	50 Conargo Road Carrathool	13/11/2023	Approved (Delegation)
<u>Description:</u>	<u>Consideration in determining application:</u>		
Expansion of the existing Wormtech composting facility to a maximum of 99,000 tonnes per annum and associated works	The development application was assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979. Neighbour notification or agency referral was not required.		
DA38-2023	Sturt Highway Darlington Point	23/11/2023	Approved (Delegation)
<u>Description:</u>	<u>Consideration in determining application:</u>		
Rich River Irrigation Developments Pty Ltd subdivision (boundary adjustment between two existing lots) to create two new lots	The development application was assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979. Neighbour notification or agency referral was not required.		

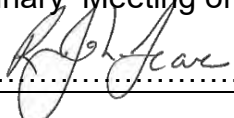
This is page 16 of 17 of the General Manager's Reports as submitted to the Ordinary Meeting of Murrumbidgee Council held Friday 8 December 2023.

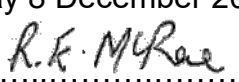
.......... General Manager

.......... Mayor

Application No	Address	Decision Date	Decision
DA39-2023	98 Boondilla Road Darlington Point	28/11/2023	Approved (Delegation)
<u>Description:</u>	<u>Consideration in determining application:</u>		
20m x 15m Farm Machinery Shed	The development application was assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979. Neighbour notification or agency referral was not required.		
DA40-2023	670 Willawa Lane Jerilderie	23/11/2023	Approved (Delegation)
<u>Description:</u>	<u>Consideration in determining application:</u>		
Kelmah Pty Ltd Boundary Re-alignment Subdivision (boundary adjustment) between two existing lots	The development application was assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979. Neighbour notification or agency referral was not required.		
DA41-2023	129 Jerilderie Street Jerilderie	30/11/2023	Approved (Delegation)
<u>Description:</u>	<u>Consideration in determining application:</u>		
Alterations to existing Jerilderie Sports Club with addition of a deck	The development application was assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979. Neighbour notification and agency referral was not required.		

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.....General Manager

.....Mayor