



**Swan Hill Rural
City Council**

SCHEDULED COUNCIL MEETING

Held on Tuesday 19 September
2023
at 2:00 PM
Council Chambers
Swan Hill Town Hall
53 – 57 McCallum Street, Swan Hill.
VIC 3585

MINUTES

Confirmed 17 October 2023

Chairperson.....

PUBLIC ACCESS

Open to the public and
Live streaming from Council's
website: www.swanhill.vic.gov.au

Vision Statement

Built on strong foundations that embrace our rich History and natural environment, our region will be a place of progressions and possibility. We are a community that is happy, healthy and harmonious - we are empowered, we are respectful and we are proud.

Our Mission

We will lead, advocate, partner and provide efficient services and opportunities for growth and the wellbeing of our community, environment and economy.

Our Values

Council values our residents and community and will be responsive to their needs. In pursuing our objectives, we believe in, and are committed to, the following values:

Community engagement - We will ensure that our communities are consulted, listened to and informed.

Leadership - We will be at the centre of our community and by actively engaging our community we will form the collective view on strategic issues and will then express our views through strong advocacy and action.

Fairness - We will value and embrace the diversity of our community and ensure that all people are treated equally.

Accountability- We will be transparent and efficient in our activities and we will always value feedback.

Trust - We will act with integrity and earn the community's trust by being a reliable partner in delivering services, projects and providing facilities.

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1 Procedural Matters

1.1 Welcome

Mayor, Councillor Les McPhee assumed the chair and declared the meeting open at 2:00 pm

1.2 Acknowledgement Of Country

“Swan Hill Rural City Council acknowledges the traditional custodians of the land on which we meet, and pays its respects to their elders, past and present.”

1.3 Prayer

Cr Young read the prayer.

We beseech you Lord, that we may be granted wisdom, understanding and sincerity of purpose, in the decisions we are called on to make for the welfare of the people of the Rural City of Swan Hill.

1.4 Apologies / Leaves of Absence

NIL

1.5 Directors / Officers Present

Scott Barber, Chief Executive Officer
Heather Green, Director Development and Planning
Camille Cullinan, Acting Director of Community and Cultural Services
Bhan Pratap, Director of Corporate Services
Leah Johnston, Director of Infrastructure
Ash Free, Finance Manager
Azam Suleman, Project Manager
Helen Morris, Organisational Development Manager
Michelle Glen, Development Administrator
Natalie Thomson, Executive Support

1.6 Confirmation of Minutes

1.6.1 Confirmation of Minutes

Recommendation/s

That the minutes for the Scheduled Meeting held 15 August 2023 and Unscheduled Meeting held on 22 August 2023 be confirmed.

CM 2023/40 Motion

MOVED Cr Young

**That the minutes for the Scheduled Meeting held 15 August 2023 and
Unscheduled Meeting held on 22 August 2023 be confirmed.**

SECONDED Cr King

The Motion was put and CARRIED 7 / 0

1.7 Disclosures of Conflict of Interest

Councillor King declared two conflicts of interest in item 9.2 Contract - Plant and Equipment supply including Wet and Dry Hire Options, and 9.6 Building Functions at Swan Hill Rural City Council.

1.8 Joint Letters and Reading of Petitions

1.8.1 Petition - Concerns in relation to the current state of the Robinvale retail and business district

Responsible Officer: Chief Executive Officer

Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

On 8 September 2023, Council received by email a petition expressing concerns in relation to the current state of the Robinvale retail and business district (Perrin Street, Herbert Street and Latje Road). The petition was submitted by concerned members of the Robinvale Op Shop (Kaylene Connor, President) which contained 24 signatures in total.

Attachments: 1. Petition [1.8.1.1 - 2 pages]

Recommendation/s

That Council:

- 1. Receive the petition, and**
- 2. Refer the petition to the Chief Executive Officer for a report to a future Council meeting.**

CM 2023/41 Motion

MOVED Cr Jeffery

That Council:

- 1. Receive the petition, and**
- 2. Refer the petition to the Chief Executive Officer for a report to a future Council meeting.**

SECONDED Cr King

The Motion was put and CARRIED 7 / 0

1.9 Public Questions Time

Nil

1.10 Open Forum

NIL

2 Officer Reports for Decision

2.1 Councillors Expenses Report 1 April 2023 - 30 June 2023

Directorate: Corporate Services
File Number: 00-00-00
Purpose: Information Only

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

Current Strategic documents

No strategic documents applicable.

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

In accordance with Council's Council Expenses Policy POL/GOV004, Councillor expenses are reported quarterly to an Ordinary Meeting of Council. This report presents Councillor Expenses for the period 1 March 2023 – 30 June 2023.

Discussion

The report has been prepared in accordance with the Council Expense Policy POL/GOV004.

Summarised in the document attached are figures for allowances and expenses for the Mayor and Councillors for the period of 1 March 2023 – 30 June 2023.

Consultation

Councillors have been provided with a summary report on their expenses.

Financial Implications

Financial costs are in accordance with Council's 2022/23 Operational Budget.

Social Implications

There are no social impacts associated with this report.

Economic Implications

There are no economic impacts associated with this report.

Environmental Implications

There are no environmental impacts associated with this report.

Risk Management Implications

By adopting the recommendation, Council will not be exposed to any significant risk.

Attachments: 1. Councillor Exp June 23 Qtr [2.1.1 - 1 page]

Options

Council may choose to adopt or amend the recommendation.

Recommendation/s

That Council note the contents of this report, which details Councillor Expenses for the period 1 January 2023 – 31 March 2023.

CM 2023/42 Motion

MOVED Cr Jeffery

That Council note the contents of this report, which details Councillor Expenses for the period 1 April 2023 – 30 June 2023.

SECONDED Cr Kelly

The Motion was put and CARRIED 7 / 0

2.2 In-principle adoption of financial and performance statements 2022-23

Directorate: Corporate Services
File Number: S15-28-02
Purpose: For Decision

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

Current Strategic documents

Annual Report

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The Local Government Act requires that Council adopt its Annual Statements incorporating the Performance Statement and General Purpose Financial Statements 'in-principle' prior to the Auditor-General issuing an Audit Opinion on the Statements.

Officers have prepared a draft set of Statements, ready for 'in-principle adoption', and request that Council adopt these Statements 'in-principle'.

Discussion

The Performance Statement and General Purpose Financial Statements for 2022/23 have been prepared and presented for audit.

Council's Audit Committee met to review the Draft Statements on 7 September 2023. The Audit Committee recommended that Council adopt the statements 'in-principle'. Accordingly, as required under the Local Government Act these draft statements are attached and are presented to Council for 'in-principle' adoption.

The Auditor-General and Local Government Victoria both accept that adoption is 'in-principle' and is therefore not seen as a certification by Council as to the complete accuracy of the information being adopted.

It is anticipated that the final audit process will be completed shortly after Council adopts the Statements 'in-principle', at which time the Statements will be available for signing by the two appointed Councillors (Cr McPhee and Cr King). The Statements can then be included in the Annual Report.

Once signed and an audit opinion is issued by the Victorian Auditor General Office (VAGO), these statements will form part of Council's Annual Report which will most likely be adopted at the Ordinary Council Meeting on 17 October 2023.

Consultation

The draft Annual Financial Statements and Performance Statement were presented to the Audit and Risk Committee for review and endorsement on 7 September 2023.

Both statements have been reviewed by Crowe Australasia, who are contracted by the Victorian Auditor General's Office to undertake the external audit.

Both the Financial Statement and Performance Statement form part of the Annual Report

Financial Implications

Nil.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

Failure to adopt the Statements 'In-Principle' will contravene the Local Government Act.

- Attachments:**
1. Updated Swan Hill - Final Draft Annual Financial Report [2.2.1 - 67 pages]
 2. Part 7 performance reporting 2022-2023.pub [2.2.2 - 18 pages]

Options

1. Adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2022/23 financial year as presented.
2. Failure to adopt the statements 'in-principle' will delay the audit of the Statements and may put Council outside the deadline for adoption of the Annual Report by the 31 October 2023.

Recommendation/s

That Council:

1. **Adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2022/23 financial year as presented.**

CM 2023/43 Motion

MOVED Cr Young

That Council:

1. **Adopt 'in-principle' the Draft Performance Statement and General Purpose Financial Statements for the 2022/23 financial year as presented.**

SECONDED Cr Jeffery

The Motion was put and **CARRIED 7 / 0**

2.3 SH Tourism & Cultural Hub - Updated Plans

Directorate: Development and Planning
File Number: NA
Purpose: For Decision

Council Plan Strategy Addressed

1. Liveability - We will be a healthy, connected and growing community supported by a range of infrastructure and services.

1.4 Foster Creative and Cultural opportunities

1.4.1 Promote and celebrate the creative and cultural pursuits within the region

Current Strategic documents

Council Plan
10 Year Major Project Plan
Economic Development Strategy 2017 - 2022
Swan Hill Riverfront Masterplan 2013

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The design of a new Tourism and Cultural Hub at the Pioneer Settlement is well advanced. The new building will house the entry to the Pioneer Settlement including the nightly light show, river cruises on the PS Pyap (Paddle Steamer), visitor information services and First Nations cultural and tourism support.

The designs for the Swan Hill Tourism and Cultural Hub have been amended in response to input provided by Council, key stakeholders and the community. The next step in the process is to seek a heritage permit from Heritage Victoria. Detailed design will commence once a permit is issued.

This project must continue to move forward and delays must be avoided as much as possible. The heritage application process can take in the order of 3 to 6 months and all efforts will be made to minimise this time. Following the issuing of a permit Council must progress with detailed designs, procurement of building contractors and then construction will commence and take significant time. The project must be completed by 30 June 2025 which is a very tight timeframe.

Discussion

Council has partnered with Common Studio (architects) as the design collaborator for the Swan Hill Tourism and Cultural Hub, situated within a Heritage registered precinct. The design development process has incorporated input gathered from presentation at Council Assembly, key Stakeholder engagement, community consultation sessions and First Nations Advisory Committee meeting.

The plans have been amended in response to the suggestions and concerns raised. The following is a list of changes made.

1. Increased veranda width, from 3m to 4m at north-east end, to accommodate larger groups and potential for smoking ceremonies.
2. Introduced gap to the north-eastern corner between 'chimney' and façade of building to provide pedestrian access and visibility to southern side of the Coach House.
3. Repositioned service bay gates further west to provide pedestrian access to southern side of the Coach House
4. Repositioned building to be 3.5m clear of existing eucalyptus tree at southwest corner of site
5. Lobby space reconfigured to provide increased access to merchandising and lounge for all visitors, while maintaining ticketing control for access to Pioneer Settlement precinct
6. Reconfigured the back of house area to improve layout.
7. Introduced direct external access to/from Pioneer Settlement to the Aboriginal tourism business/office space.
8. Reconfigured 'chimney' elements with flat tops, in response to feedback from Council and community.
9. Introduced north facing glazing to the back of house staff offices
10. Introduced skylight to the lobby space to provide daylight
11. Introduced retractable wall between the main lobby space and multi-purpose space
12. Introduced external doors to the multi-purpose space to provide direct access to the Pioneer Settlement
13. Revision of public toilet location, revision of 3 pans for male and female (1 ambulant compliant toilet in each); and

14. Reduced the length of building and overall area (from 600m² to 549m²), increased distance from edge of building to Tree 1 by 1.5m, in accordance with arborist recommendation.

To proceed to the next stage and submit a permit application with Heritage Victoria, the concepts require endorsement.

If Heritage Victoria approves the permit, Council must then;

- Progress with the detailed designs, source cost estimates, review the scope and budget (if required)
- Undertake a market Call for Tenders for the procurement of building contractors, who are difficult to get, and ensure the work can be delivered within budget, which may require another review of scope
- Select contractors and report to Council for the potential award of the contract; and
- then commence the building's construction

Consultation

The preferred design option incorporating early feedback from Heritage Victoria, was presented for feedback and comments to the following:

- a) Council Assembly – July 25, 2023
- b) Key stakeholder engagement session – July 25, 2023, including Visitor Information staff and volunteers, Pioneer Settlement staff, Friends of Pioneer Settlement, First Nations Community Advisory Committee
- c) Community Consultation Session – July 26, 2023
- d) First Nations Community Advisory Committee – August 2, 2023
- e) Council Assembly – August 22, 2023
- f) Let's talk portal on Council website

Financial Implications

There will be a cost in preparing the application for a heritage permit and in submitting it for approval, which will be absorbed by the project budget.

Social Implications

Following a series of community consultation sessions Council has adapted and refined the concept plan, in response to community feedback.

Economic Implications

Helps support Council's Economic Strategy 2017-2022 by progressing towards development of an asset which will support Tourism in the region.

Environmental Implications

The building design process is incorporating environmental and sustainability issues.

Risk Management Implications

All stakeholders and community members who have participated have been listened to and the Architect has addressed the concerns or suggestion where possible within the constraints of Heritage Victoria guidelines.

It is expected that the application when submitted to Heritage Victoria, is likely to be well received.

Attachments: 1. 0067 Swan Hill Visitor Centre Design Update Set 230907
[2.3.1 - 14 pages]

Options

That Council:

- 1. Approves the updated plans for the purpose of Common Design Studio lodging an application for a permit with Heritage Victoria.**
- 2. Does not approve the updated plans for the purpose of Common Design Studio lodging an application for a permit with Heritage Victoria.**

Recommendation/s

That Council:

- 1. Approves the updated plans for the purpose of Common Design Studio lodging an application for a permit with Heritage Victoria.**
- 2. Thank all members of the community and key stakeholders for their interest, comments, and suggestions to date, in relation to this important project.**

CM 2023/44 Motion

MOVED Cr King

That Council:

- 1. Approves the updated plans for the purpose of Common Design Studio lodging an application for a permit with Heritage Victoria.**
- 2. Thank all members of the community and key stakeholders for their interest, comments, and suggestions to date, in relation to this important project.**

SECONDED Cr Young

The Motion was put and **CARRIED 7 / 0**

Cr McKay moved an AMENDMENT to the Motion

That Council:

- 1. That the Architect first discuss with the First Nations Reference Group, and be guided by them about their needs in regard to the most suitable built feature for smoking ceremonies, and then strongly consider removing the chimney, elevated fireplace and clock that are included in the plans on the North East section of the building, due to concerns around their lack of functionality and blocking lines of site to the River and Coachhouse.**

The Mayor, Councillor McPhee declined the amendment.

2.4 Swan Hill Australia Day 2024 and Beyond

Responsible Officer: Director of Development and Planning
File Number: S12-02-151
Purpose: For Discussion

Council Plan Strategy Addressed

1. Liveability - We will be a healthy, connected, and growing community supported by a range of infrastructure and services.

1.4 Foster Creative and Cultural opportunities

1.4.1 Promote and celebrate the creative and cultural pursuits within the region

Current Strategic documents

Annual Report
Budget

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The purpose of this report is to provide details on the review of the 2023 Swan Hill Australia Day Event to determine the format of the event for future years and to consider any issues related to the staging of future Australia Day events.

Discussion

2023 Evaluation

The 2023 Swan Hill Australia Day event at the Town Hall attracted more than 200 people and provided an opportunity for the Citizen of the Year, some school awardees and those receiving their citizenship to be formally recognized.

As part of this event there was;

- An Acknowledgement of Country
- A moving Welcome to Country
- Concert band performance; and
- Morning tea.

Some members of the community expressed a desire for an event at Riverside Park, Swan Hill.

Council made a budget allocation for Australia Day activities of \$20,000. Of this amount \$5,000 goes towards the smaller town's events and advertising. For the 2023, Australia Day cost Council \$7150.12 (this includes small town contributions etc.). This lesser amount is

reflective of the changes introduced and the fact that the event was significantly different to the past events that were staged in Riverside Park.

From all reports the various smaller communities all staged a variety of very successful Australia Day events right across the Municipality.

It is important to understand that there is a great reluctance from our First Nations Community to be involved in events on the 26th of January, as this day is seen from a different perspective. This reluctance is reflected within the National debate about the possibility of a change to the date that the Nation reflects upon our identity.

If Council wishes to consider ways of how to be more inclusive of the Indigenous Community, it can take steps to make a positive contribution to the ongoing discussion.

Staging of Future Events

Council might consider the following changes as a step forward on the path to reconciliation.

For the 2024 event the following is suggested to reflect a respectful and inclusive approach. A packaged series of events over the 25-26 January 2024:

- **25 January:** Night before 'Awards Ceremony' at the Swan Hill Town Hall. Potential in future for the event to move around to the other towns in the municipality, providing an opportunity for the towns to host it. The First Nations community will also be able to comfortably celebrate community achievements together and be part of the citizenship awards by welcoming everyone into the community and onto Country. Robinvale's citizenship ceremony will also be hosted earlier in the day.
- **26 January:** Small towns continue to undertake Australia Day events across the municipality and will be supported with annual allocations of funding to help run their events. Indigenous led displays (stories, images etc.) may be organised, including an opportunity for anyone to pay respect to elders and ancestors. This supports and is respectful to the indigenous community on their day of mourning. This event should also receive an allocation of funding to assist with costs with the funding to come from the Australia Day allocation.

In future years, other events may be considered but this will require further community engagement to develop a proposal for how this would further bring the community together and what financial assistance may be provided.

Benefits to the Community and Council

Community	Council
<ul style="list-style-type: none"> • Encouraging all community to come together • Greater respect and consideration towards the indigenous community • Greater indigenous involvement • Equality – awards could see an increase in the nomination of members of the Indigenous Community 	<ul style="list-style-type: none"> • Progressive approach in a respectful and inclusive manner • Leading by example to the smaller towns • Opportunity to allow everyone to be involved • Promote reconciliation

Examples of other similar Australia Day activities:

Buloke Shire Council

- Runs an awards ceremony the night prior to Australia Day altering locations to allow the opportunity for different towns to host it;
- On Australia Day each town runs its own activities.

Canberra

- The Australian of the Year Ceremony is held the day before Australia Day

City of Greater Bendigo

- Will move its Australia Day citizenship and awards ceremony to 25 January;
- Work with the local First Nations community to plan for more inclusive events on 26 January.

<https://www.bendigo.vic.gov.au/About/Media-Releases/council-adopts-january-26-statement-intent>

Consultation

- Online
- First Nations Community Advisory Committee – to be completed. The First Nations Community Advisory Committee will continue to discuss the proposal and provide its support for the plan or make suggestions to enhance it.

Financial Implications

Australia Day Breakfast funding for 2024 is \$20,000. Of this amount \$5,000 goes towards the smaller town's events and advertising.

Social Implications

- Encouraging community to come together
- Council taking a progressive approach in respectful and inclusive manner
- Improved respect and consideration towards First Nation community

- Improved First Nation involvement

Economic Implications

A broader range of celebrations may attract visitors to the municipality.

Environmental Implications

Event organizers must consider and minimize the environmental impact that their event will have on the environment. Designated supplier arrangements will assist in ensuring events have adequate waste arrangements in place.

Risk Management Implications

All events on Council owned and/or managed grounds must go through Council's Events Approval Process, which includes risk management.

Attachments: Nil

Options

1. Council makes no change to Australia Day Activities as per past practice, for 2024.
2. Council commences the introduction of changes as outlined in the report and continues to support small towns with their Australia Day events.

Recommendation/s

That Council;

1. **Commences the introduction of changes as outlined in the report and continues to support small towns with their Australia Day events. This includes:**

25 January 2024

- Night before 'Awards Ceremony' at the Swan Hill Town Hall.
- Robinvale's citizenship ceremony to be hosted earlier in the day.

26 January 2024

- Small towns continue to undertake Australia Day events across the municipality and will be supported with annual allocations of funding to help run their events.
- First Nations led displays (stories, images etc.) and may seek funding to assist with costs, with the funding to come from the Australia Day allocation.

2. **Prepares a detailed communications plan explaining the reasons that Council is making the proposed changes and encourages all the community to support the planned changes by attending the various events.**
3. **Conducts a review of the 2024 event to obtain community feedback on the format and help determine the future format of events; and**
4. **Continues to support the First Nation community and its involvement in events**

CM 2023/45 Motion

MOVED Cr Kelly

That Council;

1. **Commences the introduction of changes as outlined in the report and continues to support small towns with their Australia Day events. This includes:**

25 January 2024

- Night before 'Awards Ceremony' at the Swan Hill Town Hall.
- Robinvale's citizenship ceremony to be hosted earlier in the day.

26 January 2024

- Small towns continue to undertake Australia Day events across the municipality and will be supported with annual allocations of funding to help run their events.
 - First Nations led displays (stories, images etc.) and may seek funding to assist with costs, with the funding to come from the Australia Day allocation.
2. **Prepares a detailed communications plan explaining the reasons that Council is making the proposed changes and encourages all the community to support the planned changes by attending the various events.**
 3. **Conducts a review of the 2024 event to obtain community feedback on the format and help determine the future format of events; and**
 4. **Continues to support the First Nation community and its involvement in events.**

SECONDED Cr Jeffery**The Motion was put and CARRIED 7 / 0**

2.5 Murray Regional Tourism Board

Directorate: Development and Planning
File Number: S12-22-03
Purpose: For Decision

Council Plan Strategy Addressed

2. **Prosperity** - We will continue to build and strengthen a prosperous local economy, through sustainable growth and education. We will focus on creating jobs and wealth through adding value to existing strengths in all areas of our economy.

2.2 A thriving diverse economy

2.2.1 Encourage the growth and development of our economy

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.3 Bold leadership, strong partnerships and effective advocacy

4.3.1 Create meaningful partnerships across our communities

4.3.2 Strong relationship with State and Federal governments to influence advocacy and funding opportunities

4.3.3 Working together in promotion of the municipality

Current Strategic documents

Council Plan

Economic Development Strategy 2017 - 2022

Swan Hill Rural City Council Tourism Advocacy Document 2020

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The purpose of this report is to recommend the signing of a new Memorandum of Understanding (MoU) for membership of the Murray Regional Tourism (MRT). In addition, the report outlines the process being undertaken by the Victorian State Government to transition Tourism Boards to Visitor Experience Partnerships.

Discussion

Swan Hill Rural City Council has been a member of the Murray Regional Tourism (MRT) since its inception in 2010.

The MRT is unique in that it is the only cross border association in existence servicing the tourist needs of Victoria and New South Wales, covering a wide geographic location on both sides as shown in Figure 1.

Figure 1: MRT Geographical Area

REGION	MRT COUNCIL
WESTERN MURRAY	Mildura • Wentworth
MID WEST MURRAY	Murray River • Gannawarra • Swan Hill
CENTRAL MURRAY	Edward River • Murray River • Campaspe
MID EAST MURRAY	Berrigan • Federation • Moira
EASTERN MURRAY	Greater Hume • Albury City • Wodonga City



Source: <https://www.murrayregionaltourism.com.au/homepage/about-us/>

This is both a positive and a negative as the geographical area on both sides of the Murray River is vast and the needs of the various tourist destinations varied but do have the common denominator of the Murray River.

Memorandum of Understanding (MoU)

Council currently has signed a MoU that is due to expire on the 30 June 2024 and will make a financial contribution of \$31,380 in the current financial year. In addition a further \$8,000 contribution towards the MRT digital platform is made and reimbursed by Swan Hill Inc.

The proposed new MoU (attached) would commence on the 1 July 2024 and expire on the 30 June 2027. The new MoU has largely the same content, but it is arranged differently with more detail. Council's obligations continue with membership contribution and a 3% increase, together with working with the Board and Officers of the MRT.

The financial membership fee is based upon a formula relating to the number of visitors to the region multiplied and adjusted in each year of the agreement.

Council participates in a variety of forums and members meetings whilst also being included in marketing and advertising for the MRT region.

Council was involved in the development of the Swan Hill Local Area Plan (attached) which investigated key issues around current and future tourism markets together with a variety of issues that would assist in the development of our tourism potential. The document that has been prepared will need to be reviewed, reprioritised with some suggested actions potentially being removed and presented to Council for it to be considered, agreed to, and actioned. This will be brought to a future Council meeting for consideration.

The MRT is currently involved in discussions with other Victorian Tourism Boards, Local Government and the Victorian State Government Department Jobs, Skills, Industry and Regions regarding the transition from Tourism Boards to Visitor Economy Partnerships (VEP's).

These discussions are only on the Victorian side of the Murray Regional Tourism Region with no changes anticipated for New South Wales.

The proposed changes are in response to a detailed review of the Tourism Industry within Victoria and the need to continue to recover from the negative impacts of the COVID Pandemic.

The new partnerships will provide for employment creation and the ability to revitalise regional towns and cities.

The new VEP's will be the peak official voice for tourism within a defined region and will plan for the delivery of services that are aligned to the Victorian State Governments goals and objectives for tourism.

The new partnerships will come with a supporting funding model and the region will attract \$590,000, as there are more than six Councils involved in the current MRT.

The MRT in moving to this new Victorian model needs all Victorian Councils sign off for the new MoUs by the end of the year, so that the Minister can then consider acceptance of the new model and then execute the new funding agreement.

Based on the advice of the State Government it will be difficult for Council to have its tourism industry development take place outside of the VEP structure, particularly in terms of being eligible for funding opportunities and support.

Tourism is a growing sector in the economy of the municipality and region. To ensure the sector benefits from funding and marketing opportunities, membership of a regional peak body is essential. In addition, the MRT has experienced and specialist staff that provide a great benefit to smaller Councils.

Attached is a value proposition document prepared by MRT for Council to consider.

Consultation

Council Officers have contact with MRT and have had discussions with Swan Hill Inc to ascertain the value that is being provided by being a member of MRT, and work closely with tourism industry businesses to determine how best to support their needs.

Both Swan Hill Inc. and Council will need to ensure an ongoing relationship with the Board and officers of the MRT.

Financial Implications

Council under the current MoU agreement is required to make a financial contribution towards the MRT. The current financial contribution for this financial year will be \$31,380.00 together with the \$8,000.00 digital platform contribution, which is reimbursed by Swan Hill Inc.

If Council continues to be a member of the MRT, there will be an annual contribution required to made and which is yet to be determined.

Social Implications

Our community benefits from being involved in activities that show case our region including highlighting our cultural heritage, natural settings and activities.

Economic Implications

Increased visitor numbers to the Municipality have a positive impact on business and the local economy through support of attractions, accommodation, goods, and services.

Environmental Implications

Both Council and MRT have strategies in pace that respect our natural environment whilst pursuing increased tourism activities.

Risk Management Implications

Nil

- Attachments:**
1. Swan Hill Local Area Plan 220223 (3) [2.5.1 - 28 pages]
 2. Murray - LGA Mtg - 2023-07-18 - Copy (1) [2.5.2 - 14 pages]
 3. MRT Local Government Partner Value Proposition F Y 24 - 26 [2.5.3 - 10 pages]
 4. Mo U Murray Regional Tourism Contract F Y 24 [2.5.4 - 29 pages]

Options

1. Council can continue to support the regional tourism brand by recommitting to the MRT by signing a new MoU.
2. Council may choose to advise the MRT that it no longer wishes to be a member of the organisation.

Recommendation/s

That Council continue to support the regional tourism brand by recommitting to the MRT by signing the new MoU.

CM 2023/46 Motion

MOVED Cr King

That Council continue to support the regional tourism brand by recommitting to the MRT (Murray Regional Tourism) by signing the new MoU (Memorandum of Understanding).

SECONDED Cr McKay

The Motion was put and CARRIED 7 / 0

2.6 Audit and Risk Committee Meeting Minutes 7 September 2023

Directorate: Corporate Services
File Number: S15-28-01
Purpose: Information Only

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.2 Provide robust governance and effective leadership

Current Strategic documents

Council Plan

Declarations of Interest:

Council Officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

Council's Audit Committee met on 7 September 2023 and this report summarises the items that were discussed at this meeting.

Discussion

The Audit Committee met on 7 September 2023 and as well as the usual procedural items the agenda items included:

1. Departmental Presentation - Project Management Office Update
2. Swan Hill Art Gallery and Visitation Centre and Swan Hill Tourism and Cultural Hub
3. Risk Management Report
4. Internal Audit updates on recommendations
5. 2022/23 Asset Revaluations – Fair Value Report
6. Annual Financial Report FY2023
7. Performance Statement FY2023
8. VAGO Closing Report to Audit Committee FY 2023
9. VAGO Final Management Letter
10. Accounts payable internal audit report
11. Introduction of Internal Auditor, AFS and presentation

12. Report of suspected and Actual Frauds, Thefts and Breaches of the Law by Management – Nil Items to Report

13. Independent Member Self-Assessment Survey Results

Consultation

Not applicable.

Financial Implications

The sitting fees paid to independent members on the Audit Committee is adjusted annually by CPI. Sitting fees are included in Council's Budget.

Social Implications

Nil.

Economic Implications

Nil.

Environmental Implications

Nil.

Risk Management Implications

The Audit Committee helps to oversee Council's risk management practices. Internal and other audits are routinely done to reduce the risk to Council.

Attachments: 1. AC Placeholder [2.6.1 - 1 page]

Options

Not applicable.

Recommendation/s

That Council note the contents of this report.

CM 2023/47 Motion

MOVED Cr Kelly

That Council note the contents of this report.

SECONDED Cr McKay

The Motion was put and CARRIED 7 / 0

3 Officer Report for Noting

NIL

4 Decisions Which Need Action / Ratification

4.1 Sign and Seal

Directorate: Chief Executive Officer
File Number: S16-05-01
Purpose: For Noting

Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The following documents and agreements have been signed and sealed by the Councillors and the Chief Executive Officer on the respective dates. Those actions require the ratification of the Council.

Discussion

During any month Council is required to sign and seal a range of documents arising from decisions made on a previous occasion(s). Examples include sale of land, entering into funding arrangements for Council programs etc.

As the decision to enter into these agreements has already been made, these documents are signed and sealed when received, with Council ratifying the signing and sealing at the next Council meeting.

The following documents were signed and sealed since the last Council meeting:

No.	Document Type	Document Description	Date signed/ sealed
1146	Section 173 Agreement – pipe in road – Wearne Road, Pental Island.	Between Swan Hill Rural City Council and Wearne Road Properties Pty Ltd.	05/09/23
1147	Lease: Paragon Café, Pioneer Settlement	Between Swan Hill Rural City Council and Siddiqi Family Investments Pty Ltd.	05/09/23

1148	Section 173 Agreement – 36 Algie Road and Hodges Road Wood, Wood	Between Swan Hill Rural City Council and S.DeMaio and C.A.Arblaster and J.Arblaster	11/09/23
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Note: A Section 173 Agreement is a typically a contract between the Council and a landowner that places use or development restrictions on the land.

They are intended to ensure compliance with conditions contained in permits granted by the Council and are often used in subdivision matters. These agreements refer to Section 173 of the Planning and Environment Act 1987.

Consultation

Council authorise the signing and sealing of the above documents.

Recommendation/s

That Council notes the actions of signing and sealing the documents under delegation as scheduled.

CM 2023/48 Motion

MOVED Cr Jeffery

That Council notes the actions of signing and sealing the documents under delegation as scheduled.

SECONDED Cr King

The Motion was put and CARRIED 7 / 0

4.2 Councillor Assemblies - Record of Attendance and Agenda Items

Directorate: Chief Executive Officer
File Number: S15-05-06
Purpose: For Noting

Declarations of Interest:

Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

Summary

The following report provides attendance details of Councillor Assemblies on a monthly basis.

Discussion

Whilst Minutes have not been recorded, Agenda items and those in attendance are reported and presented to Council.

An assembly of Councillors is defined as a meeting that is planned or scheduled at which at least half of the Council and one Officer are in attendance, and where the matters being considered that are intended or likely to be the subject of a Council decision.

No formal decisions can be made at an assembly but rather direction can be given that is likely to lead to a formal decision of Council.

Details of the most recent assemblies of Council are attached.

Council Plan Strategy Addressed

4. Leadership - We will ensure accountable leadership, advocacy and transparent decision making.

4.1 Excellent management and administration

4.1.1 Well managed resources for a sustainable future

4.1.2 Provide robust governance and effective leadership

4.1.3 Sound, sustainable:

- Financial management • Excellence in service delivery • Strategic planning

Current Strategic documents

No strategic documents applicable.

Key Legislation

There is no key legislation applicable

Attachments: 1. COUNCILLOR ASSEMBLIES ATTENDANCE AND AGENDA
September [4.2.1 - 3 pages]

Options

Council Assemblies are reported to ensure good governance and transparency.

Recommendation

That Council note the contents of the report.

CM 2023/49 Motion

MOVED Cr McKay

That Council note the contents of the report.

SECONDED Cr King

The Motion was put and CARRIED 7 / 0

5 Notices of Motion

5.1 Community consultation process for the Sustainable Diversion Limit (SDL) - Victorian Murray Floodplain Restoration Projects

Having given due notice, **Councillor Nicole McKay MOVED** That Council accepts community input, or conducts a community consultation process, regarding the proposed Victorian Murray Floodplain Restoration Projects that are planned to be built within the River Redgum Parks in the Swan Hill Rural City Municipality.

Preamble

The Victorian Murray Floodplain Restoration Projects (VMFRP) are a suite of heavy engineering projects planned to be built on the floodplain within the Redgum Parks. These are areas of public land specifically reserved for the preservation of the environment and cultural heritage. These public areas are highly valued for recreation and enjoyment by their local communities, and tourism by the wider Victorian population.

In Swan Hill Rural City Council VMFRP, engineered projects are planned for Belsar Island, south of Robinvale, Burra Creek between Piangil and Narrung, and Nyah and Vinifera Park. They will involve: the building of extensive levy banks, creating huge change to the visual and ecological components of the parks; the building of regulators, with pumpstands, on creeks where water flows into the floodplain when a higher river flows, and the removal of some barriers to waterflow.

Engineering projects have been implemented in the past at: Barmah Forest; Gunbower Island and Koondrook Perricoota, as part of The Living Murray program. These projects and their implementation have not achieved the promoted environmental outcomes that were their justification. It is highly likely that they, and this approach to managing environmental water, may have contributed to a range of negative outcomes.

Systemic and localised water quality is a concern related to the practice of 'watering' isolated sites via pumps. It is recognised and understood that this method can cause localised cyanobacteria, (Blue-Green Algae) and hypoxic water (blackwater) events, and that this can impact water quality downstream. Any positive environmental results have been inconsistent and insignificant. Thus far engineered and pumped watering of the small areas of the floodplain has been quite good at over-producing Redgums, and very little else, in terms of sustaining wildlife.

It is of national environmental and economic significance that the only systemic wide blackwater events known to the Murray Darling have occurred three times in the past

thirteen years. These blackwater events have caused hundreds of thousands of Murray Cod to die. The Murray Crayfish population in this region declined by 80% following the 2011 Blackwater event. In 2016 the Edwards-Wakool system experienced massive fish kills due to blackwater discharging through Koondrook-Perricoota and Barmah Forests, as well as other areas. During the Murray Darling Flood of 2021-2022 this area of the Murray Darling was visited by fish deaths in the floodplain between Swan Hill and Narrung, and horrifically Kangaroo Lake.

The VMFRP appears to be a continuation of river management policies that have produced these catastrophic events. Managing the floodplain as a series of isolated irrigation bays is fraught with risk as they promote stagnation of water. There are also concerns that the previously implemented projects (Koondrook-Perricoota) have altered the hydrology of regionally, reducing flows in some areas, and increasing them in others.

The Basin Plan is at a turning point. Continuing to do the same thing will get the same results, declining water quality and sporadic catastrophic fish and crayfish deaths. It is time to turn to our own community and their historic, cultural and traditional knowledge for guidance.

The river communities between Swan Hill and Robinvale have with long-standing involvement and understanding of the river system in this region. They would appreciate having their input into the future management of: the river system; the Redgum Parks, and in particular the highly impactful VMFRP.

By consulting with river communities: Traditional Owners, the fishermen and women of the region, tourism and recreational users, it is possible that we can improve on the management of the Murray Darling in this region. It is time to use our collective knowledge as river people to work together for better outcomes. Our citizens are tired of being directed by a bureaucracy disconnected from our communities and the river itself.

It is a policy of Council that consults the community on issues that affect them and appropriate that we source the wisdom of our citizens to inform our position.

<https://www.csu.edu.au/research/ilws/research/environmental-water/edward-wakool-research-project/Blackwater-event-in-the-Murray-in-2016.pdf>

<https://www.abc.net.au/news/2023-04-01/kangaroo-lake-fish-kill-clean-up-continues-businesses-lose-money/102172186>

www.mdba.gov.au/publications/mdba-reports/living-murray-icon-site-condition-report

<https://socialfishing.com.au/2016-fish-kill-find-out-the-reason-behind-the-devastating-fish-kill/>



[2016 Fish Kill – Find out the reason behind the devastating fish kill – Social Fishing](#)

Picture above credit: Andy Wise
socialfishing.com.au

Attachments: Nil

CM 2023/50 Motion

MOVED Cr McKay

Having given due notice, Councillor Nicole McKay MOVED

That Council accepts community input, or conducts a community consultation process, regarding the proposed Victorian Murray Floodplain Restoration Projects that are planned to be built within the River Redgum Parks in the Swan Hill Rural City Municipality.

SECONDED Cr Kelly

The Motion was put and LOST 3 / 4

5.2 Climate Summit for Local Government 2023 6-8 September Melbourne - Cities Power Partnership

Having given due notice, **Councillor Jacquie Kelly MOVED**

That Council receives a report on options to establish a cash reserve where money from savings from renewable energy initiatives goes back into the reserve, in that way ring fencing cost savings so that we can invest in a clean energy future.

Preamble

Report from Cr Jacquie Kelly
Climate Summit for Local Government 2023
6-8 September Melbourne
Cities Power Partnership

The Cities Power Partnership has 185 member Councils covering 34% of Australia and 75% of population, ie. 18 million people.

The Climate Summit was opened by Dr Portia Odell from the Climate Council. Keynote address was from Greg Mullins, former Commissioner of Fire and Rescue NSW, Climate Councillor.

He spoke about Pyroconvective storms and his fears for cascading effects of climate change.

The Climate Science keynote was from Professor Emeritus, David Karoly, FAA, Climate Councillor. This was enlightening and sobering.

The gathering was attended by Councillors and Local Government staff from all States and Territories. The cost of the ticket was \$1300. The first afternoon gave an opportunity to test drive electric vehicles and see in action other Council fleet that can be electric or hydrogen.

It was a great forum to make new connections, network and hear from energy and climate industry thought leaders.

The Awards Gala Dinner at the State Library, celebrated the incredible work that Australian Councils are doing on climate.

The summit saw presentations from the following councils: Wellington Shire, Burnett Regional Council, Kempsey Shire, Melbourne City, Mundaring, Glen Eira City Council,

Shoalhaven City Council, City of Hobart, Merri-bek Council, Bayside Council, Bendigo Council, Darebin City Council, Shire of Augusta Margaret River, ACT Government, Yarra City, Brighton Council, City of Canning, Knox Maroondah and Yarra Ranges, City of Mitcham, Orange, Mildura Rural City, Brighton Council.

We heard many Community Energy Case studies from leading councils and experts around Australia. In the West, WALGA has 40 Councils in a power purchasing sharing partnership. Melbourne City Council explained their 'Melbourne Renewable Energy Project' has decreased emissions by 80% by constructing an 80MW wind farm, noting that it takes years to set this type of project up. Alice Springs future grid. Mundaring has Solar powered pool.

Mildura Rural City was a finalist for their project 'Electrifying Mildura'.

Mitcham City Council SA is an outstanding case study on the path to creating a solar powered community. They won the Award for their 'Community Renewables Program'.

Shepparton City Council has prepared a plan to prepare for a changing climate and to make the most of the opportunities it will bring. The plan, 'Our Climate Safe Future-Climate Emergency Action Plan', identifies the key impacts of climate change, how they are responding and what else they need to do.

Craig Milburn, CEO Kempsey Shire, presented on how they have had an Environmental Levy for 20 years. (Kempsey has 370 staff) Decisions based on economics and savings. Keeping people away from risk of flooding. What is the best adaptation pathway? For example, if ground that is flooded stays permanently wet, then let it go back to nature for setting up ecosystem services.

Paige McNeil from Mundaring Shire, WA (39K population) told us they declared Climate Emergency in 2018 and established a cash reserve where money from savings goes back into the reserve. Ring fence cost savings and invest in clean energy future.

Climate change is amplifying the intensity and frequency of weather events. Heatwaves are deadliest weather event. Communities are getting less time to recover between one event and the next. The good news is that we know the cause and how to solve it.

Reaching a threshold or tipping point is a concern. Is it too late? Are we taking decisive action?

Climate change is happening right now and effecting everyone. It is a human issue, right in front of us. Action is desirable and do-able. Councils realise that change is necessary and we all have a role to play. Councils are preparing communities for a clean economy. Local Government holds the keys to a sustainable future. Community must be at heart of action, balancing urgency with understanding and gaining social

licence. Each community will have a different journey, as can be seen from the case studies.

To be ready to apply for funding to do this work, including the newly announced Federal Funding (\$100b over 10 years), Councils must have their emissions reduction and renewables policy, strategy and plans ready.

Councils should be taking a broad view of identifying and mitigating risks like Climate Change which has potentially significant and damaging consequences. Risk due to financial cost and impacts on infrastructure and disruptions of extreme weather events are already being felt.

It makes economic sense to decarbonise and transition to a zero emissions economy.

Refer to Saul Griffiths- Electrify Everything and his work on the US Anti-Inflation Act.

Role of Local Councils

- Regional planning and approvals. Heat mapping, Urban Tree Canopy. Waste. Where is growth long term? Keeping people safe.
- Help households and businesses access programs and services.
- Procurement process will consider low emissions. EV adoption policy- Procurement guidelines. Will reach EV price parity by 2025/26.
- Determine how we assist with an equitable energy transition by helping residents who cannot afford to electrify, get solar and retrofit. Community battery projects.
- Set Council up as a trusted source of information on mitigation (efficient use of energy, zero carbon source, carbon sinks, lifestyle and behaviour changes) and adaptation.
- Make it a priority to review existing policy settings in regard to reducing emissions across council operations. Solar on all new buildings. Retrofit Council buildings. Consider the need for targets, eg. 100% renewables for Council by 2035, as this puts focus on the effect and internal discipline.
- Advocacy- to realise enormous renewable energy potential.
- Need collaborative approach- join with neighbours to do bulk buy, seek funding, do plans. Pool funds.

How Climate Action Affects Councils Bottom Line

Consideration of climate risks in Council operations. Insurance premiums.
Collaborate with neighbours in bulk buys and joint power purchase agreements.
Make bills cheaper by pooling your purchasing power, partners, consortium.
Electrify in a smart way- timers. Rewiring boom, cleaner transport
Tender tool kit. Public private collaboration
Solar 2.0 for Councils, do it in an integrated way. Bulk buy, EV charging, virtual power plant
What is the cost of inaction? Cost of doing nothing is very high.
The most vulnerable are the most at risk.
Costs of Climate Change: all bad outcomes, so can undermine bottom line.
- work related injuries
- damage to assets, need to upgrade, stormwater.
- cost of insurance
- higher operating costs, increased use of aircon, increase power
Extreme heat, increase hospital admissions.
Disaster response and disaster preparedness.

Benefits of Electrification:

- cost savings \$1000s /year
- decrease emissions, cheaper renewable Energy.
- electric appliances are cleaner, better for chefs.

Benefits: nicer communities, happier, greener, lower cost households.

Council Plan

1.2.1 Engage, empower and mobilise communities to prepare for, adapt to and mitigate the effects of a changing climate.

1.2.1.2 Prepare an advocacy document for renewable energy resources in the municipality.

Attachments: Nil

CM 2023/51 Motion

MOVED Cr Kelly

Having given due notice, Councillor Jacquie Kelly MOVED

That Council receives a report on options to establish a cash reserve where money from savings from renewable energy initiatives goes back into the

reserve, in that way ring fencing cost savings so that we can invest in a clean energy future.

SECONDED Cr McKay

The Motion was put and LOST 3 / 4

6 Foreshadowed Items

7 Urgent Items Not Included In Agenda

8 To Consider and Order on Councillor Reports

8.1 Cr Stuart King

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
11/09/2023	Golden Rivers Football Netball League	League Vote Count & Presentation Night
07/09/2023	MRGC	Yarrawonga meeting
30/08/2023	MacKillop College	Class Presentation discussing local issues
24/08/2023	MAV Training	Advanced Quarterly Budget Reporting
23/08/2023	SH Rec Reserve	Update on concept plans
23/08/2023	SH District Health	Official project commencement with Minister of Health
21/08/2023	Pioneer Settlement	Official opening of Legends of the Mallee
18/09/2023	Central Murray Football League	2023 Presentation Night

8.2 Cr Jacque Kelly

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
16/08/23	VMFRP- ER Central, Burra Creek	Zoom, sat for 5 days
21/08/23	Legends of the Mallee launch	Lower Murray Inn 5.45pm
23/08/23	Minister for Health SHDH	11.15
24/08/23	Murray River Tourism - Legends of the Mallee, Pioneer Settlement	5.45
30/08/23	Sustainable Living in the Mallee General meeting	7pm
30/08/23	met with residents of Maddern Crt.	3.30pm
02/09/23	Ultima coffee with a Cr.	9-11am
02/09/23	Go North Arts Festival	2-6pm, Town Hall

05/09/23	Womens health lunch	Mulleys
05/09/23	Residents and Ratepayers Group meeting	7pm
6-8/08/23	Climate Summit for Local Government, Cities Power Partnership	2.5 days, RMIT Melb.
12/09/23	Meet Mayor at Ken Harrison reserve	1pm
13/09/23	Meet with CEO and Dir. Planning about Climate Summit	9am
14/09/23	Swan Hill writes Yes meeting	6pm - 3.30pm
18/09/23	Lake Boga Inc. meeting	7pm

8.3 Cr Nicole McKay

List events / meetings attended

Date	Organisation Group	Details (if relevant)
21/08/2023	Official Opening 'Legends of the Mallee'	
23/08/2023	Attended SHDH Meeting/Celebration of Minister for Health – Mary Ann Thomas	
2/9/2023	Coffee with a Councillor at Ultima	
2/9/2023	Football Club Final	
2/9/2023	Go North Arts Festival	
5/9/2023	Women's Health Week Lunch	
5/9/2023	Boundary Bend Progress Association	

8.4 Cr Ann Young

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
23/08/2023	SHRC	SHDH - Visit Mary Ann Thomas
24/08/2023	Murray Tourism	Event
25/08/2023	BPW	Equal Pay Day
31/08/2023	SHRC	Robertson Bros
2/9/2023	Go North Arts Festival	
10/09/2023	SPARK	Suicide Awareness Day
18/09/2023	Lake Boga Inc.	Meeting

8.5 Cr Chris Jeffery

List events / meetings attended

Nothing to report

8.6 Cr Bill Moar

Date	Organisation Group	Details (If relevant)
17/08/2023	CVGA Board Meeting	
23/08/2023	Met with Minister For Health – Maryanne Thomas for 'turning of the sod' for SHDH	
24/08/2023	Official Opening of Legends of the Mallee at Pioneer Settlement	MRT Board
5/9/2023	Womens Health shared lunch at Mully's Place	
7/9/2023	Audit and Risk Committee Meeting	
7/9/2023	Manangatang VFF	
16/9/2023	South West Arts Board Meeting	
10/09/2023	SPARK – World Suicide Day at Riverside Park	

8.7 Cr Les McPhee

List events / meetings attended

Date	Organisation / Group	Details (if relevant)
16/08/2023	MRGC Mayors meeting	
16/08/2023	Our Swan Hill interview	
17/08/2023	MEMPC meeting	
17/08/2023	St Mary KacKillop College	Stage show, We Will Rock You
18/08/2023	Coin and stamp media photo	
20/08/2023	Coffee with a Councillor	Robinvale Almond Blossom Festival
21/08/2023	Legends of the Mallee Opening	
22/08/2023	Mayor/CEO meeting	
23/08/2023	Minister for Health Mary-Ann Thomas	Turning of sod at hospital
23/08/2023	Nyah District Primary School	Book reading
28/08/2023	First Responder Engagement Day	Heart 2 Heart walk
29/09/2023	Mayor/CEO meeting	
30/08/2023	Our Swan Hill Interview	

31/08/2023	ABC Radio interview		
31/08/2023	Hope Aged Care meeting		
4/09/2023	Mixx FM interview		
4/09/2023	Mayor/CEO meeting		
5/09/2023	Our Swan Hill interview		
5/09/2023	Women's Health Week Lunch		
6/09/2023	Swan Hill Croquet Club		Season opening
8/09/2023	Robinvale Lantern Festival		
9/09/2023	ABC Radio interview		
11/09/2023	Mayor/CEO meeting		
14/09/2023	Hope Aged Care meeting		
19/09/2023	ACE Radio interview		
19/09/2023	Mayor/CEO meeting		

9 In-Camera Items

RECOMMENDATION

That, in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting be closed to members of the public for the consideration of the following confidential items:

CM 2023/52 MOTION

MOVED Cr Kelly

That Council, resolve to close the meeting at 3:53pm to members of the public to consider the following items.

SECONDED Cr Jeffery

The Motion was put and CARRIED 7 / 0

The Mayor, Les McPhee under section 6.3 in the Governance Rules, adjourned the meeting for a 10 minute break.

9.1 Spoons Riverside Lease Variation

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

MOVED Cr King

That Council:

- 1. Propose to vary to the existing lease of the Spoons Riverside Café with Monash Drive Pty Ltd (tenant) to add two (2) further term options of seven (7) years each.**
- 2. Give public notice under Section 115(4) of the Local Government Act 2020 and its Community Engagement Policy seeking submissions on the proposed variation to the lease.**
- 3. If no submissions are received, grant a variation to the lease to add two (2) further term options of (7) seven years each.**

SECONDED Cr Moar

The Motion was put and LOST 3 / 4

CM 2023/53 Motion

MOVED Cr Jeffery

That Council:

- 1. Propose to vary to the existing lease of the Spoons Riverside Café with Monash Drive Pty Ltd (tenant) to add two (2) further term options of five (5) years each and a further four (4) year term.**
- 2. Give public notice under Section 115(4) of the Local Government Act 2020 and its Community Engagement Policy seeking submissions on the proposed variation to the lease.**
- 3. If no submissions are received, grant a variation to the lease to add two (2) further term options of five (5) years each and a further four (4) year term.**

SECONDED Cr Young

The Motion was put and CARRIED 7 / 0

9.2 Contract - Plant and Equipment Supply including Wet and Dry Hire Options

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to

be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

Cr King left the meeting at 4:22 pm.

CM 2023/54 Motion

MOVED Cr Kelly

That Council:

1. That Council accept the following tenders for the schedule of rates for Panel Contract No 23 3785 01 over a 4-year period, commencing September 2023:

- **AUSROAD MANUFACTURING PTY LTD**
- **CATTANACH EARTHMOVING**
- **LUXTON PLANT HIRE**
- **PIPE DOCTOR AUSTRALIA PTY LTD**
- **THE TRUSTEE FOR EARTH MOVING TRUST**
- **YELLOW HIRE**
- **TOTAL DRAIN CLEANING SERVICES PTY LTD**
- **COATES HIRE**
- **NORTHERN HIRE GROUP PTY LTD**
- **STABILCO PTY LTD**
- **GRAMPIANS EXCAVATIONS**
- **MIBUS BROS (AUST) PTY LTD**
- **HARRIL PTY LTD TRADING AS COBURNS EARTHMOVING**
- **MALLEE EARTHMOVING & EXCAVATIONS PTY LTD**
- **SWAN HILL HIRE**
- **WHITFIELD EXCAVATIONS PTY LTD**

SECONDED Cr McKay

The Motion was put and CARRIED 6 / 0

Cr King returned to the meeting at 4:41 pm.

9.3 Tender Approval - Provision of Labour Hire Services

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CM 2023/55 Motion

MOVED Cr Young

That Council award the tender of Labour Hire Services to Altus Employment Service Pty Ltd for a term of three years and an option for a further two years.

SECONDED Cr Jeffery

9.4 Request to Lease Council Land - Telecommunications Tower

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CM 2023/56 Motion

MOVED Cr Jeffery

That Council:

- 1. Propose to enter a 10-year lease with a condition of two (2) five (5) year extensions, if both parties agree, with Field Solutions Group to occupy 225m² of land at Saleyards Rd, Swan Hill for the purpose of constructing, maintaining and operating a telecommunications network**
- 2. Give public notice under Section 115(4) of the Local Government Act 2020 and its Community Engagement Policy seeking submissions on the proposed intention to lease the land at Saleyards Rd, Swan Hill.**
- 3. If no submissions are received, grant the proposed lease as per above to Field Solutions Group.**

SECONDED Cr Kelly

The Mayor Councillor Les McPhee asked Councillors by show of hands to vote for an extension of time for the meeting to be extended for 30 mins. By a majority vote, the 30 minute of time was passed.

9.5 Probity Audit out-comes

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (h) of the Local Government Act 2020, on the grounds that the item concerns confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Cr McKay left the meeting at 5:15 pm.

CM 2023/57 Motion

MOVED Cr Jeffery

That Council note that the Audit and Risk Committee has noted the outcome of the probity audit, and the steps put in place to strengthen the processes, performance and accountability around procurement and contract management.

SECONDED Cr King

9.6 Building Functions at Swan Hill Rural City Council

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (h) of the Local Government Act 2020, on the grounds that the item concerns confidential meeting information, being the records of meetings closed to the public under section 66(2)(a).

Cr King left the meeting at 5:20 pm.

CM 2023/58 Motion

MOVED Cr Jeffery

As per the resolution approved in-camera.

SECONDED Cr Young

The Motion was put and CARRIED 5 / 0

Cr King returned to the meeting at 5:29 pm.

9.7 Waste Landfill Fees and Charges

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CM 2023/59 Motion

MOVED Cr Jeffery

That Council:

- 1. Maintain the recent Council adopted gate fees and charges for the Landfill sites in Swan Hill and Robinvale.**

SECONDED Cr Young

The Motion was put and CARRIED 4 / 2

The Mayor Councillor Les McPhee asked Councillors by show of hands to vote for an extra extension of time for the meeting to be extended for a further 30 mins. By a majority vote, the 30 minute extension of time was passed.

9.8 Audit and Risk Committee Meeting Report 7 September 2023

CONFIDENTIAL ITEM This item is to be considered at an In Camera meeting in accordance with Section 3(1) (a) of the Local Government Act 2020, this item is to be considered in an incamera meeting on the grounds that the item concerns Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released.

CM 2023/60 Motion

MOVED Cr Jeffery

That Council notes the report.

SECONDED Cr King

The Motion was put and CARRIED 6 / 0

CM 2023/61 MOTION

MOVED Cr Jeffery

That the meeting move out of closed session at 5:50 pm.

SECONDED Cr Young

The Motion was put and CARRIED 6 / 0

10 Close of Meeting

There been no further business the Mayor, Councillor Les McPhee closed the meeting at 5:50 pm