



Mildura Rural City Council

AGENDA

Ordinary Meeting of Council

5:30pm Thursday 24 August 2023

VENUE:

**Committee & Council Room
76 Deakin Ave, Mildura**

NEXT ORDINARY MEETING OF COUNCIL

5:30pm Thursday 28 September 2023

Copies of Mildura Rural City Council's Agendas & Minutes
can be obtained online at www.mildura.vic.gov.au

Prayer

Almighty God,

We who are gathered together in Council,
pledge ourselves to work in harmony for
the welfare and development of our Rural City.

Guide us, we pray, in our deliberations,
help us to be fair in our judgement and
wise in our actions,
so that prosperity and happiness
shall be the lot of our people.

Amen.

Acknowledgement of Country

“I would like to acknowledge the Traditional Owners and Custodians of the land, which now comprises the Mildura Rural City municipality. We pay our respects to Elders past and present and celebrate and respect their continuing cultures and acknowledge the memories of their ancestors”.

Note to Councillors

Declaration of Interest

Councillors should note that in accordance with section 130 of the *Local Government Act 2020*, there is an obligation to declare a conflict of interest in a matter before Council.

A conflict of interest can be *general* or *material* in nature.

A Councillor has a *general conflict of interest* if an impartial, fair-minded person would consider that the Councillor's private interests could result in that Councillor acting in a manner that is contrary to their public duty.

- Private interests means any direct or indirect interest of a Councillor that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief.
- Public duty means the responsibilities and obligations that a Councillor has to members of the public in their role as an elected representative.

A Councillor has a *material conflict of interest* if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter.

The benefit may arise or the loss incurred –

- (a) directly or indirectly; or
- (b) in a pecuniary or non-pecuniary form.

An *Affected Person* includes:

- (a) the relevant person;
- (b) a family member of the relevant person;
- (c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of the governing body;
- (d) an employer of the relevant person, unless the employer is a public body;
- (e) a business partner of the relevant person;
- (f) a person for whom the relevant person is a consultant, contractor or agent;
- (g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee;
- (h) a person from whom the relevant person has received a disclosable gift.

Disclosure of Conflict of Interest

A Councillor must make full disclosure of a conflict of interest by advising the type and nature of the interest immediately before the matter is considered at the meeting. Following the disclosure and prior to the matter being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

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MARTIN HAWSON

CHIEF EXECUTIVE OFFICER

1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

2 OPENING AND WELCOME

3 PRESENT

4 APOLOGIES AND ABSENCES

5 DISCLOSURE OF CONFLICT OF INTEREST

6 CONFIRMATION OF MINUTES

Ordinary Meeting of Council held on 27 July 2023

That Council confirm the minutes of the Ordinary Meeting of Council of 27 July 2023 as a correct record

Confidential Meeting of Council held on 27 July 2023

That Council confirm the minutes of the Confidential Meeting of Council of 27 July 2023 as a correct record

Special Council held on 11 August 2023

That Council confirm the minutes of the Special Council of 11 August 2023 as a correct record

7 CONFIRMATION OF COUNCIL AUSPICED MEETINGS

In accordance with Part 21 of Council's Governance Rules, records of Council Auspiced Meetings must be reported to the next Ordinary Meeting of Council and confirmed in the minutes.

A Council Auspiced Meeting is defined in the Governance Rules as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

Recommendation

That Council note the following records of Council Auspiced Meetings:

- **Council Forum – 10 August 2023**

RECORD OF COUNCIL AUSPICED MEETINGS

| Meeting Details | Councillor Attendees | Other Attendees | Matters Discussed | Conflict of Interest Disclosures |
|---|---|---|--|----------------------------------|
| <p>Council Forum – 10 August 2023</p> | <p>Cr Liam Wood Cr Ian Arney Cr Troy Bailey Cr Stefano de Pieri Cr Mark Eckel Cr Glenn Milne Cr Jason Modica Cr Jodi Reynolds</p> | <p>Martin Hawson, Chief Executive Officer Daryl Morgan, General Manager infrastructure & Assets Mark Jenkins, Interim General Manager Strategy & Growth Kate Henschke, General Manager Corporate Performance Cheree Jukes, Acting General Manager Healthy Communities Larni Baird, Manager Governance Ben Piscioneri, Media Officer</p> | <ol style="list-style-type: none"> 1) Workshop: Riverfront Playspace 2) Murray Basin Rail Project Presentation 3) Waste Minimisation and Resource Recovery Policy and Guidelines CP060 4) Merbein Pedestrian and Cycling Plan 5) Infringement Notice Review Policy CP005 6) Mildura Sporting Precinct – Cricket Expression of Interest 7) Energy and Emissions Reduction Reserve 8) Considerations from IBAC’s Operation Sandon Findings 9) Kumatori Sister City Delegation | <p>Nil</p> |

8 NOTIFICATION OF ABSENCE

9 MAYORAL REPORT

9.1 MAYORAL REPORT JULY 2023

File Number: 02/01/06

1. Summary

The following is an update on the activities and functions attended by the Mayor Liam Wood during the month of July 2023.

2. Recommendation

That Council note the contents of this report.

3. Comments

- Meeting with McLaughlin Sports
- River1467 Interviews
- Regional Motorsports Strategy Workshop Session
- Powerhouse Gallery Meeting
- Mattman Interviews
- Mayor & CEO Catch-ups
- Mayor & CEO Media/Comms Updates
- Mildura Upland Sister City 4th July Flag Raising
- Mayors of Regional Cities Victoria meeting with Minister Horne
- Councillors Planning Workshop
- Mildura Base Public Hospital NAIDOC Week Event
- Strategic Planning Cemetery Workshop
- Budget Discussion Meeting
- Meeting with Mildura Regional Development CEO
- Councillors Maddocks Advice Meeting
- Northern Mallee Leaders Community Projects Day Meeting
- Governance, Performance, Risk & Audit Cr Portfolio Meeting
- Council Forum
- 2023 Mildura Writers Festival Opening Night Event
- Meeting with Wallis Cinema
- Mildura Rural City Council Media Press Club
- Commonwealth Games Briefing - Regional Councils
- Tourism Structure Discussion with Department of Jobs, Skills, Industry & Regions & Murray Regional Tourism
- Light State Site Visit
- Australian Citizenship Ceremonies
- Northern Mallee Leaders "Ask Me Anything" Meeting
- Aged & Disability Services Celebrations
- Meetings with Hands Up Mallee
- Mayoral Video Recording
- Powerhouse Site Visit
- Victoria Police, Run for Road Trauma BBQ Event
- Urban Forest Strategy Councillor Briefing

- Victorian TAFE Association State Conference 2023 - Networking Reception
- Victorian TAFE Association State Conference 2023 - Conference Opening, Keynote & Workshops
- Accommodation Strategy Discussion
- Ministerial Forum for Mayors on Public Disruptions
- Ordinary Council Meeting
- Sunshine Coast Food & Agritourism Conference

10 COUNCILLOR REPORTS

10.1 COUNCILLOR REPORTS - JULY 2023

File Number: 02/01/06

1. Summary

The following is a report on the activities and functions attended by Councillors during the month of July 2023.

2. Recommendation

That Council note the contents of this report.

3. Comments

Cr Ian Arney

- Meeting with MRCC Interim General Manager Strategy & Growth
- Meeting with MRCC CEO
- Tourism Structure Discussion
- Refer to table

Cr Troy Bailey

- Refer to table

Cr Stefano de Pieri

- Refer to table

Cr Mark Eckel

- Soccer Club Gala Ball
- Regional Motor Sports Strategy
- Mildura Upland Sister City 4th July Flag Raising
- Chair Chaffey Trail Reference Group Board Meeting
- Northern Mallee Leaders Community Project
- Special Meeting Mallee Sexual Assault Unit Inc. Mallee Domestic Violence Services
- ABC Interview - Events
- Star FM Interview - WNBL Games
- WRA Community Partner
- Mildura Writers Festival – Various Sessions
- Meeting with Mildura Regional Development CEO
- Tourism Structure Discussion with Department of Jobs, Skills, Industry & Regions & Murray Regional Tourism
- Constituent Meeting - Beaty Court
- Australian Citizenship Ceremonies
- Constituent Meeting - Bin Warning Notice, Fourteenth Street, Mildura
- Horticulturist Planning Issue - Etiwanda Avenue
- Kumatori Sister City Discussion
- Meeting with MRCC CEO
- Chaffey Trail Reference Group Planning Meeting

- Victoria Police, Run for Road Trauma BBQ Event
- Wallis Cinema screening of 'Watandar'
- Mallee Sexual Assault Unit Inc. Mallee Domestic Violence Services Board Meeting
- Refer to table

Cr Helen Healy

- Funeral - Community Barkindji Elder
- Northern Mallee Leaders Community Projects Day
- Meeting with Arts Mildura
- Constituent Meeting - Road Conditions
- Constituent Meeting - Parking Fines
- Gender Equality Action Sunraysia - Community Education/Engagement Plan
- Mildura Writers Festival – Various Sessions
- Refer to table

Cr Glenn Milne

- Triple M Interviews
- AFL Sunraysia Junior Football Carnival Dinner
- Infrastructure & Assets Portfolio Meeting
- Constituent Meeting - Developer
- Local Government Working Group on Gambling
- Ladds Boxing Supper Event
- Ladds Boxing Competition
- Refer to table

Cr Jason Modica

- Strategic Planning Cemetery Workshop
- Climate Emergency Action Executive Meeting
- 100-year Ceremony of Freemasonry in Mildura
- Meeting with Arumpo Bentonite
- Cool It Media Promotion
- Environment & Sustainability Portfolio Meeting
- Sunraysia Sustainability Network Committee Meeting
- Red Cliffs Senior Citizens Club Annual General Meeting
- Wallis Cinema screening of Bob Brown Biopic – "The Giants"
- Region 4 Murray Darling Association - Ordinary Meeting
- Refer to table

Cr Jodi Reynolds

- Refer to table

This table represents attendances by two or more Councillors at the following functions, as advised by Councillor acceptances for such functions:

| Function Attended | Arney | Bailey | de Pieri | Eckel | Healy | Milne | Modica | Reynolds |
|---|--------------|---------------|-----------------|--------------|--------------|--------------|---------------|-----------------|
| Councillors Planning Workshop | ✓ | | | ✓ | | ✓ | | |
| Sunshine Coast Food & Agritourism Conference | ✓ | | ✓ | | | | | |
| Council Forum | | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |
| Ordinary Council Meeting | ✓ | ✓ | ✓ | ✓ | | ✓ | ✓ | ✓ |
| Urban Forest Strategy Councillor Briefing | ✓ | | ✓ | ✓ | | ✓ | ✓ | ✓ |
| Mildura Rural City Council Media Press Club | ✓ | | | ✓ | ✓ | | ✓ | |
| Powerhouse Site Visit | ✓ | | | ✓ | | | ✓ | |
| 2023 Mildura Writers Festival Opening Night Event | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ | |
| Councillors Maddocks Advice Meeting | ✓ | | | ✓ | | | ✓ | |

Attachments

There are no attachments for this report.

11 RESPONSES TO COUNCILLOR QUESTIONS

Nil

12 QUESTIONS FROM COUNCILLORS

13 NOTICES OF MOTION

Nil

14 PETITIONS, JOINT LETTERS AND DEPUTATIONS

Nil

15 MANAGEMENT REPORTS

15.1 COUNCILLORS QUARTERLY EXPENSES REPORT 1 APRIL 2023- 30 JUNE 2023

File Number: 02/01/06
Officer: Chief Executive Officer

1. Summary

In keeping with Council's Council Expenses Policy CP012, Councillor expenses are reported quarterly to an Ordinary Meeting of Council. Accordingly, this report presents Councillors Quarterly expenses for the period 1 April 2023- 30 June 2023

2. Recommendation

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

3. Background

This report has been prepared in accordance with the Council Expenses Policy CP012.

4. Consultation Proposed/Undertaken

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

5. Discussion

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

6. Time Frame

The report presents Councillors Quarterly Expenses for the period 1 April 2023 – 30 June 2023.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Leadership

Outcome to be achieved:

- A financially sustainable organisation.

8. Asset Management Policy/Plan Alignment

There are no Asset Management implications associated with this report.

9. Implications

Policy

The report aligns with the Council Expenses Policy CP012.

Legal/Statutory

There are no legal/statutory requirements associated with this report.

Financial

Financial costs are in accordance with Council's 2022/2023 Operational Budget.

Environmental

There are no environmental impacts associated with this report.

Social

There are no social impacts associated with this report.

Economic

There are no economic impacts associated with the report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

1 [↓](#) Councillors Quarterly Expenses 1 April 2023 - 30 June 2023

Councillor Expenses for the period 1 April 2023 – 30 June 2023

| Councillor | 1. Allowance | 2. Travel & Accommodation | 3. Car Mileage | 4. Information & Communication | 5. Conferences & Training | 6. Catering / Meals | 7. Misc |
|---------------------|--------------|---------------------------|----------------|--------------------------------|---------------------------|---------------------|---------|
| Cr Ian Arney | 7,838.25 | | | 116.68 | | | 72.46 |
| Cr Troy Bailey | 7,838.25 | | | 43.50 | | | |
| Cr Stefano De Pieri | 7,838.25 | | | 43.50 | | | |
| Cr Mark Eckel | 7,838.25 | | 524.88 | 154.91 | | | 100.00 |
| Cr Helen Healy | 12,579.75 | | 188.64 | 248.04 | | | 72.46 |
| Cr Glenn Milne | 7,838.25 | 1,347.32 | 601.92 | 248.04 | | | 72.46 |
| Cr Jason Modica | 5,225.50 | 199.09 | 555.37 | 82.68 | | | 5.00 |
| Cr Jodi Reynolds | 7,838.25 | | | 43.50 | | | |
| Cr Liam Wood | 25,159.26 | 6,053.60 | | 147.00 | | 174.12 | |

Definition of Expenses

- Mildura Rural City Council is a Category Two Council and must set allowances within range in line with the Local Government Act 2020. An adjustment is made annually and gazetted by the Minister. Allowances must also include amount in lieu of superannuation.
- Travel Costs include cost of flights, taxis, public transport fees, and accommodation etc associated with undertaking duties of a Councillor
- Car Mileage recognises the private vehicles costs associated with Councillors travelling and fulfilling Council duties. Rates are set at State Public Service levels.
- Communication expenses include costs associated with provision of equipment, phone reimbursements and monthly telecommunications charges are set to a maximum \$75 per month.
- These include registration fees, educational / training costs and meeting expenses
- Catering costs associated with undertaking responsibilities of Councillor including meal reimbursements,
- Includes career expenses, printing, and other expenditure / reimbursements associated with responsibilities in performing Councillor role

15.2 AUDIT AND RISK COMMITTEE MEETING 1/2023-2024 - MINUTES SUMMARY - 12 JULY 2023

File Number: 02/02/08
Officer: General Manager Corporate Performance

1. Summary

In line with the requirements of the Audit and Risk Committee Charter, the purpose of this report is to present to Council for noting a summary of the minutes of Audit and Risk Committee Meeting 1/2023-2024. The confidential minutes of Audit and Risk Committee Meeting 1/2023-2024, including key outcomes and recommendations of the meeting, have been distributed to Council under separate cover.

2. Recommendation

That Council note the confidential minutes of Audit and Risk Committee Meeting 1/2023-2024 held on 12 July 2023.

3. Background

The Audit and Risk Committee is an advisory committee to Council whose role is to oversee and monitor the effectiveness of Council in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management, and fostering an ethical environment. The Audit and Risk Committee consists of four independent members:

- Mr Max Folie (Chairperson)
- Ms Maria Carrazza
- Ms Min Poole
- Ms Julie Humphrey

and two Councillor members:

- Mayor Cr Liam Wood
- Deputy Mayor Cr Helen Healy

The Audit and Risk Committee meets bi-monthly in accordance with the Audit and Risk Committee Charter. Special meetings are also convened as required.

The Audit and Risk Committee Charter requires a summary of the minutes of Audit Committee meetings to be presented to Council for noting.

4. Consultation Proposed/Undertaken

There are no consultation implications associated with this report.

5. Discussion

At Audit and Risk Committee Meeting 1/2023-2024, the Committee:

- Reviewed a presentation prepared by the Manager Strategic Projects on the progress of two major projects: Mildura Sporting Precinct – Stage 2 and Powerhouse Place – Riverfront – Stage 2.

The Chief Executive Officer briefed the Committee on how each project is tracking against its budget and project delivery milestones, and provided an explanation of how the key risks identified for each project are being managed.

- Received a report from BDO on the status of internal audits to be delivered through the Internal Audit Program for the 2022-2023 and 2023-2024 financial years.
- Adopted a final report, prepared by BDO, on the Management of Asset Investment Review.

Progress towards completion of Management actions arising from this review will be reported to the Committee through the Internal Audit Tracking Register, which is presented to the Committee as a standard agenda item.

- Reviewed and noted the status of internal audit actions, as outlined in the Internal Audit Tracking Register.
- Reviewed and noted the status of external audit actions for Mildura Rural City Council and the Mildura Cemeteries Trust, as reported in the External Audit Management Letter Issues 2022-2023 Progress Report.
- Received a verbal report from the Chief Executive Officer on key strategic matters.
- Received a written report from the Acting General Manager Corporate Services on operational matters.
- Received an update on fraud control matters and emerging risks.
- In accordance with the requirements of its Charter, agreed to undertake an Audit and Risk Committee Self-Assessment Process for the financial year ended 30 June 2023. The self-assessment process will be facilitated by Council's internal auditor, who will present a report on the findings of the self-assessment process to the Audit and Risk Committee's September 2023 meeting for trend analysis and continuous improvement purposes.

In response to a request from the Committee, Management undertook to determine and report back to the Committee on the most appropriate means of assessing/measuring the Audit and Risk Committee's success in providing value to the Council.

- Received a presentation from Management on conflict of interest and related parties, and the controls Mildura Rural City Council has put in place to promote compliance with the legislative and regulatory requirements relating to these.

- Reviewed the Fraud Control Policy, and Fraud and Corruption Control Plan. The Committee received an update from the Acting Manager Financial Services in relation to the status of the internal review process for the policy and plan, along with the additional controls Mildura Rural City Council has implemented since the policy and plan were last reviewed.
- Reviewed and resolved to recommend presentation to Council of the Audit and Risk Committee Chairperson's Bi-Annual Report – 1 January to 30 June 2023.

6. Time Frame

There are no timeframe implications associated with this report.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Leadership

Outcome to be achieved:

- Effective governance to deliver results in line with community expectations.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

This report complies with the Audit and Risk Committee Charter.

Legal/Statutory

There are no legal/statutory implications associated with this report.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

15.3 ADOPTION OF PRIVACY AND DATA PROTECTION POLICY CP017

File Number: 18/02/01
Officer: General Manager Corporate Performance

1. Summary

The purpose of this report is to present the Privacy and Data Protection Policy CP017 and to seek Council's resolution to adopt the updated policy.

2. Recommendation

That Council adopt the Privacy and Data Protection Policy CP017 reviewed in July 2023 as presented.

3. Background

The purpose of this policy is to ensure Council complies with the provisions of the *Privacy and Data Protection Act 2014* (the Act) and the *Health Records Act 2001*, in relation to the collection, management and disclosure of personal, sensitive and health information.

4. Consultation Proposed/Undertaken

In alignment with Council's policy renewal process, consultation with policy stakeholders has been undertaken. Stakeholders include Council's Executive Leadership Team, Strategic Management Team, and relevant Team Leaders/Coordinators.

5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. Minor changes have been made and these are presented in the attachment.

6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Leadership:

Outcome to be achieved:

- Trust, respect and understanding between community and Council.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications**Policy**

This report updates the current Privacy and Data Protection Policy CP017.

Legal/Statutory

This policy ensures Council complies with the *Privacy and Data Protection Act 2014*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 [↓](#) Privacy and Data Protection Policy - CP017 - DRAFT July 2023



Privacy and Data Protection Policy

Policy – CP017

| Prepared | Reviewed | Approved | Date | Council Minute No. |
|--|----------|--|--------------------------------------|----------------------|
| Manager Corporate Administration General Manager Corporate Performance | SMT | Council | 24 July 2019 14 July 2023 | 2019/0452 |
| EDMS File: 18/02/01 | | To be reviewed: July 2022 July 2026 | | |
| Document Owner: General Manager Corporate Performance | | Review Frequency: Three years | | |

1. The Purpose of this Policy is

To ensure Council complies with the provisions of the *Privacy and Data Protection Act 2014* (the Act) and the *Health Records Act 2001*, in relation to the collection, management and disclosure of personal, sensitive and health information.

2. Policy Statement

This policy has been developed in order to:

- Establish a regime for the responsible collection, management and disclosure of personal information;
- Provide individuals with right of access to information about themselves which is held by Council; and
- Provide individuals with the right to request correction and amendment of information about themselves held by Council, including information held by contracted service providers.

Council will provide Information Privacy training to all new staff as part of the Corporate Induction Program, and refresher training where applicable.

3. Scope of the Policy

This policy covers all personal and health information collected by Councillors, Council employees, members of committees, contractors and sub-contractors. This includes information collected in any format including correspondence, in person, over the phone, and over the Internet.

This policy applies to all Councillors, Council employees, members of committees, contractors and sub-contractors of Mildura Rural City Council.

4. Privacy Principles

The *Privacy and Data Protection Act 2014* contains ten Information Privacy Principles (IPP's) and the *Health Records Act 2001* contains eleven Health Privacy Principles (HPP's). These principles establish standards for the handling of personal, sensitive and health information including collection, use, disclosure, storage, security, accessibility and disposal.

4.1 Collection (IPP 1 / HPP 1)

Council will only collect personal information that is necessary to carry out legitimate and specific Council functions and activities including, but not limited to:

- Direct contact in order to provide services requested.
- Contact by Council or contracted service providers where it is necessary to resolve issues relating to council services or functions.
- To confirm your attendance and/or advise you of any changes to meeting details where you have made a submission for consideration.
- To facilitate the collection of Council fees and charges.
- To enable payment for Council provided goods and services.
- To supply you with material concerning Council initiatives and programs where you have supplied personal information to Council for this purpose.
- To enable Council to undertake its Civic Compliance duties and law enforcement functions.
- To aid community safety. For example, Council collects images via closed circuit television (CCTV) cameras which are located throughout the municipality. Footage and photographs of incidents will only be made available in accordance with the CCTV Governance Framework [2018-2022 2022 - 2026](#).
- To record/receive ideas, questions, complaints and compliments from members of the public.

Council will advise individuals, where possible, of the purposes for which their personal information is being collected and of those third parties to whom the information may be disclosed.

Personal and health information will only be collected by fair and lawful means, and not in an unreasonably intrusive way.

Where it is reasonable and practicable to do so, Council will collect personal and health information directly from the individual. If information is collected about an individual from someone else, Council will take reasonable steps to ensure that the individual is made aware of the information that has been collected about them.

4.2 Use and Disclosure of Information (IPP 2 / HPP 2)

Council will take all necessary measures to prevent unauthorised access to, or disclosure of personal information.

Council will not use or disclose information about an individual other than for the primary purpose for which it was collected unless one of the following applies:

- It is for a related (secondary) purpose that the individual would reasonably expect;
- Where Council has the consent of the individual to do so;
- If the use or disclosure is necessary for research, or the compilation/analysis of statistics, in the public interest, other than for publication in a form that identifies any particular individual;
- If the use or disclosure is necessary to lessen or prevent a serious and imminent threat to an individual's life, health, safety or welfare;
- If the use or disclosure is necessary to lessen or prevent a serious threat to public health, public safety or public welfare;
- If Council has reason to suspect that unlawful activity has been, is being or may be engaged in;
- The use or disclosure is required or authorised by or under law;
- The use or disclosure is reasonably necessary for use by or behalf of a law enforcement agency;
- As required or permitted by the *Privacy and Data Protection Act 2014* or any other legislation.

4.3 Data Quality (IPP 3 / HPP 3)

Council will take reasonable steps to ensure that all personal information collected, used or disclosed is accurate, complete and up to date.

4.4 Data Security and Retention (IPP 4 / IPP 4)

Council will take all necessary measures to prevent misuse, loss, unauthorised access, modification or disclosure of all personal and health information. This applies regardless of the format in which the information is held.

Personal and health information will be managed confidentially and stored securely.

Council will monitor and implement reasonable and appropriate technological advances or management processes, to provide an up to date ongoing safeguard for personal information.

Personal and health information will be de-identified, archived or destroyed in accordance with the *Public Records Act 1973* and the 'Retention and Disposal Authority for Records of Local Government Functions PROS 09/05'.

4.5 Openness (IPP 5 / HPP 5)

This policy details Council's management of personal, sensitive and health information and is publically available for viewing on Council's website.

On request, Council will take reasonable steps to let a person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

4.6 Access and Correction (IPP 6 / HPP 6)

Requests for access to and correction of documents containing personal information are managed in accordance with the requirements of the *Freedom of Information Act 1982* (FOIA).

Under the FOIA, a person is entitled to seek correction or amendment of a document containing personal affairs information, where they believe the information is inaccurate, incomplete, out of date, or would give a misleading impression.

Requests made under the FOIA must:

- be made in writing and addressed to the:

Freedom of Information Officer
Mildura Rural City Council
PO Box 105
MILDURA VIC 3502
Email: mrcc@mildura.vic.gov.au
- specify an address to which a decision notice can be sent to the person making the request
- detail the particulars of the matters in respect of which the applicant believes the personal affairs information is defective
- specify the amendments the person making the request wishes to be made.

There is no application fee for a request for amendment of personal information made under the FOIA.

Where a person makes such a request for amendment, Council will take reasonable steps to notify the person of the decision as soon as practicable, but no later than 30 days after receiving the request.

4.7 Unique Identifiers (IPP 7 / HPP 7)

A unique identifier is a number or code that is assigned to an individual to identify that individual for the purposes of the operations of the Council, but does not consist only of the individual's name.

Council will not:

- assign unique identifiers unless necessary to carry out the Council's functions efficiently;
- adopt a unique identifier that has been assigned by another organisation unless necessary to carry out the Council's functions efficiently, or with the consent of the individual or it is under an out-sourcing arrangement;
- use or disclose a unique identifier assigned by another organisation unless necessary to fulfil the Council's obligations to that organisation or with the consent of the individual;
- require an individual to provide a unique identifier in order to obtain a service unless required or authorised by law or in connection with the purpose for which the unique identifier was assigned.

4.8 Anonymity (IPP 8 / HHP 8)

Council will, where it is lawful and practicable, give individuals the option of not identifying themselves when entering into transactions with Council.

However, as anonymity may limit Council's ability to process a complaint or other matter, Council reserves the right to take no action on any matter if an individual chooses not to supply relevant personal information necessary for Council to perform its functions.

4.9 Transborder Data Flows (IPP 9 / HPP 9)

Council may transfer personal, sensitive or health information to an individual or organisation outside Victoria only in the following instances:

- The individual has provided consent;
- If the disclosure is authorised by law;
- If the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request;
- Where Council has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the Information Privacy Principles;
- If the recipient of the information is subject to law binding scheme or contract with similar principles as the *Privacy and Data Protection Act 2014*.
- Or, if all of the following circumstances apply:
 - a) The transfer is for the benefit of the individual; and
 - b) It is impracticable to obtain the consent of the individual to that transfer; and
 - c) If it were practicable to obtain that consent, the individual would be likely to give it.

4.10 Sensitive Information (IPP 10)

Subject to exclusions contained within the Act. Council will not collect sensitive information about an individual unless:

- the individual has consented; or
- the collection is required under law; or
- the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
 - a) is physically or legally incapable of giving consent to the collection; or
 - b) physically cannot communicate consent to the collection; or
- the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

4.11 Transfer or Closure of Health Service Provider's Practice (HPP 10)

Health information relating to a discontinued health service provided by Council will be managed in accordance with the *Health Records Act 2001*.

4.12 Making Information Available to Another Health Service Provider (HPP 11)

If an individual:

- requests Council to make health information relating to the individual available to another health service provider; or
- authorises another health care service provider to request Council to make health information relating to the individual available to the requesting health service provider,

Council will provide a copy or written summary of that health information as soon as practicable following payment of a fee not exceeding the prescribed maximum fee and subject to the regulations.

5. Privacy Collection Statement

A general statement outlining Council's position on the handling of personal, sensitive or health information will be used at all points of collection and on all outgoing correspondence that may request personal, sensitive or health information.

Forms collecting information that will be used for a specific purpose will include a privacy collection statement detailing the purpose of collection.

6. Public Registers

The following public registers are currently maintained by Council which may include personal information.

- Details of overseas or interstate travel (with the exception of interstate travel by land for less than 3 days), undertaken in an official capacity by any Councillor or member of Council staff.
- A document containing details of all leases involving land which were entered into by the Council as lessor, including the lessee and the terms and value of the lease.
- A register maintained under section 224(1A) of the *Local Government Act 1989* of Authorised Officers appointed under that section.
- A list of donations and grants made by Council in the previous 12 months, including the names and persons who, or bodies which, have received a donation or grant and the amount of each donation or grant.
- Campaign Donation Returns received from persons who were candidates in a Council election.
- A register of all applications for permits and all decisions and determinations relating to permits pursuant to section 49 of the *Planning & Environment Act 1987*.
- A register of dogs and cats registered in the municipality pursuant to section 18 of the *Domestic Animals Act 1994*.
- Submissions received from the public in accordance with section 223 of the *Local Government Act 1989*.
- A register of building permits pursuant to section 31 of the *Building Act 1993*.
- A register of occupancy permits and temporary approvals received by Council kept pursuant to section 74 of the *Building Act 1993*.
- A register of emergency orders, building notices and binding orders given to Council under part 8 of the *Building Act 1993*, as required under section 126 of the *Building Act 1993*.
- A register of applications for planning permits and all decisions and determinations relating to permits.

7. Complaints

Complaints regarding the management of personal, sensitive and health information should be directed to Council's Privacy Officer.

The complaint will be investigated as soon as possible (but no later than 30 business days) and a written response provided.

Alternatively, individuals may lodge a complaint with the Victorian Information Commissioner with respect to personal information, or the Health Services Commissioner for health information, about a Council act or practice that may be an interference with their privacy. However, the Commissioners may decline to entertain the complaint if the complainant has not first lodged the complaint with Council.

Office of the Victorian Information Commissioner

PO Box 24274 MELBOURNE VIC 3001
 Phone: 1300 006 842
 Email: enquiries@ovic.vic.gov.au

Office of the Health Complaints Commissioner

Level 26, 570 Bourke Street MELBOURNE VIC 3000
 Phone: 1300 582 113
 Email: hcc@hcc.vic.gov.au

8. Breaches

As soon as a privacy breach has been identified (or suspected), Council's Privacy Officer must be notified.

In the event that Council experiences a privacy breach or suspects that a privacy breach has occurred, the Privacy Officer will follow the procedure set out in the Privacy Breach Procedural Guidelines.

9. Staff Training and Awareness

All Council employees receive training to enhance their awareness about their obligations regarding the collection and management of personal information in the workplace.

All new staff are required to complete the training module 'Introduction to Privacy in the Victorian Public Sector' as part of their induction program and must agree to abide by the Employee Code of Conduct in respect to the 'Privacy and Information Systems' requirements.

10. Who is responsible for implementing this policy?

General Manager Corporate [Performance](#)

11. Definitions

Health Information

Information or an opinion about:

- the physical, mental or psychological health of an individual;
- a disability of an individual;
- an individual's expressed wishes about the future provision of health services;
- a health service provided to an individual;

Other personal information collected to provide, or in providing, a health service.

Personal Information

Information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can be reasonably ascertained, but does not include information of a kind to which the *Health Records Act 2001* applies.

Health Privacy Principles (HPPs)

A set of principles that regulate the handling of personal health information as set out in the *Health Records Act 2001*.

Information Privacy Principles (IPPs)

A set of principles that regulate the handling of personal information as set out in the *Privacy and Data Protection Act 2014*.

Sensitive Information

Personal information or an opinion about an individual's:

- race or ethnic origin; or
- political opinion; or
- membership of a political association; or
- religious beliefs or affiliations; or
- philosophical beliefs; or
- membership of a professional or trade association; or
- membership of a trade union; or
- sexual preferences or practice; or
- criminal record.

Privacy Officer

~~Manager-Corporate Administration~~ ~~Manager Governance~~
Governance & Risk Coordinator

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12. Legislation and other references

12.1 Legislation

If the Information Privacy Act conflicts with another Act, the other Act overrides the Information Privacy Act in so far as the inconsistency.

For further information related to this policy see:

- *Privacy and Data Protection Act 2014;*
- *Health Records Act 2001;*
- *Freedom of Information Act 1982;*
- *Victorian Charter of Human Rights and Responsibilities Act 2006;*
- *Public Records Act 1973; and*
- *Local Government Act 2020; and*
- *Local Government Act 1989*

12.2 Documents

This Policy is implemented in conjunction with the following documents:

- Local Government Privacy Guide
- Privacy Breach Procedural Guidelines

13. Risk Assessment Reference

| Risk Category | ✓ | Risk Category | ✓ |
|----------------------------------|---|-------------------------------------|---|
| Asset Management Committees | | Financial Sustainability | |
| | | Human Resource Management | |
| | ✓ | Leadership & Organisational Culture | ✓ |
| Compliance – Legal & Regulatory | | Occupational Health & Safety | |
| Contract Management | | Organisational Risk Management | |
| Contract Tendering & Procurement | | Project Management | |
| Corporate Governance | ✓ | Public Image and Reputation | ✓ |
| Environmental Sustainability | | | |

15.4 ADOPTION OF S11A INSTRUMENT OF APPOINTMENT AND AUTHORISATION

File Number: 18/02/05
Officer: General Manager Corporate Performance

1. Summary

The *Planning and Environment Act 1987* requires Council to appoint authorised officers by way of a S11A Instrument of Appointment and Authorisation. This report seeks Council's adoption of a new S11A Instrument. This instrument also allows the officer to commence legal proceedings in Council's name.

2. Recommendation

That Council adopt the S11A Instrument of Appointment and Authorisation document as presented for Stephanie Harder, Manager Strategic Planning.

3. Background

The *Planning and Environment Act 1987* was previously included in the S11 Instrument of Appointment which is delegated from the Chief Executive Officer to staff.

Council's solicitors have advised that these should be an individual instrument adopted by the Council.

4. Consultation Proposed/Undertaken

Consultation has been undertaken with Senior Management in the development of this instrument of delegation.

5. Discussion

Council's solicitor, Maddocks has provided Council with an S11A Instrument of Appointment and Authorisation document which requires Council to appoint officers by resolution, to be an authorised officer under the *Planning and Environment Act 1987* and also to be an authorised officer to commence proceedings in Council's name.

Adoption of the S11A Instrument of Appointment and Authorisation allows Council officers to conduct their normal business in relation to the *Planning and Environment Act 1987* and act in Council's name.

6. Time Frame

If adopted by Council the documents would come into force once the Common Seal is affixed.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Leadership

Outcome to be achieved:

- Effective governance to deliver results in line with community expectations.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications**Policy**

There are no policy implications associated with this report.

Legal/Statutory

This report aligns with section 313 of the Local Government Act 2020.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1↓ S11A Instrument of Appointment & Authorisation - Stephanie Harder - Manager
Strategic Planning - August 2023

***S11A. Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)***



Mildura Rural City Council

Mildura Rural City Council

**Instrument of Appointment and Authorisation
(*Planning and Environment Act 1987* only)**

for

**STEPHANIE HARDER
MANAGER STRATEGIC PLANNING**

AUGUST 2023

Instrument of Appointment and Authorisation

In this instrument "**officer**" means -

Stephanie Harder

By this instrument of appointment and authorisation **Mildura Rural City Council** –

- 1. under section 147(4) of the *Planning and Environment Act 1987* – appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that act; and
- 2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument –

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked; and
- (c) until the Officer ceases to be employed by Council.

This instrument is authorised by a resolution of the Council on 24 August 2023.

THE COMMON SEAL of the **MILDURA RURAL CITY**)
COUNCIL was affixed hereto by authority of the)
Council in the presence of:)
)

..... **COUNCILLOR**

..... **COUNCILLOR**

..... **CHIEF EXECUTIVE OFFICER**

..... **DATE**

S11A – Instrument of Appointment and Authorisation
Planning and Environment Act 1987

15.5 ENERGY AND EMISSIONS REDUCTION RESERVE

File Number: 15/03/01

Officer: Acting General Manager Healthy Communities

1. Summary

The purpose of this report is to seek Council approval for the creation of a new discretionary financial reserve, the Energy and Emissions Reduction Reserve (EERR).

2. Recommendation

That Council:

- (i) approve the creation of the Energy and Emissions Reduction Reserve;**
- (ii) approve the Energy and Emissions Reduction Reserve Terms of Reference; and**
- (iii) approve the transfer of capital income generated from the Lighting the Regions Stage 2 project to the Energy and Emissions Reduction Reserve.**

3. Background

Mildura Rural City Council (Council) recently completed major and minor road street lighting upgrades as part of the Lighting the Regions Stage 2 project. Over 1,700 public streetlights across the municipality have been upgraded to energy efficient LED technology.

The upgrades are anticipated to cut council's annual electricity consumption by over 500 megawatt hours and reduce our energy and maintenance costs by up to \$2.5 million over the next 20 years. Council's street lighting has been powered by 100 percent renewable energy since 1 July 2021 as a result of the Victorian Energy Collaboration (VECO) project.

The \$2.2 million project in the Mildura LGA was funded by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (\$1.63 million) and council (\$613,871).

4. Consultation Proposed/Undertaken

A discussion was held with the then Acting General Manager Corporate and Acting Manager Financial Services on 3 July 2023. The Executive Leadership Team (ELT) were consulted on 11 July 2023 and ELT approved the proposal to proceed to Council Forum on 10 August 2023.

Given that the funds to be transferred to the new discretionary financial reserve are expected to be above \$250,000, the proposal requires Council approval.

5. Discussion

The street lighting upgrades will result in the creation and sale of Victorian Energy Efficiency Certificates (VEECs). Ironbark Sustainability (project manager) has engaged an accredited provider (National Carbon Bank of Australia) on council’s behalf. Based on VEECs pricing on 8 June 2023, it is anticipated that council will receive approximately \$515,000 in capital income from the sale of VEECs.

In 2021, council signed an agreement with Transport for Victoria (TfV) which outlines the repayment arrangements for TfV’s share of the major road lighting upgrade costs. TfV’s total liability to council is \$512,000 and must be paid back in no more than 10 years. TfV will pay council a maximum of \$66,700 per year.

Council will also receive a project rebate from Powercor of \$30,604 due to some lights not being able to be upgraded.

It is proposed that the VEEC income, annual TfV repayments and the Powercor rebate (outlined in the table below) are transferred into the EERR once created.

| Income Source | Amount | Comment |
|--|--------------------|--|
| Victorian Energy Efficiency Certificates (VEECs) | Approx. \$515,000 | VEECs are sold to energy retailers who have a liability under the Victorian Energy Upgrades (VEU) program to surrender certificates each year. |
| Transport for Victoria (TfV) | \$512,000 | Repayment arrangement for TfV’s share of the major road lighting upgrade costs. Max income of \$66,700 per year. |
| Powercor | \$30,604 | Project rebate due to some lights not being able to be upgraded. |
| Approx. Total | \$1,057,604 | |

The EERR will be used to fund initiatives that reduce council’s energy consumption, greenhouse gas emissions and operational costs and will be selected based on the criteria for funding and funding limits outlined in the attached Terms of Reference.

6. Time Frame

If approved by Council, the Environmental Sustainability team will work with the Financial Services branch to set-up the EERR and process the transfer of funds. It is expected that the EERR will operate for as long as it is required.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Environment

Outcome to be achieved:

- A community that actively addresses the causes and impacts of climate change.

8. Asset Management Policy/Plan Alignment

Operational costs are expected to be reduced through the implementation of projects funded through the Reserve.

9. Implications**Policy**

The proposal aligns with the Environmental Sustainability and Climate Change Policy (CP041), namely the principle of 'Embracing innovative and new technology to develop, promote and implement sustainable solutions'.

The proposal also aligns with the Financial Reserves Policy (OP216), namely the creation of a discretionary reserve, transfer to reserves and subsequent expenditure of funds from the reserve.

Legal/Statutory

There are no statutory requirements associated with this report.

Financial

It is estimated that the sale of VEECs, TfV repayments and the Powercor rebate will provide approximately \$1 million of capital income into the Reserve.

Environmental

The Reserve will assist council to meet its corporate zero net emissions targets and respond to the climate emergency.

Social

The Reserve will assist council to reduce its fossil gas consumption, improving health and wellbeing outcomes for staff and the community.

Economic

The Reserve may lead to increased regional tourism spending depending on the projects funded.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 [↓](#) Terms of Reference Energy and Emissions Reduction Fund August 2023



Mildura Rural City Council

Terms of Reference

Energy and Emissions Reduction Reserve

| Prepared | Reviewed | Approved | Date | Council Minute No. |
|--|--------------------------------|----------|------------------------------|--------------------|
| Energy & Water Innovation Officer | Manager Community Partnerships | | | |
| Trim File: 18/02/01 | | | To be reviewed: August 2025 | |
| Document Owner: Manager Community Partnerships | | | Review Frequency: Biannually | |

1. Introduction

On 24 February 2020, Mildura Rural City Council became the 30th Local Government in Victoria, and the 94th in Australia, to declare a climate emergency.

Council declared we are in a state of climate change emergency requiring urgent action by all levels of government. This led to the development of Council’s Towards Zero Emissions Strategy 2021-2050 and commitment to achieve zero net emissions for council operations by 2040, and 2050 for landfill emissions.

2. Purpose

Capital income generated from the Lighting the Regions Stage 2 street lighting upgrade project completed in June 2023 will be used as seed funding for the Energy and Emissions Reduction Reserve (EERR).

The EERR will be used to fund initiatives that reduce council’s energy consumption, greenhouse gas emissions and operational costs. The Initiatives will be selected based on the criteria outlined below.

3. Criteria for Funding

Priority projects to be funded in full or in part, through the reserve are those which have easily quantifiable cost and emission savings. The trial and testing of innovative and new technologies may also be supported.

Projects seeking to draw on funds from the reserve should address as many of the following criteria as possible.

1. Demonstrated financial savings to the organisation, including both operational and maintenance costs.
2. A reduction in corporate energy consumption.

3. A reduction in corporate greenhouse gas emissions.
4. Business improvements / efficiency gains.
5. Improved environmental outcomes.
6. Improved social and cultural outcomes.
7. Use of innovative and new technologies and approaches.

4. Priority Projects

Specific projects that may be considered for funding include but are not limited to:

- Installation of solar PV and battery storage at council owned buildings and facilities;
- Electrification of council owned buildings and facilities;
- Energy efficiency upgrades of council owned buildings and facilities;
- Upgrade of building and public lighting to energy efficient technology;
- Installation of charging infrastructure for zero emissions vehicles and equipment;
- Installation of solar carports at council owned buildings and facilities;
- Deployment of innovative and new technologies; and
- Climate change mitigation and adaptation projects including those addressing the climate emergency.

5. Project Eligibility

Subject to the identified criteria, the types of projects that may be looked at favourably include projects that include:

- Priorities identified through the Council Plan 2021-2025 and Towards Zero Emissions Strategy 2021-2050;
- Improvements to environmental sustainability outcomes of Council and Mildura Rural City;
- Improvements to organisational performance and efficiency; and
- Enhancements to capital works projects.

6. Ineligible Projects

The type of projects that will not be considered for funding include:

- Projects that seek retrospective funding for programs that have already started, or have been completed;
- Projects that are inconsistent with council policy objectives; and
- Projects that do not meet legislative requirements or other statutory approvals and permits.

7. Project Nomination

Projects are to be submitted as part of the Capital Works Program (CWP) and must be approved by ELT or Council (as per Financial Reserves Policy) prior to project commencement. Council's Energy and Water Innovation Officer must be consulted prior to the CWP submission.

8. Funding Limits

While there is no predetermined limit regarding the extent of financial support available for individual projects, the amount of funding available will depend upon:

- The actual balance of the Reserve at the time of the CWP submission;
- The energy, greenhouse emissions and cost savings resulting from the project; and
- The merits of the project.

9. Allocation of Funds

When making decisions regarding the allocation of Reserve monies, ELT will consider, among other things:

- The extent that the project meets the Reserve's funding criteria;
- The resourcing requirements of the project and the benefits that will be achieved;
- The level of cost savings and payback periods;
- Whether the project will be subsidised through other funding sources (e.g. through capital budgets and/or grant contributions);
- The Reserve's financial capacity and priorities;
- Maintenance and asset renewal implications; and
- Alignment with Council strategies, plans and policies.

10. Withdrawal of Funding

Funding may be withdrawn if a project has not commenced one year after the offer of the funding has been made.

11. Return of Excess Funding

Any unspent monies from project allocations are to be returned to the EERR.

12. Policy Alignment

The EERR aligns with the following Council plans, strategies and policies:

- Council Plan 2021-2025
- Towards Zero Emissions Strategy 2021-2050
- Environmental Sustainability and Climate Change Policy (CP041)
- Financial Reserves Policy (OP216)

15.6 STATEMENT OF ADVICE REGARDING THE ABORIGINAL AND TORRES STRAIT ISLANDER VOICE TO PARLIAMENT

File Number: 02/01/06
Officer: Acting General Manager Healthy Communities

1. Summary

The purpose of this report is to provide the advice from Council's Ngiwa Yarna Committee on the Aboriginal and Torres Strait Islander Voice to Parliament (the Voice).

2. Recommendation

That Council:

- (i) note the Statement of Advice from the Ngiwa Yarna Committee as detailed in Section 5 of this report and enact the following:**
 - a. remain publicly neutral and for Council to commit to share clear, unbiased information and to counter misinformation about the Voice;**
 - b. respect and recognise there is a diversity of views regarding the Voice to Parliament and the referendum;**
 - c. encourage residents to actively inform themselves and respectfully exercise their democratic right to have their say; and**
- (ii) make the Statement of Advice as detailed in Section 5 of this report, publicly available.**

3. Background

In late 2023, Australians will have their say in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice (the Voice).

The Voice would be an independent and permanent advisory body. It would give advice to the Australian Parliament and Government on matters that affect the lives of Aboriginal and Torres Strait Islander peoples.

- The Voice would make representations to the Parliament and the Executive Government on matters relating to Aboriginal and Torres Strait Islander peoples.
- The Voice would be able to make representations proactively.
- The Voice would be able to respond to requests for representations from the Parliament and the Executive Government.
- The Voice would have its own resources to allow it to research, develop and make representations.
- The Parliament and Executive Government should seek representations in writing from the Voice early in the development of proposed laws and policies.

(Information sourced from voice.gov.au)

Several councils have publicly endorsed the Voice and Mildura Rural City Council has received enquiries from community members as to Council's position on the Voice. Response to these enquiries has been that we are seeking advice from our Ngiwa Yarna Committee, who advises Council on matters that are about, or affect, Aboriginal and Torres Strait Islander community members.

4. Consultation Proposed/Undertaken

Consultation with the Ngiwa Yarna Committee on the Voice began in February 2023 and has been ongoing. This consultation resulted in the development of a Voice to Parliament lunch and learn session. The session was workshopped during Council Forum on 13 July 2023 and presented as a lunch and learn session to council staff on 10 August 2023.

In representing the community the Ngiwa Yarna Committee has identified there is a diversity of opinion amongst individuals and groups. Therefore, a consensus on supporting the Voice, or not, through consultation with community is not possible.

The Ngiwa Yarna Committee endorsed the Statement of Advice in this report on 3 August 2023.

5. Discussion

On the 3 August 2023, at an ordinary meeting of the Ngiwa Yarna Committee, the following Statement of Advice to council was endorsed and recommended to be made publicly available on Council's website:

The Australian community will soon vote in the referendum on an Aboriginal and Torres Strait Islander Voice to Parliament. As would be expected on any issue, there is a diversity of opinion amongst the Ngiwa Yarna Committee members on the Voice to Parliament. The advice of the Ngiwa Yarna Committee to Council is to remain publicly neutral and for Council to commit to share clear, unbiased information and to counter misinformation about the Voice.

The Ngiwa Yarna Committee (formerly the Aboriginal Action Committee) was established in late 2011. Its aim is to strengthen Council's relationships and engagement with the local Aboriginal and Torres Strait Islander community. Ngiwa Yarna Committee advises Mildura Rural City Council on matters that are about, or affect, Aboriginal and Torres Strait Islander community members.

Committee membership consists of community members, Elders, representatives from key local Aboriginal organisations and committees, and two Councillors. The Ngiwa Yarna Committee has been vital in assisting Council with the development and implementation of our Reconciliation Action Plans (Council is currently in the process of finalising the draft of our third RAP). Also, in hosting community events (such as Corroboree events since 2017 and annual NAIDOC and National Reconciliation Week events) and in a variety of other projects and activities.

The Ngiwa Yarna Committee have assisted Council officers to develop a 'Voice to Parliament' information session. Information for the session was sourced from ABC Fact Check, SBS news, the Voice.gov.au website, and Monash University Law Faculty. The session aims to give facts without opinion, and to counter misinformation that may be circulating in the community. The presentation has been delivered to Councillors and will soon be offered to all Council staff.

We recognise there is a diversity of views regarding the Voice to Parliament and the referendum, and we respect that.

We encourage residents to actively inform themselves and respectfully exercise their democratic right to have their say.

Council officers from council's Community Wellbeing team are available to deliver the Voice to Parliament information session in person or online to interested community groups or workplaces within Mildura municipality. Contact claire.galvin@mildura.vic.gov.au or through council's main phone number (03) 5018 8100 to arrange this.

For more information regarding the Voice to Parliament, visit www.voice.gov.au

Given the sensitivity of the matter, the Ngiwa Yarna Committee respectfully request that Council does not undertake a formal debate regarding individuals opinions on the Voice.

6. Time Frame

The statement on the Voice will be made publicly available on councils website from 25 August 2023, pending Councils support of the recommendations.

The referendum will be voted on by the Australian community in late 2023.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Community

Outcome to be achieved:

- Respect Aboriginal culture, connection to country and Traditional Owners of the land.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications

Policy

There are no policy implications associated with this report.

Legal/Statutory

As a Reconciliation Australia partner, we are committed to sharing information about the Voice with the community.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

The sharing of clear, unbiased information and countering of misinformation about the Voice is a demonstration of our corporate and social responsibility.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

There are no attachments for this report.

15.7 ADOPTION OF WASTE MINIMISATION AND RESOURCE RECOVERY POLICY CP079 AND GUIDELINES

File Number: 18/02/01
Officer: General Manager Infrastructure & Assets

1. Summary

The purpose of this report is to present the Waste Minimisation and Resource Recovery Policy and Guidelines CP079 and seek Council's resolution to adopt the updated policy.

2. Recommendation

That Council adopt the updated Waste Minimisation and Resource Recovery Policy CP079 and Guidelines reviewed in June 2023, as presented.

3. Background

To provide direction and governance for grants provided to the community through the Waste Minimisation and Resource Recovery Grants Program.

4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's Strategic Leadership Team.

5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. Extensive changes have been made and these are presented in the attachment.

6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Environment

Outcomes to be achieved:

- Reduced waste to landfill and enhance resource recovery.
- Increased community knowledge, skills and action to live sustainably.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications**Policy**

This report updates the current Waste Minimisation and Resource Recovery Grants CP079.

Legal/Statutory

This policy complies with all requirements under the *Local Government Act 2020*.

Financial

A budget for the grants will be from Waste's Operational budget.

Environmental

Supporting businesses, community groups and schools to implement waste minimisation and resource recovery activities will work towards less waste to landfill and provide an environmental benefit.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 [↓](#) Waste Minimisation and Resource Recovery Grants Policy CP079
- 2 [↓](#) Waste Minimisation and Resource Recovery Grant Guidelines



Mildura Rural City Council

Waste Minimisation and Resource Recovery Grants

Policy – CP079

| Prepared | Reviewed | Approved | Date |
|--|----------|-------------------------------|-----------|
| Waste Management Coordinator | SMT | ELT | June 2023 |
| Trim File: 18/02/01 | | To be reviewed: June 2026 | |
| Document Owner: Manager Waste Services | | Review Frequency: Bi-Annually | |
| CEO Signature: | | | |

1. The purpose of this policy is

To provide direction and governance for grants provided to the community through the Waste Minimisation and Resource Recovery Grants Program.

2. Policy Statement

The Mildura Rural City Council Waste Minimisation and Resource Recovery Grants Program provides an opportunity for eligible local businesses, community groups and schools to access funding for innovative waste management projects, that will minimise waste and increase waste being diverted from landfill. This includes initiatives to implement or enhance better waste management practices within the organisation.

It is expected such projects or services will have measurable outcomes and align with the Council and Community Plan 2021-2024 Waste & Resource Recovery Strategy 2022-2027.

Funding is available up to a maximum of \$20,000 (GST free) per successful application.

3. Principles

Council is aware of the importance of encouraging and implementing better waste management within the local community. Providing local businesses, community groups and schools the opportunity to apply for a Waste Minimisation and Resource Recovery Grant allows groups to access funding to aid in decreasing the amount of waste going to landfill. Funding may be provided for projects that implement Waste Minimisation, Circular Economy and/or increase Resource Recovery.

The grants will be funded annually in accordance with Council's Waste and Resource Recovery Strategy.

4. Eligibility

MRCC will consider grant applications from Australian Business Number (ABN) registered businesses, incorporated and non-incorporated community groups, for-profit

and not-for-profit organisations. This includes, but is not limited to, Commercial Businesses, Incorporated Associations, and Community Based Groups. This also extends to a state government entity seeking funding for activities beyond those considered the responsibility of State or Federal Government; including schools on a non-infrastructure basis and is separate to the normal school curriculum. Specific eligibility criteria and other conditions are outlined in the respective grants program guidelines available at www.mildura.vic.gov.au/grants.

Applicants are required to be either based within the municipality or provide services, projects, events or programs within the boundaries of our Local Government Area. New groups, proposing to establish themselves within the boundaries of the municipality, are also eligible to apply.

Proposed projects, events or programs must be undertaken or located on property that is municipal property, a Crown reserve, land owned by a public authority or land held for public purposes by an individual, group or trustee.

Council reserves the right to determine an application ineligible if any organisation or project is found to be non-compliant with a previous grant, has an outstanding debt, lease payment or agreement, or is the subject of any legal action, dispute or otherwise, which may damage Council's reputation.

Ineligibility:

- Projects that require re-current or ongoing funding from Council.
- Waste services already provided by Council or a private waste management company.
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- Projects that have received funding through another Council Grant program.
- Funding of management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power, or labour cost not directly associated with your project.
- Funding of computer products for administration use that does not contribute directly to the grant project.
- Funding for the replacement of consumable items and/or equipment.
- Funding of equipment that is not relevant to the implementation or delivery of the project.
- The purpose of the project is political in nature.
- Funding for a religious group or purpose – unless the project is non-denominational and demonstrates a broader community benefit.
- Funding to assist an individual person.

- The project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- Funding of general fundraising campaigns, activities, and appeals.
- The applicant organisation supports, or the intended purpose of the project promotes gambling or alcohol, drugs, or tobacco use.
- Funding of travel, study, or conferences (including feasibility studies).
- The applicant organisation has not satisfactorily acquitted a previous Council grant.
- The project replicates or may compete with a service or program that already exists within the community (projects that complement or expand the capability of existing programs will be considered).
- The project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- Funding of costs associated with preparing a grant application and/or sourcing of quotes.

5. Auspice Application

Not-for-profit community groups that meet all other eligibility criteria but are unincorporated can have their application supported by an auspisor, an eligible incorporated organisation. The following conditions apply:

- The auspisor must be incorporated and have an ABN.
- The auspisor accept legal and financial responsibility for the grant if successful.
- Applications can be submitted directly by group being auspiced. However, the funding agreement for successful grants will be made between the auspisor and Council, and grant money will be paid directly to the auspisor.
- The auspisor must provide information for the application including contact details and ABN.

6. Funding Conditions

- The project must place within a 24-month period.
- The project must be undertaken within the Mildura Rural City Council Local Government Area.
- Applicants must apply for a permit/land managers consent to undertake activities on Council land and must factor this cost into their application.
- Applicants must seek consent from Council for any variations to the original project. All requests will be considered, and the applicant will be notified of Council's decision. Approval must be received for all variations.
- The applicant must have public liability insurance with a suitable level of coverage relevant to the nature of the project. A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- The applicant must supply a financial statement (less than 3 months old) if requested.
- Two quotes (less than 3 months old) must be submitted as part of the application for any individual budget items over \$1000. Additional quotes must be submitted upon request.
- A successful applicant must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.

7. Advertisement of Grants

Council advertises grants at defined intervals throughout the year, usually in February and August. Council may use all media (including radio, television, print and internet) and its service networks to advertise grant funding opportunities, including important closing dates for applications.

In addition, Council may conduct community information sessions to highlight grant availability. Staff will be made available to assist with application enquiries.

8. Applications

Applicants are encouraged to read and follow the grant guidelines and address all relevant criteria outlined in the grant application. It is mandatory that applicants discuss their projects with relevant Council staff prior to submitting a grant application.

- Applications must be submitted online, using Council's online grants management system found at www.mildura.vic.gov.au/grants. Hardcopy applications can be submitted in exceptional circumstances and subject to approval by the relevant Coordinator.
- All applications received will be formally acknowledged.

9. Assessment Process

Council will establish an appropriate Grants Assessment Team, who individually score applications received, based on meeting the agreed selection criteria.

To ensure probity and fairness, each member will complete a Disclosure of Conflict-of-Interest Declaration prior to the grants assessment process.

Where relevant/appropriate, advice or information given to one applicant will be made available to all other applicants. To ensure impartiality, Council officers who have assisted with an application, will not be part of the Grants Assessment Team.

Applications will then be ranked accordingly, based on defined scoring protocols, before a report is forwarded to Council regarding the recommended distribution of grants funding.

After consideration of applications and current program objectives, Council may propose an alternative form of assistance to meet the stated objectives of the application. This may include supporting a new initiative, project, or other event, as recommended by the Chief Executive Officer for discretionary assistance.

Public Liability Insurance is an eligible requirement of all grants programs and applicants must demonstrate insurance that is both appropriate to the activity or event proposed to be undertaken and to the minimum value of \$10 million as part of the application process. This insurance must be in the name of the applicant group.

Where a grant applicant group is being covered by an auspicing agency's public liability insurance cover, this will be reviewed on a case-by-case scenario against certain criteria to ensure the cover is sufficient.

10. Assessment Criteria

The following Assessment Criteria will be used by the Assessment Team to evaluate applications. Applicants are strongly advised to detail how their project will address each of the selection criteria and how the outcomes of the project will be measured.

- Contributes to the achievement of the waste management objectives outlined in the – Environment section of the Council Plan 2021-2025.

- Demonstrates a focus on environmental sustainability, primarily waste minimisation, circular economy and resource recovery and ongoing benefits to the community.
- Demonstrates how the project will develop and benefit the business, organisation, or the community. As well as the ability to achieve and demonstrate outcomes.
- Consider both social and environmental issues with any procurement of goods and services.
- Demonstrate how the project will have long term waste minimisation benefits and become an example to other community businesses or organisations.
- A detailed budget that articulates all monetary and in-kind support.
- A timeline that estimates when key objectives and tasks will be undertaken and completed by.

Once grants have been allocated, a funding agreement will be drawn up and signed by both Council and the successful organisation before payment of the amount approved is made.

Implementation

Councillors, General Manager Infrastructure and Assets, Manager Waste Services and Waste Education and Project Officer.

11. Acquittal Process

Upon the completion of a project, the successful organisation will submit to the Mildura Rural City Council details of expenditure to indicate the funds were utilised for the intended project along with an acquittal report.

This acquittal report will include:

- Overview of the progress of the project/service.
- Outcomes, outputs, performance measures.
- Copies of publicity, media reports, printed materials relating to the specific project.
- The provision of supporting documents and receipts and an indication of how objectives have been met.
- An on-site inspection of your project (if required).

12. Definitions

Acquittal – Is a written process where the applicant demonstrates to the funding body that it has expended all funds per the terms and conditions as per the funding agreement.

Auspikor – Is an incorporate organisation that accepts all legal and financial responsibilities for the unincorporated applicant.

Australian Business Number (ABN) – Australian Business Number or ABN is an 11-digit unique identifier used between businesses and government.

Circular Economy – Is an economic system based on the reuse and regeneration of materials and/or finished products in a sustainable and/or environmentally friendly way.

GST– Goods and Service tax, a value-added tax levied on most goods and services sold or consumed domestically.

Incorporate Association – An incorporated organisation separates the individual members from the entity. Incorporating an association makes the groups of individuals a single legal entity with rights and legal protection as per the 'Associations Incorporation Reform Act 2012'.

Mandatory Criteria – The minimum requirement of criteria to be identified for a successful application.

Permit/Land Managers Consent – Grant applications seeking funds relating to capital infrastructure on Council land, or to a Council owned facility, require a land managers consent form to be submitted to Council for processing and approval at the time of the grant application.

Consent is also required from Landowners other than Council i.e., Department of Environment Land Water and Planning (DELWP) and approval (or proof of application) from the relevant Landowner must be submitted to Council at the time of the grant application.

Resource Recovery – The effort or activity of separating valuable/reusable materials from waste that can be reused/repurposed/recycled.

Waste Management – The incorporation of various schemes that process waste, including reducing waste, reusing, recycling, controls, processing, and discarding.

Waste Minimisation – Processes and practices intended to reduce waste produced and discarded to landfills. Minimising or eliminating the generation of harmful or persistent wastes.

13. Legislation and other references

Legislation

For further information related to this policy see:

- General Conflict of Interest Section 127- Local Government Act 2020

Documents

This Policy is implemented in conjunction with the following documents:

- Grants Policy (CP021)
- Waste Minimisation and Resource Recovery Grant Guidelines

14. Risk Assessment Reference

Please tick the corporate risk(s) that this policy is addressing.

| | | | |
|----------------------------------|---|-------------------------------------|---|
| Risk Category | ✓ | Risk Category | ✓ |
| Asset Management | | Financial Sustainability | ✓ |
| Committees | | Human Resource Management | |
| Compliance – Legal & Regulatory | | Leadership & Organizational Culture | |
| Contract Management | | Occupational Health & Safety | |
| Contract Tendering & Procurement | | Organizational Risk Management | |
| Corporate Governance | ✓ | Project Management | ✓ |
| Environmental Sustainability | ✓ | Public Image and Reputation | ✓ |



**Waste Minimisation and
Resource Recovery
Grant Guidelines
2023-2024**



Mildura Rural City Council

Introduction

The Waste Minimisation and Resource Recovery Grant Program provides an opportunity for eligible businesses, community groups and schools to access funding for innovative waste management projects, that will reduce and divert waste going to landfill.

Mildura Rural City Council (MRCC) is aware of the importance of encouraging and implementing better waste management within the local community. Providing local businesses, community groups and schools the opportunity to apply for a Waste Minimisation and Resource Recovery Grant will allow groups to access funding to aid in decreasing the amount of waste going to landfill. Funding may be provided for projects that implement Waste Minimisation, Circular Economy and/or increase Resource Recovery.

Eligible projects will help MRCC achieve goals of the MRCC Waste and Resource Recovery Strategy 2022-2026, the MRCC Council and Community Plan 2021-2025 and supports MRCC's vision of "making this the most livable, people-friendly community in Australia."

The grants will be funded annually in accordance with Council's Waste and Resource Recovery Strategy 2022-2026.

What the Guidelines Cover

- Funding Levels
- Eligibility
- What will not be funded
- Assessment
- Conditions of Funding
- Auspicor Applications Process
- Acquittals
- Further Information
- Key Contacts
- Definitions
- The Application Process

Funding Level

Funding will be up to \$20,000 (GST free) per year per applicant.

Eligibility

MRCC will consider grant applications from Australian Business Number (ABN) registered businesses, incorporated and non-incorporated community groups, for-profit and not-for-profit organisations. This includes, but is not limited to, Commercial Businesses, Incorporated Associations, and Community Based Groups. This also extends to a state government entity seeking funding for activities beyond those considered the responsibility of State or Federal Government; including schools on a non-infrastructure basis and is separate to the normal school curriculum.

Waste Minimisation and Resource Recovery Grants Guidelines

What will NOT be funded

- Projects that require re-current or ongoing funding from Council
- Waste services already provided by Council or a private waste management company
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting)
- Projects that have received funding through another Council Grant program
- Funding of management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power, or labour cost not directly associated with your project
- Funding of computer products for administration use that does not contribute directly to the grant project
- Funding for the replacement of consumable items and/or equipment
- Funding of equipment that is not relevant to the implementation or delivery of the project
- The purpose of the project is political in nature
- Funding for a religious group or purpose – unless the project is non-denominational and demonstrates a broader community benefit
- Funding to assist an individual person
- The project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit
- Funding of general fundraising campaigns, activities, and appeals
- The applicant organisation supports, or the intended purpose of the project promotes, gambling or alcohol, drugs, or tobacco use
- Funding of travel, study or conferences (including feasibility studies)
- The applicant organisation has not satisfactorily acquitted a previous Council grant
- The project replicates or may compete with a service or program that already exists within the community (projects that complement or expand the capability of existing programs will be considered)
- The project has commenced or will commence before the grant funding is announced
- Funding of costs associated with preparing a grant application and/or sourcing of quotes

Assessment

Applications are required to meet the mandatory criteria, if the application does not meet the mandatory criteria, it will be deemed ineligible.

Assessment Mandatory Criteria -

| Number: | Mandatory Criteria | Weighting |
|---------|---|-----------|
| 1 | Contributes to the achievement of the waste management objectives outlined in the – Environment section of the Council Plan 2021-2025. | 20% |
| 2 | Demonstrates a focus on environmental sustainability, primarily waste minimisation, circular economy and resource recovery and ongoing benefits to the community. | 15% |
| 3 | Demonstrates how the project will develop and benefit the business, organisation or the community. As well as the ability to achieve and demonstrate outcomes. | 20% |

Waste Minimisation and Resource Recovery Grants Guidelines

| | | |
|--------------|---|-------------|
| 4 | Consider both social and environmental issues with any procurement of goods and services. | 10% |
| 5 | Demonstrate how the project will have long-term waste minimisation benefits and become an example to other community businesses or organisations. | 15% |
| 6 | A detailed budget that articulates all monetary and in-kind support. | 10% |
| 7 | A timeline that estimates when key objectives and tasks will be undertaken and completed by. | 10% |
| Total | | 100% |

Acquittals

Applicants are expected at the conclusion of their project to complete and submit an acquittal form via SmartyGrants. As well as return unspent funds to council by the close of the grant period.

Conditions of Funding

- The project must be delivered within two years on commencement of funding
- The project must be undertaken within the Mildura Rural City Council Local Government Area
- Applicants must have a completed and approved permit/land managers consent to undertake activities for projects that will take place or be completed on lands with landowners
- Applicants must seek consent from MRCC for any variations to the original project. All requests will be considered, and the applicant will be notified of MRCC's decision. Approval must be received for all variations
- The applicant must have public liability insurance with a suitable level of coverage relevant to the nature of the project. A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application
- The applicant must supply a financial statement (no older than 3 months) if requested
- Two quotes (no older than three months) must be submitted as part of the application for any individual budget items that cost more than \$1000. Additional quotes must be submitted upon request
- A successful applicant must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement

Auspisor Application Process

Not-for-profit Community Groups that are unincorporated but have meet all other eligibility criteria can still apply if they're supported by an auspisor eligible organisation

Conditions apply -

- The auspisor must be incorporated and have a current ABN
- The auspisor must agree to accepting all legal and financial responsibilities for the successful grant application
- Applications that are successful and supported by an auspisor. The funding agreement will be made between MRCC and the auspisor. Grant monies will be paid directly to the auspisor
- The auspisor is required to provided contact details, ABN and any other details required prior to the application submission

Waste Minimisation and Resource Recovery Grants Guidelines

Further Information

Multiple applications

Multiple applications from the same applicant for differing grant categories for different proposed projects will be considered, evaluated, and assessed as individual applications.

Information Sessions

Information sessions will be scheduled for potential applicants prior every grant round. Please advise if an interpreter is required.

Child Safe Standards

If your organisation engages with children (anyone under 18 years) you are required to comply with the Child Safe Standards. Supporting documents are required of your organisations Child Safe Policies or Statement of Commitment to Child Safety.

For more information on the Child Safe Standards <https://ccyp.vic.gov.au/child-safety/resources/>

Key Contacts

Speak to a Council Officer 03 5018 8100

A Council Officer is available to help applicants prepare their application. We can help in person with completing your application form to submit it online. This needs to be by appointment (to make sure we are available). Interpreters can be arranged.

Waste Education and Project Officer on 03 5018 8100 or 0419 926 496.

If you are having trouble accessing your SmartyGrants user account, please contact SmartyGrants directly on 03 9320 6888 or via service@smartygrants.com.au

Definitions

Acquittal – A written process where the applicant demonstrates to the funding body that it has expended all funds per the terms and conditions as per the funding agreement.

Auspikor – An incorporate organisation that accepts all legal and financial responsibilities for the unincorporated applicant.

Australian Business Number (ABN) – Australian Business Number or ABN is an 11-digit unique identifier used between businesses and government.

Circular Economy – An economic system based on the reuse and regeneration of materials and/or finished products in a sustainable and/or environmentally-friendly way.

GST– Goods and Service tax, a value-added tax levied on most goods and services sold or consumed domestically.

Incorporate Association – An incorporated organisation separates the individual members from the entity. Incorporating an association makes the groups of individuals a single legal entity with rights and legal protection as per the 'Associations Incorporation Reform Act 2012'.

Mandatory Criteria – The minimum requirement of criteria to be identified for a successful application.

Permit/Land Managers Consent – Grant applications seeking funds relating to capital infrastructure on Council land, or to a Council owned facility, require a land managers consent form to be submitted to Council for processing and approval at the time of the grant application. Consent is also required from Landowners other than Council i.e., Department of Environment Land Water and Planning (DELWP) and approval (or proof of application) from the relevant Landowner must be submitted to Council at the time of the grant application.

Resource Recovery – The effort or activity of separating valuable/reusable materials from waste that can be reused/repurposed/recycled.

Waste Management – The incorporation of various schemes that process waste, including reducing waste, reusing, recycling, controls, processing, and discarding.

Waste Minimisation – Processes and practices intended to reduce waste produced and discarded to landfills. Minimising or eliminating the generation of harmful or persistent wastes.

The Application Process

All applicants are encouraged to submit applications and supporting materials via online grants form to www.smartygrants.com.au

Applicants are welcome to discuss their applications with Waste Education and Project Officer on 03 5018 8100 or 0419 926 496.

MRCC also offers support with the submission of applications. Please be advised that handwritten, emailed or faxed applications will not be accepted without prior approvals.

All applications and supporting materials will **NOT** be accepted after the due date. Additional support materials will **NOT** be accepted after submission of application without prior approval.

An email will be sent to the provided email address to confirm successful receipt of the application and supporting materials.

15.8 ADOPTION OF INFRINGEMENT NOTICE REVIEW POLICY CP005

File Number: 18/02/01
Officer: General Manager Infrastructure & Assets

1. Summary

The purpose of this report is to present the Infringement Notice Review Policy CP005 and seek Council's resolution to adopt the updated policy.

2. Recommendation

That Council adopt the updated Infringement Notice Review Policy CP005 reviewed in July 2023 as presented.

3. Background

The purpose of the policy is to outline the conditions under which infringement notices are reviewed in the Mildura Rural City Council.

4. Consultation Proposed/Undertaken

In alignment with Council's policy renewal process, consultation with policy stakeholders has been undertaken. Stakeholders include Council's Civic Compliance/ Local Laws Team, Executive Leadership Team, Strategic Leadership Team, and relevant Team Leaders/Coordinators. The updated policy was presented to Councillors at the Council Forum on 10 August 2023.

5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed.

Only minor changes to wording within the policy have been implemented.

6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every five years.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Leadership:

Outcome to be achieved:

- Trust, respect and understanding between community and Council.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications**Policy**

The adoption of this policy has no implications for other Council policies. This policy is implemented in conjunction with the following documents:

- National Competition Policy
- Civic Compliance Officers Guidelines

Legal/Statutory

This policy complies with all requirements under the *Local Government Act 2020*.

Financial

There are no financial implications associated with this report.

Environmental

There are no environmental implications associated with this report.

Social

There are no social implications associated with this report.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 [↓](#) Infringement Notice Review Policy - CP005 - June 2023



Infringement Notice Review Policy

Policy - CP005

| Prepared | Reviewed | Approved | Date | Council Minute No |
|--|---|--|------------------------------|-------------------|
| Civic-ComplianceLocal Laws Coordinator | Executive Leadership Team | Council | 24 June 2020 | |
| EDMS File: 18/02/01 | | To be reviewed: June 2023 | | |
| Document Owner: Manager Development ServicesCivic Compliance | | Review Frequency: 3 Yearly 5 Yearly | | |

1. The purpose of this policy is

To outline the conditions under which Infringement Notices are reviewed in the Mildura Rural City Council.

2. Policy Statement

Council acknowledges the right of people issued with Infringement Notices by Council officers to seek a review of the circumstances of the Notice before further legal action is taken under various Acts and Regulations. All such reviews will be dealt with fairly, promptly, impartially and consistently.

3. Principles

An Infringement Notice is a means whereby Council officers may report a person for an alleged offence, which can be resolved by payment of a prescribed fee. Where the fee is not paid within the specified period the matter may be referred to ~~the Fines Victoria or the Law Courts~~ [Magistrates Court of Victoria](#) for processing. Costs imposed by ~~the Fines Victoria or the Law Courts~~ [Magistrates Court of Victoria](#) for the offence will be in addition to payment of the infringement fee.

Where a person wishes to ~~informally~~ dispute the alleged offence they must do so in writing to Council within ~~the~~ 28 days ~~notice expiration period of the infringement notice being issued~~. Reviews will not be accepted after the 28-day period unless the person proves that they did not receive the original notice. A review of the circumstances of the notice is carried out by the relevant officer/s and a determination made. Any determination is provided in writing back to the appellant.

~~Council has delegated authority to undertake these reviews~~ [The Authority to undertake an internal review of an infringement notice has been delegated](#) to the General Manager ~~Development~~ [Infrastructure and Assets](#), the Manager ~~Development Services~~ [Civic Compliance](#) and the ~~Civic-Compliance~~ [Local Laws Coordinator](#). Factors considered in undertaking reviews include:

- any errors or omissions of ~~fact~~ [fact](#);
- any errors or omissions in procedure; and/or

- any ~~extenuating-exceptional~~ circumstances ~~at the time of the offence which may ameliorate the offence.~~

Documentary evidence must be provided where relevant, such circumstances are considered on their individual merits.

Financial hardship of the person is not a ground considered in a review. Extensions of the time to pay infringements in full will be considered (2 to 4 weeks depending on the amount of the infringement) from pensioners or the unemployed, without penalty. Alternatively a person who advises they have financial hardship can elect to be referred to ~~the Infringements Court within the Courts system~~ [Fines Victoria](#) to make ~~arrangements to 'pay-off' payment arrangements their fines.~~

For all incidents where a person is relying on evidentiary circumstances, they ~~will~~ ~~may~~ be required to declare the information on a statutory declaration in the first instance. Neither the ~~Council, its Councillors~~ nor its Committees will become involved in reviews of Infringement Notices and will not hear deputations regarding individual Infringement Notices. Where the authorised officers reject an appeal, the next course of review is [Fines Victoria](#) or the [Law Courts/Magistrates Court of Victoria](#).

A person issued with an Infringement Notice may elect to have the matter referred to the [Law Courts/Magistrates Court of Victoria](#) at any time.

All requests for ~~informal an infringement notice~~ review must be in writing setting out the circumstances and basis for disputing the alleged offence and including any documentary evidence. ~~However, if~~ at any point a ~~Council~~ Officer suspects that a procedural error may have occurred, the matter should be referred for review immediately and without the necessity of a letter. A hold will be placed on the Infringement Notice so as not to incur late fees until the matter is reviewed and response provided.

Councils Manager ~~Development Services~~ [Civic Compliance](#) and the ~~Civic Compliance Local Laws~~ Coordinator will review all documents received, determine whether the appeal is to be upheld according to the above criteria and advise the person of the outcome of the review in writing. In the instance the Manager ~~Development Services~~ [Civic Compliance](#) or the ~~Civic Compliance Local Laws~~ Coordinator declare a conflict of interest, the General Manager ~~Infrastructure and Assets~~ [Development](#) will make the final decision on the review outcome. In the instance the General Manager ~~Infrastructure and Assets~~ [Development](#) declares a conflict of interest, the General Manager ~~Community Healthy Communities~~, the General Manager ~~Corporate Performance, the General Manager Strategy and Growth~~ or the CEO will make the final decision on the review outcome. Notices not withdrawn by the CEO, General Managers, the Manager ~~Development Services~~ [Civic Compliance](#) or the ~~Civic Compliance Local Laws~~ Coordinator will be processed in accordance with the procedure outlined in the Magistrates' Court Act 1989 ~~and the Infringements Act 2006~~.

If a notice is not paid, even after a reminder courtesy letter (with late fee added) has been sent, the matter can be referred to [Fines Victoria](#) or the [Law Courts/Magistrates Court of Victoria](#). Normally Council will not intervene once this referral has occurred, as technically the matter is no longer under Council's control. However, should an officer become aware that an error has been made or of new circumstances, the General Manager ~~Infrastructure and~~

[AssetsDevelopment](#), the Manager [Development ServicesCivic Compliance](#) or the [Civic-ComplianceLocal Laws](#) Coordinator will contact the Court and arrange for the matter to be withdrawn. The matter must be referred to the General Manager [Infrastructure and AssetsDevelopment](#) or the Manager [Development ServicesCivic Compliance](#) for a decision immediately. No request in writing is required on such occasions.

4. Who is responsible for implementing this policy?

General Manager [Infrastructure and AssetsDevelopment](#), Manager [Development ServicesCivic Compliance](#) and [Civic-ComplianceLocal Laws](#) Coordinator.

5. Definitions

| | |
|---|---|
| Agency | The organisation that issues the infringement notice |
| Courtesy Letter | A reminder notice about an unpaid infringement notice |
| Enforcement | Action to recover money owed |
| Expiation Period | The period specified in an infringement notice for payment of the infringement fee |
| Fine | An amount of money (being the unpaid part of the infringement penalty plus any added costs) set out in a Court order |
| Infringement Notice | A notice issued by an agency for an alleged offence |
| Infringement Penalty | The amount of money payable as a penalty for the offence set out in the infringement notice |
| Law Court Magistrates Court of Victoria | The criminal jurisdiction of the Magistrates' Court |
| Infringements Court Fines Victoria | Fines Victoria processes and enforces infringement notices and penalties and registered court fines. The court that registers and enforces unpaid infringement penalties |
| Summary Offence | An offence that is heard by a magistrate in court without needing a formal trial by jury |
| Infringements Processing Contractor | A contracted agency to process infringements for Mildura Rural City Council |

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6. Legislation and other references

6.1 Legislation

For further information related to this policy see:

- *Environment Protection Act 1970;*
- *Road Safety Act 1986;*
- *Local Government Act 1989;*
- [Local Government Act 2020;](#)
- *Domestic Animals Act 1994;*
- ~~[Planning and Environment Act 1987;](#)~~
- *Magistrates' Court Act 1989; and*
- *Infringements Act 2006*

6.2 Documents

This Policy is implemented in conjunction with the following documents:

- Issuing infringements – Promapp process
- [Civic-ComplianceLocal Laws](#) Officers guidelines.

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6.3 Risk Assessment Reference

Please tick the corporate risk(s) that this policy is addressing.

| Risk Category | <input checked="" type="checkbox"/> | Risk Category | <input checked="" type="checkbox"/> |
|----------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Asset Management | <input type="checkbox"/> | Financial Sustainability | <input type="checkbox"/> |
| Committees | <input type="checkbox"/> | Human Resource Management | <input type="checkbox"/> |
| Compliance – Legal & Regulatory | <input checked="" type="checkbox"/> | Leadership & Organisational Culture | <input type="checkbox"/> |
| Contract Management | <input type="checkbox"/> | Occupational Health & Safety | <input checked="" type="checkbox"/> |
| Contract Tendering & Procurement | <input type="checkbox"/> | Organisational Risk Management | <input type="checkbox"/> |
| Corporate Governance | <input type="checkbox"/> | Project Management | <input type="checkbox"/> |
| Environmental Sustainability | <input type="checkbox"/> | Public Image and Reputation | <input checked="" type="checkbox"/> |

15.9 ADOPTION OF MERBEIN PEDESTRIAN AND CYCLING PLAN

File Number: PROJ/1715
Officer: General Manager Infrastructure & Assets

1. Summary

The purpose of this report is to present the Merbein Pedestrian and Cycling Plan for adoption.

2. Recommendation

That Council adopt the Merbein Pedestrian and Cycling Plan July 2023 as presented.

3. Background

The Merbein Pedestrian and Cycling Plan has been developed to address the issues raised from the community consultation and a review of the existing land uses and pedestrian and cycling networks within the township.

The Plan was exhibited from 16 June 2023 to 30 June 2023. Six submissions were received during the public exhibition period. The Merbein Pedestrian and Cycling Plan is now presented for formal adoption by Council.

4. Consultation Proposed/Undertaken

The development of the Merbein Pedestrian and Cycling Plan was achieved through community and key stakeholder consultation undertaken by Traffix Group and Mildura Rural City Council.

Key stakeholder groups included schools, recreational services, transport representatives, emergency services, community groups, community organisations, business groups, social clubs, and residents.

Councillors were invited to the May 2022 consultation sessions.

The engagement strategy also included:

- A review of community enquiries received between 2018 and 2022 relating to walking and cycling.
- An online questionnaire distributed to key stakeholder groups.
- A question posted on Council's Have Your Say webpage.
- Three community consultation sessions undertaken in Merbein in conjunction with the Merbein Community Plan consultation sessions to ensure both plans aligned.
- Internal review by Council staff.
- Public Exhibition of the Plan with six submissions received all of which were constructive and positive in tone.

5. Discussion

The recommendations in the plan aim to address missing walking and cycling links within Merbein, improve connectivity to key destinations as well as provision of safer crossing locations.

Some of the key recommendations include:

- Provision of an east-west and north-south bicycle connection through Merbein.
- Provision of footpaths on roads leading to the main shopping precinct as well as schools and parks.
- Provision of crossing locations to enable safer crossing facilities.
- Provision of shared user paths to provide off-road facilities for connections to schools.

The plan proposes at minimum a footpath on one side of each street within Merbein however as development for new subdivisions are in progress it is anticipated that the increase in residential homes will result in additional pedestrian traffic around these areas. This may lead to implementation of footpaths on both sides of the surrounding roads to facilitate the increased demand.

The purpose of installing additional infrastructure will provide better connectivity to key destinations within the township as well as facilitating pedestrian and cycling movements in a safer environment.

To deliver on several infrastructure installations and upgrades recommended in the Merbein Pedestrian and Cycling Plan, Council's Works and Engineering Branch developed the Merbein Pedestrian and Cyclist Safety Project.

Council's Works and Engineering Branch have nominated the Merbein Pedestrian and Cyclist Safety Project for \$2,537,000 of funding under the Department of Transport and Planning's (DTP) Investment Plan 43 (Safe System Pedestrian Infrastructure Program).

DTP has notified Council that the Merbein Pedestrian and Cyclist Safety Project has been shortlisted and approved for developing to be ready for delivery if construction funding is subsequently approved. As such, DTP has confirmed an allocation of \$120,000 for council to develop the Merbein Pedestrian and Cyclist Safety Project to the detailed design stage (shovel ready stage for delivery if the project subsequently receives construction funding).

6. Time Frame

Following adoption of this plan, Council's Engineering Development and Delivery Branch will continue to source funding to deliver on the recommendations in the plan.

7. Strategic Plan Links

This report relates to the Council Plan 2021-2025 in the Strategic Direction:

Community

Outcome to be achieved:

- A community where people feel safe.

Place

Outcome to be achieved:

- Enable projects that enhance and activate our community.

8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

9. Implications**Policy**

There are no policy implications associated with this report.

Legal/Statutory

There are no legal/ statutory implications associated with this report.

Financial

All costs associated with the preparation of this plan were covered under the grant funds received from Transport and Accident Commission (TAC).

Infrastructure installations and upgrades recommended in the Merbein Pedestrian and Cycling Plan will increase Council's operational costs associated with ongoing inspection and maintenance of the infrastructure.

Environmental

There are no environmental implications associated with this report.

Social

The strategy will benefit the Merbein community's wellbeing by reducing road trauma.

Economic

There are no economic implications associated with this report.

10. Risk Assessment

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

11. Conflicts of Interest

No conflicts of interest were declared during the preparation of this report.

Attachments

- 1 [↓](#) Merbein Pedestrian and Cycling Plan July 2023

The logo for Traffix Group, featuring the company name in a white, sans-serif font against a dark blue background with abstract, curved, overlapping shapes in various shades of blue.

Merbein Pedestrian and Cycling Plan

Prepared for
Mildura Rural City Council

July 2023

G30464R-01E

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Merbein Pedestrian and Cycling Plan

Document Control

Our Reference: G30464R-01D

| Issue No. | Type | Date | Prepared By | Approved By |
|-----------|-------------|------------|-------------|-------------|
| A | Draft | 26/09/2022 | P. Chau | R. Thomson |
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| C | Updated | 13/01/2023 | P. Chau | R. Thomson |
| D | Final | 16/02/2023 | R. Thomson | R. Thomson |
| E | Final Draft | 19/07/2023 | A. Lucchesi | M. George |

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Merbein Pedestrian and Cycling Plan

1. Introduction

Traffix Group has been engaged by Mildura Rural City Council to develop a Pedestrian & Cycling Plan for the township of Merbein.

The study area comprises the township of Merbein and is bounded by Channel Road to the south, Wentworth Road to the north, Sanders Street to the west and Forbes Drive to the east. The study area is shown in Figure 1 below.

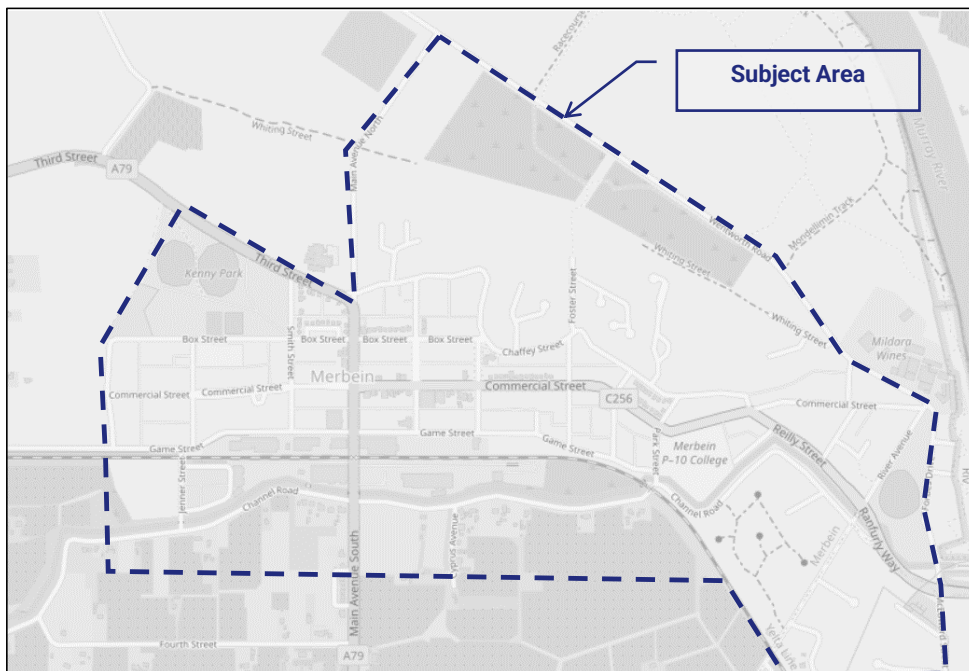


Figure 1: Study Area

2. Study Process

The objective of the study is to prepare a Pedestrian and Cycling Plan for the town of Merbein, which addresses pedestrian and cycling issues identified by the community.

This was achieved through a process of community consultation undertaken by Traffix Group and Mildura Rural City Council, including circular questionnaire surveys and in-person consultation sessions.

The adopted study process consists of the following main components:

- Familiarisation with the study area
- Consultation,

Merbein Pedestrian and Cycling Plan

- Development of the plan
- Reporting

The flowchart presented in Figure 2 describes the study process for the Pedestrian & Cycling Plan.

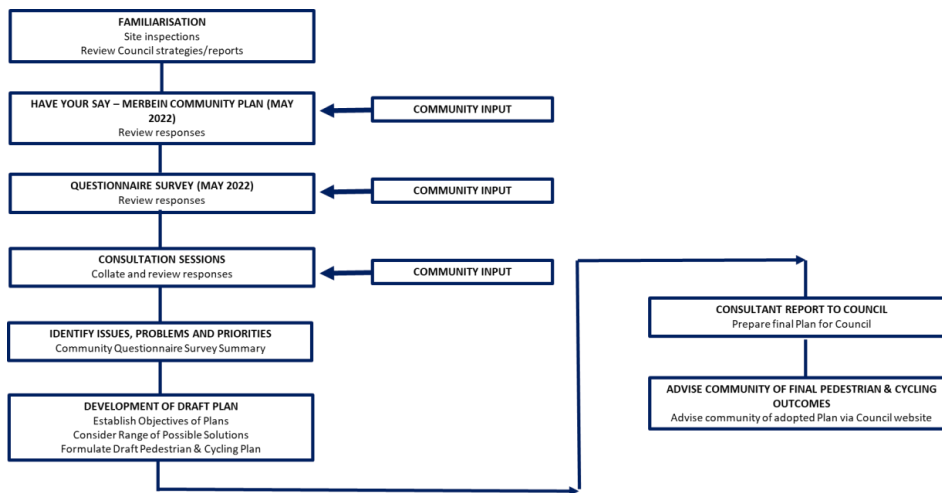


Figure 2 Study Process

The objectives of the Pedestrian and Cycling Plan include:

- Provision of additional pedestrian and cycling facilities
- Improvements to existing pedestrian and cycling facilities
- Provision of safer crossing facilities for pedestrians and cyclists
- Provision of better walking and cycling links
- Reducing the occurrence and potential for vehicle and pedestrian/cyclist crashes

3. Background Information

3.1. Speed Management Strategy – Technical Report (2017)

In 2017 Council completed a technical study that would form the basis for a speed management strategy for the municipality which was a review of the current speed limits and corresponding fatal and serious injury crash history (December 2006 – November 2016) associated with each speed zone.

It is acknowledged that the speed limit in Merbein does not exceed 80km/h, with the majority of roads the default 50km/h local roads.

Merbein Pedestrian and Cycling Plan

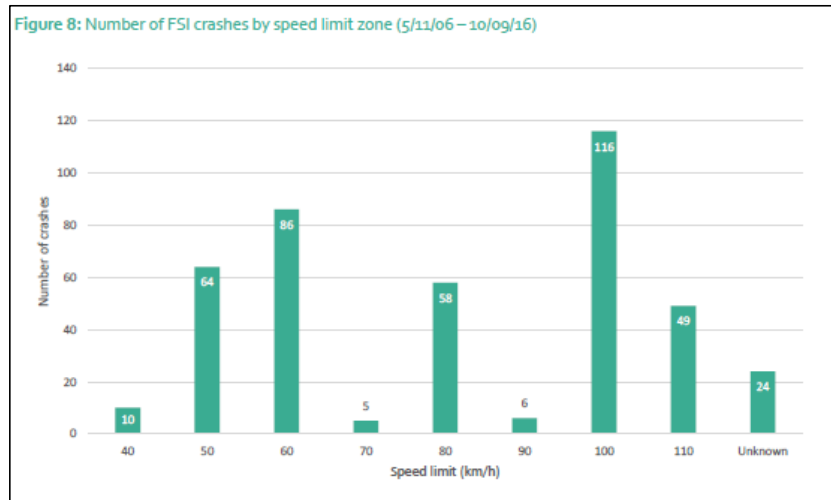


Figure 3 FSI Crashes by Speed Zone

As part of the development of the strategy, several consultation sessions were undertaken with three different focus groups including the general public to identify community sentiment relating to speed limits, Safe System aligned treatments and overall safety. The key outcomes from this report included:

- Safe speeds are integral in managing road safety. Speed limits should be suited to the operating environment such that should a crash occur, it does not result in a fatality or serious injury.
- There is community sentiment for lowering of speed limits in residential areas and around schools.

3.2. Road Safety Strategy (2018-2022)

Council’s Road Safety Strategy was created in alignment with the National Road Safety Strategy 2011-2020 and Victoria’s Towards Zero 2016-2020 Road Safety Strategy and Action Plan. The strategy reviewed the most recent 10-year crash history as well as responses to an online questionnaire of local residents. Based on community input and crash history, the following areas were prioritised for road safety improvements:

- Reducing crashes relating to pedestrians, run-off-road, intersection, head-on and on high-speed roads
- Education programs in the community – especially in primary schools
- Lobbying for better road safety policies and vehicle manufacturers for better safety features with State and Federal governments

Merbein Pedestrian and Cycling Plan

3.3. Other Projects Within Merbein

It is understood that there are several projects occurring concurrently within Merbein that the Pedestrian and Cycling Plan will complement to implement a holistic approach on addressing the future vision of Merbein as identified through various community consultations. A summary of the projects is provided as follows.

3.3.1. Merbein Community Plan

Consultations for the Merbein Community Plan occurred in May 2022. The Pedestrian and Cycling Plan also held community consultations during this period in conjunction with the Community Plan to ensure alignment between the two Plans. The key themes of the Plan include:

- Safety
- Health
- Township Improvements
- Advocacy
- Recreation
- Promotion/Tourism
- Environment

It is expected that certain aspects of pedestrian and cycling will be captured as part of this Plan hence it is important that the two Plans complement one another. The Merbein Community Plan is yet to be finalised at the time of this report.

3.3.2. Area Wide 40km/h Speed Limit

Mildura Rural City Council is currently considering a proposal to implement an area wide speed limit reduction of local roads in Merbein to 40km/h except for peripheral routes including Game Street, River Avenue and Wentworth Road. The arterial network consisting of Commercial Street and Main Avenue will remain at 60km/h except for a section of Commercial Street between Main Avenue and Obryan Street where a speed limit of 50km/h applies. The laneways will have a default 20km/h speed limit. Consultation undertaken in relation to the area wide speed reduction has generally been supportive.

The reduction in the speed limit resulting in the majority of roads in Merbein to a lower speed of 40km/h will create a safer environment for all users especially pedestrians and cyclists where in the event of a collision with a vehicle, the risk of a serious injury or death is significantly reduced.

A graphical representation of the area wide speed limit proposal is presented in Figure 4.

Merbein Pedestrian and Cycling Plan

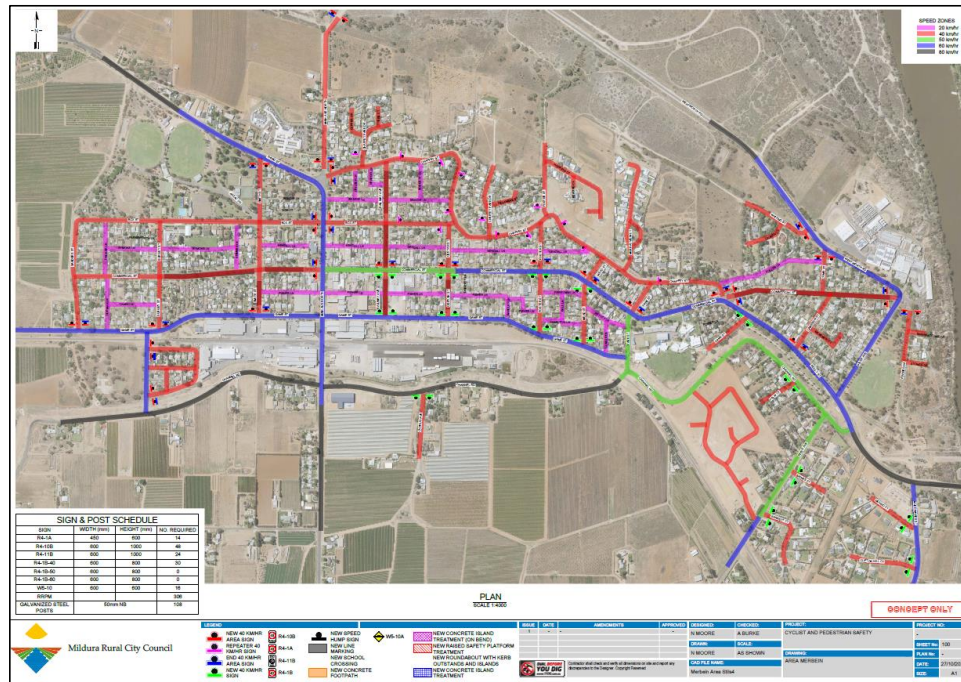


Figure 4 Proposed Area Wide 40km/h Speed Limit

3.3.3. Local Area Traffic Management (LATM)

Council is considering the implementation of a local area traffic management strategy for Merbein that would support the Community Plan, area wide speed limit reduction and the Pedestrian & Cycling Plan. The LATM recommends several infrastructure upgrades to address speed, safety and accessibility based on historic and known issues. Some of these treatments include:

- Raised safety platforms
- Concrete islands
- Kerb outstands

Note that the installation of raised safety platforms and speed humps are to be installed with consideration of buses and heavy vehicles that may impact on stability whilst negotiating these humps.

A copy of the LATM which includes both infrastructure and speed limit changes is attached in Appendix A.

Merbein Pedestrian and Cycling Plan

4. Existing Conditions

4.1. Road Network & Hierarchy

There are two arterial roads managed by the Department of Transport that travel through town including:

- Commercial Street – Reilly Street – Ranfurly Way provides an east west connection between Merbein and Mildura. The posted speed limit is 60km/h except for the section of Commercial Street between Obryan Street and Main Avenue North through the main shopping precinct where the speed limit is 50km/h. The carriageway is undivided with a single lane of traffic in each direction with on-road bike lanes and kerbside parking permitted.
- Main Avenue South – Main Avenue North – Third Street provides a north south connection between Merbein and Yelta. The posted speed limit is 60km/h. The carriageway is undivided with a single lane of traffic in each direction with kerbside parking permitted.

The remaining road network consists of local roads and laneways managed by Mildura Rural City Council.

A map overview of Merbein is presented in Figure 5.

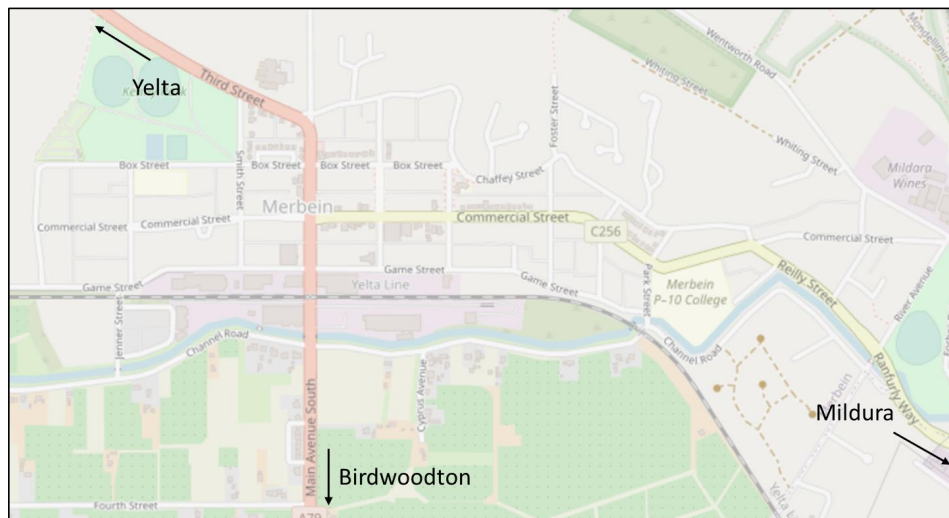


Figure 5 Melway Reference

4.2. Land Use

The majority of land use within the Merbein township is residential. Other significant non-residential land uses in the area include:

Merbein Pedestrian and Cycling Plan

- Generations Early Learning
- Chaffey Aged Care
- Kenny Park
- Caravan Park
- Merbein Rodeo
- Merbein Swimming Pool
- Our Lady of Sacred Heart Primary School
- Historical Society
- Merbein Library
- Main Shopping Strip
- Merbein Kindergarten & Maternal & Child Health Centre
- Merbein P-10
- Chaffey Park
- Merbein Common

The location of each of these facilities is presented on the land use plan at Figure 6.



Figure 6 Land Use Plan

4.3. Public Transport

Public transport services within the study area comprises of five (5) bus routes. A graphical representation of the bus routes is presented in Figure 7.

Merbein Pedestrian and Cycling Plan

Bus routes 211, 311 and 312 travel via Commercial Street and routes 250 and 300 via Main Avenue South, all of which provide connections to Mildura.

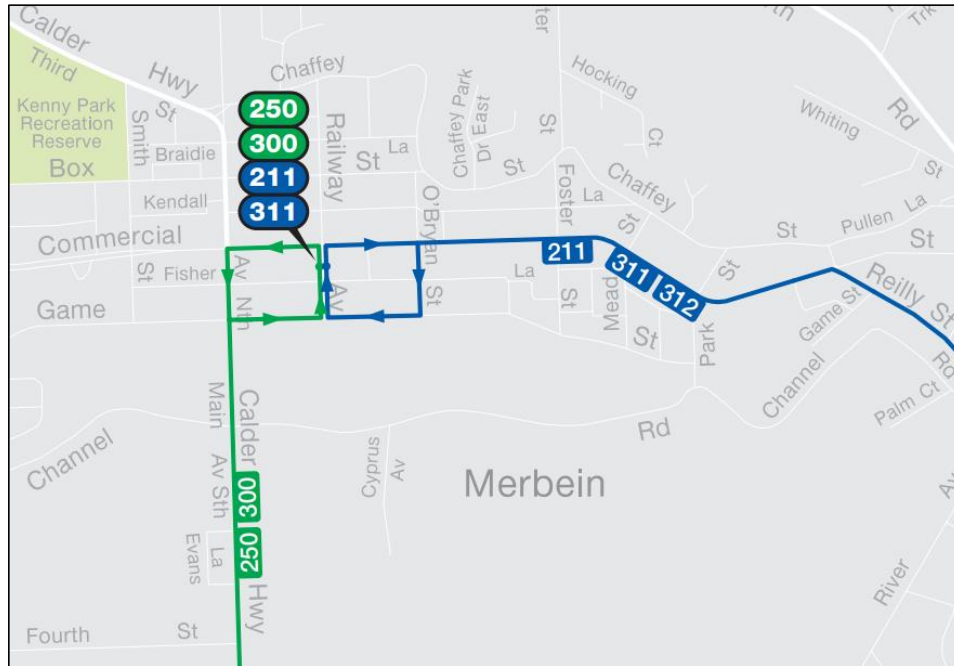


Figure 7 PTV Map for Merbein

4.4. Existing Walking and Cycling Facilities

There are existing walking and cycling facilities in the township of Merbein which generally comprise of footpaths and on-road bike lanes.

A plan illustrating the existing extent of walking and cycling facilities within the township is presented at Figure 8¹.

¹ An enlarged copy of Figure 8 is provided at Appendix C of this report.

Merbein Pedestrian and Cycling Plan



Figure 8 Existing Walking and Cycling Facilities

On-road bike lanes are currently limited to three main routes including Commercial Street to the east of Main Avenue, Box Street to the east of Smith Street and the section of Smith Street between Box Street and Third Street.

Most streets within the town contain footpaths, however, they are generally limited to one side of the road except within the main shopping strip on Commercial Street. Some streets, however, contain no footpaths on either side of the road. Also on Commercial Street is a pedestrian (zebra) crossing with flashing lights. It is noted that there are no other formal crossing facilities within the town.

A full listing of the existing walking and cycling facilities is detailed in Table 1, noting that a separate review would be required to ensure that all existing facilities are in accordance with current standards.

Table 1 Listing of Existing Walking and Cycling Facilities

| Type of Facility & Location |
|--|
| Footpaths |
| Box Street - South side between Smith Street and Obryan Street |
| Chaffey Street - South side between Obryan Street and Foster Street |
| Chaffey Street - North side between Main Avenue North and Chaffey Park Drive |

Merbein Pedestrian and Cycling Plan

| Type of Facility & Location |
|--|
| Chaffey Street - North side between Chaffey Park Drive and Murray View Court |
| Chaffey Park Drive - East side to Chaffey Street |
| Commercial Street - South side between Surgey Street and River Avenue |
| Commercial Street - North side between Main Avenue North and Obryan Street |
| Delamere Court - North side to Chaffey Park Drive |
| Foster Street - East side between Hocking Court and Chaffey Street |
| Game Street - North side between 41 Game Street and Barclay Lane |
| Hocking Court - North side to Foster Street |
| Main Avenue North - East side between 54 Main Avenue North and Box Street |
| Main Avenue North - West side between Box Street and Game Street |
| Railway Avenue - East side between Braidie Lane and Commercial Street |
| Railway Avenue - West side between Chaffey Street and Commercial Street |
| Smith Street - East side between Box Street and Commercial Street |
| Smith Street - West side of between Commercial Street and Game Street |
| Shared User Paths |
| Box Street - South side between Smith Street and Decker Lane |
| On-Road Bike Lanes |
| Box Street - Both sides between Smith Street and Obryan Street |
| Commercial Street and Reilly Street - Both sides between Main Avenue North and McEdward Street |

Merbein Pedestrian and Cycling Plan

| Type of Facility & Location |
|--|
| Smith Street - Both sides between Third Street and Box Street |
| Priority Crossing |
| Commercial Street - Zebra crossing with flashing lights |
| Sealed Shoulders |
| Third Street - Both sides between the Calder Highway and Main Avenue North |

4.5. Crash History

A review of the recent 10-year crash history from January 2012 to December 2021 for the study area was undertaken which indicated a total of 20 casualty crashes within the township of Merbein. Of the 20 crashes, there was one fatal crash that occurred on Game Street in 2014 as a result of a driver under the influence who had veered off road and collided with a tree. Additionally, there were also four serious injuries, one of which involved a pedestrian.

Overall, only two (2) of the 20 crashes involved pedestrians, both of which were on Commercial Street near the main shopping precinct. None of the crashes involved cyclists.

A summary of the crashes is provided in Table 2 with the crash diagram presented in Figure 9².

Table 2 Crash Summary Matrix

| | DCA | Severity | Date | Day | Time | Condition | Light |
|---|-----|--------------|------------|-----|-------|-----------|-------|
| 1 | 120 | Other injury | 7/06/2019 | Fri | 10:45 | Dry | Day |
| 2 | 173 | Other injury | 21/09/2020 | Mon | 3:30 | Dry | Dark |
| 3 | 174 | Other injury | 10/07/2020 | Fri | 21:33 | Dry | Dark |
| 4 | 110 | Other injury | 29/10/2020 | Thu | 10:00 | Dry | Day |
| 5 | 152 | Other injury | 20/07/2019 | Sat | 12:45 | Dry | Day |
| 6 | 120 | Other injury | 27/07/2016 | Wed | 16:00 | Dry | Day |
| 7 | 183 | Fatal | 22/01/2014 | Wed | 23:52 | Dry | Dark |
| 8 | 174 | Other injury | 13/09/2012 | Thu | 11:35 | Dry | Day |

² An enlarged copy of Figure 9 is provided at Appendix C of this report.

Merbein Pedestrian and Cycling Plan

| | DCA | Severity | Date | Day | Time | Condition | Light |
|----|-----|-----------------------|------------|-----|-------|-----------|-------|
| 9 | 111 | Other injury | 20/02/2012 | Mon | 7:25 | Wet | Dusk |
| 10 | 173 | Serious injury | 2/05/2016 | Mon | 1:20 | Dry | Dark |
| 11 | 110 | Other injury | 16/07/2015 | Thu | 13:25 | Dry | Day |
| 12 | 110 | Other injury | 8/01/2012 | Sun | 18:20 | Dry | Day |
| 13 | 100 | Other injury | 8/02/2013 | Fri | 17:30 | Dry | Day |
| 14 | 102 | Serious injury | 28/05/2015 | Thu | 18:10 | Dry | Dark |
| 15 | 181 | Other injury | 8/05/2019 | Wed | 17:48 | Dry | Dark |
| 16 | 130 | Other injury | 6/02/2012 | Mon | 13:30 | Dry | Day |
| 17 | 113 | Serious injury | 7/11/2011 | Mon | 8:35 | Dry | Day |
| 18 | 171 | Other injury | 3/07/2011 | Sun | 18:50 | Dry | Dark |
| 19 | 110 | Serious injury | 18/09/2011 | Sun | 13:30 | Dry | Day |
| 20 | 174 | Other injury | 22/07/2011 | Fri | 9:30 | Dry | Day |

Merbein Pedestrian and Cycling Plan

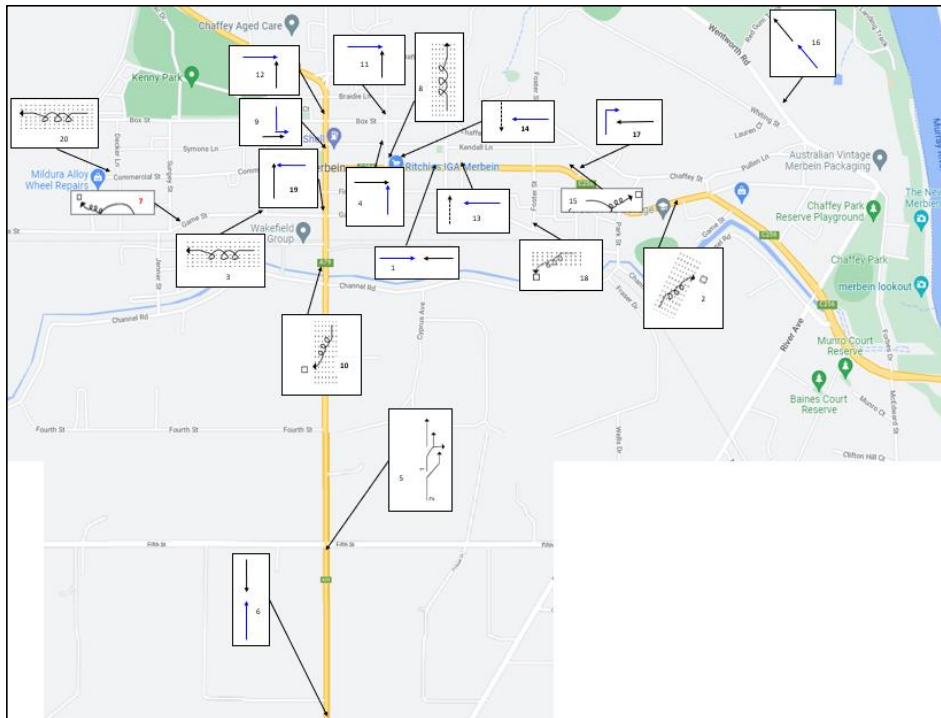


Figure 9 Crash Diagram

5. Community Consultation

5.1. Historic Community Walking and Cycling Queries

Council has provided a record of complaints received from the community between 2018 and 2022 for the study area, more specifically relating to walking and cycling. Some of the historic key issues that was raised include:

- Vehicles speeding along Commercial Street and laneways
- Consideration of speed humps to slow traffic
- Lack of footpaths on a lot of local streets
- Need for a school crossing outside the P-10 school

5.2. Community Questionnaire and Consultation Sessions

The consultation period for this project commenced on Monday 16 May 2022 to Friday 20 May 2022 to seek comments from the community on existing and future pedestrian and

Merbein Pedestrian and Cycling Plan

cycling improvements within the study area. The consultation processes undertaken are described below:

- **Questionnaire Survey** – An online questionnaire was distributed to key stakeholder groups including local schools, recreational services and businesses within the study area as well as external organisations that frequent through the town. In addition, a question was also included as part of Council’s ‘YourSay’ webpage.
- **Consultation Sessions** – Three consultation sessions were undertaken in Merbein in conjunction with the Merbein Community Plan to ensure both plans are aligned.

As part of the questionnaire, feedback was also sought from the community in relation to locations where there are safety issues for walking and cycling, these locations include:

- Commercial Street
- Box Street
- Game Street
- Chaffey Street

Of the 13 responses received for the questionnaire, 77% of respondents use walking for the purpose of ‘exercise fitness and/or commuting to work/school/shops’, whereby 92% would walk for a minimum of 30 minutes. Of the 13 respondents, 54% cycle for a minimum duration of 30 minutes for the purposes of ‘exercise fitness and/or commuting to work/school/shops’.

A copy of the questionnaire is attached to Appendix B of this report.

A question was also posted on Council’s ‘YourSay’ webpage as part of the Merbein Community Plan which sought comments on the following:

‘What do you see as your top three priorities that would make walking and cycling easier and safer for you?’

A total of 77 responses were received including the historic queries from 2018, based on these responses, the key issues raised in relation to walking and cycling in Merbein are presented in Table 3.

Table 3 Summary of Consultation Responses

| Questionnaire | Historic Queries | Merbein Community Plan |
|--|---|--|
| <ul style="list-style-type: none"> • The provision of all-weather paths suitable for pedestrians and cyclists • Need for more footpaths on roads outside of the main shopping precinct • Better bicycle links into Merbein • Need for more crossing locations on Main Avenue | <ul style="list-style-type: none"> • Speeding along Commercial Street, Chaffey Street and in laneways • Need for footpaths on Obryan Street and on Main Avenue South towards residential property to the south • Need for a school crossing outside the P-10 school • Speed humps on various roads to reduce speeds | <ul style="list-style-type: none"> • The need for more street lighting for roads outside of the main shopping precinct • Lack of footpaths on most roads where at least one side of the road should have a footpath • Better connections to key destinations including schools, shopping precinct and recreational services |

Merbein Pedestrian and Cycling Plan

| Questionnaire | Historic Queries | Merbein Community Plan |
|--|---|--|
| North and around schools and Kenny Park • Improve walking and cycling links to existing paths | • Upgrade required at the intersection of Commercial Street/Reilly Street to reduce confusion for drivers | • Lack of bicycle facilities both on-road/off-road |

5.3. Other Issues

There were other issues that were raised during the consultation that do not form part of the Pedestrian and Cycling Plan, however following discussions with Council officers, the recommendations proposed below would result in further benefits to the community and improve walking and cycling, these include:

- Closing off the southern end of Forbes Drive to traffic and replacing it with an all-weather path for walking and cycling.
- Reducing the speed limit on Ranfurly Way to 60km/h between McEdwards Street and Channel Road. This is an arterial road which will require further consultations with DoT.
- Provision of a shared zone speed limit of 10km/h within the internal roads of the Early Learning Centre to reduce vehicle speeds and create a safer environment for parents and staff.

6. Pedestrian and Cycling Plan

The pedestrian and cycling plan has been developed to address the issues raised from the community consultations and following a review of the existing land uses and pedestrian and cycling networks within the township.

The recommendations aim to address missing walking and cycling links within Merbein, improve connectivity to key destinations as well as provision of safer crossing locations. Some of the key recommendations include:

- Provision of an east-west and north-south bicycle connection through Merbein
- Provision of footpaths on roads leading to the main shopping precinct as well as schools and parks
- Provision of crossing locations to enable safer crossing facilities
- Provision of shared user paths to provide off-road facilities for connections to schools

The plan proposes at minimum a footpath on one side of each street within Merbein however as development for new subdivision are in progress it is anticipated that the increase in residential homes will result in additional pedestrian traffic around these areas. This may lead to implementation of footpaths on both sides of the surrounding roads to facilitate the increased demand.

Merbein Pedestrian and Cycling Plan

Any proposed or existing on-road bicycle lanes should be maintained such that there are no debris or hazards along the path that may cause cyclists to lose control.

In addition to the physical treatments proposed to improve walking and cycling safety within Merbein, considerations combining these treatments with reducing the speed limit within the township to 40km/h will further benefit the community. The reduction of vehicle speeds will reduce the severity of a crash on pedestrians or cyclists involved potentially from a fatal or serious injury to a minor injury.

A plan illustrating the recommended pedestrian and cycling improvements is presented at Figure 10³ whilst a detailed listing of all the recommended treatments is presented at Table 4 and the LATM treatments to assist in further reducing speeds in the township in Table 5.

The purpose of providing additional infrastructure will provide better connectivity to key destinations within the township as well as provision of new or improve infrastructure to facilitate pedestrian and cycling movements in a safer environment. Further details as to why type of treatment has been proposed is summarised as follows:

- On-road bike lanes extensions are proposed on Commercial Street completes an east-west connection through Merbein meanwhile Main Avenue bike lanes provide a north-south connection
- On-road bike lanes are proposed on River Avenue provides a connection to the Commercial Street bike route as well as to Wentworth Road for cyclists connecting to the Common
- At minimum, all local roads within Merbein are proposed to have at least one footpath installed one side of the road to better connect pedestrians to key destinations such as schools and residential areas. It is noted that following the completion of new subdivisions that some roads may warrant footpaths on both sides to facilitate additional pedestrian traffic
- Raised pedestrian priority crossings are proposed within the main shopping strip where there are higher volumes of pedestrian and vehicle traffic. This allows pedestrians a safer crossing facility whereby drivers are expected to stop and give way to pedestrians thereby reducing the risk of a crash
- Pram ramps and refuge islands are proposed at locations in proximity to key community destinations including schools to ensure that pedestrians are connected to key destinations from other parts of Merbein. Refuge islands will allow pedestrians to wait safely within the road before picking a gap in traffic to complete their crossing
- Shared user paths are proposed where there is sufficient carriageway width to install a path without requiring major civil works. The paths are proposed on roads where connectivity is clearly required between different residential estates, to schools and recreational areas. These paths allows both pedestrians and cyclists to travel off-road away from traffic whereby the risk of a crash is reduced significantly resulting in lower chances of fatal or serious injuries

³ An enlarged copy of Figure 10 is provided at Appendix C of this report.

Merbein Pedestrian and Cycling Plan

- Concrete islands are proposed at locations where there are tight curves to and at the start of a minor road to reduce vehicle speeds from the main road

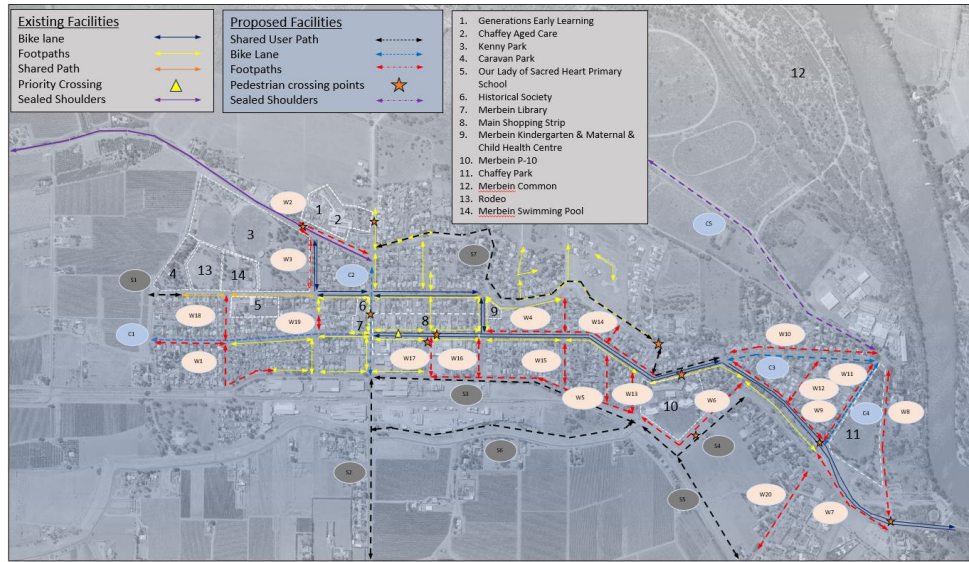


Figure 10 Proposed Walking and Cycling Improvements

Table 4 Proposed Walking and Cycling Projects

| No. | Project | Type | Purpose |
|-----|--|---------|--|
| C1 | Commercial Street - On-road bike lanes on, west of Main Avenue N | Cycling | Continuation of existing bike lanes on Commercial Street to extend east-west link through town |
| C2 | Main Avenue N - On-road bike lanes | Cycling | Provision of a north-south connection from Third Street to Game Street |
| C3 | Commercial Street - On-road bike lanes between Chaffey Street and River Avenue | Cycling | Continuation of existing bike lanes on Commercial Street to extend east-west link through town |
| C4 | River Avenue - On-road bike lanes | Cycling | Provision of a link between Chaffey Park to Reilly Street |
| C5 | Wentworth Road - Sealed shoulders/bike lanes | Cycling | Provision of sealed shoulders along Wentworth Road |

Merbein Pedestrian and Cycling Plan

| No. | Project | Type | Purpose |
|-----|---|---------|--|
| W1 | Commercial Street, Surgey Street and Game Street - Footpath on one side | Walking | Continuation of the footpath connection on Commercial Street and Game Street |
| W2 | Third Street - Footpath on one side | Walking | Provide a connection to the Early Learning and Aged Care facility |
| W3 | Smith Street - Footpath on one side | Walking | Footpath connection to Early Learning Centre |
| W4 | Commercial Street - Footpath on one side | Walking | Continuation of the footpath on Commercial Street |
| W5 | Game Street - Footpath on one side | Walking | Provide a footpath connection on Game Street to nearby residential homes and shopping precinct |
| W6 | Old channel - Walking track | Walking | Extension of the Channel Walk behind the P10 school |
| W7 | Reilly Avenue between River Avenue and McEdward Street - Footpath on the south side | Walking | Footpath connection to link new subdivisions to the south |
| W8 | Forbes Drive - All weather path | Walking | Improve walking path and extend to Ranfurly Way |
| W9 | Reilly Street - Footpath on one side | Walking | Provide connection between Commercial Street and River Avenue |
| W10 | Commercial Street - Footpath on one side | Walking | Provide connection between Reilly Street and River Avenue |
| W11 | River Avenue - Footpath on one side | Walking | Provide connection between Commercial Street and Reilly Street |
| W12 | Cameron Street - Footpath on one side | Walking | Provide a connection to Commercial Street |
| W13 | Park Street - Footpath on one side | Walking | Provide a connection to Commercial Street |
| W14 | Mead Street - Footpath on one side | Walking | Provide a connection to Commercial Street |
| W15 | Foster Street - Footpath on one side | Walking | Provide a connection to Commercial Street |

Merbein Pedestrian and Cycling Plan

| No. | Project | Type | Purpose |
|-----|--|---------------------|--|
| W16 | Obryan Street - Footpath on one side | Walking | Provide a connection to shopping precinct |
| W17 | Railway Avenue - Footpath on one side | Walking | Provide a connection to shopping precinct |
| W18 | Surgey Street - Footpath on one side | Walking | Provide a connection to OLSH school |
| W19 | Smith Street – Footpath on one side | Walking | Provide connection to existing footpath and Commercial Street |
| W20 | River Avenue – Footpath on one side | Walking | Provide connection to existing footpath and Channel Road |
| S1 | Box Street - SUP | Shared User Path | Continuation of connection on Box Street |
| S2 | Main Avenue South/Calder Highway - SUP | Shared User Path | Provide a connection to residents south of town |
| S3 | Game Street - SUP | Shared User Path | Provide a connection along Game Street |
| S4 | Channel Road - SUP | Shared User Path | Provide a connection |
| S5 | New subdivision - SUP | Shared User Path | Provide a connection for a future rail trail |
| S6 | Main Channel - SUP | Shared User Path | Provide a connection along the Main Channel |
| S7 | Chaffey Street - SUP | Shared User Path | Provide a connection along Chaffey Street utilising existing footpaths and new paths |
| P1 | Third Street - Pram ramps and refuge on both sides | Pedestrian crossing | Provide a crossing point to the Generations Early Learning |
| P2 | Main Avenue North - Pram ramps on both sides | Pedestrian crossing | Provide a crossing point for residents from the Aged Care facility to access footpath on the eastern side of Main Avenue N and the shopping precinct |
| P3 | Main Avenue North - Pram ramps on both sides | Pedestrian crossing | Provide a crossing point to the library |

Merbein Pedestrian and Cycling Plan

| No. | Project | Type | Purpose |
|-----|---|---------------------|---|
| P4 | Commercial Street - Raised pedestrian crossing | Pedestrian crossing | Provide a priority crossing facility for residents within the shopping precinct |
| P5 | Railway Avenue - Raised pedestrian crossing | Pedestrian crossing | Provide a priority crossing facility for residents within the shopping precinct |
| P6 | Chaffey Street - Pram ramps on both sides | Pedestrian crossing | Provide a crossing point for residents from the new subdivisions to the north |
| P7 | Commercial Street - School crossing | School crossing | School crossing outside P10 school to connect students to residential subdivisions to the north |
| P8 | Channel Road - Pram ramps and refuge on both sides | Pedestrian crossing | Provide a crossing point to the P-10 School from the new subdivisions to the south |
| P9 | Reilly Street - Pram ramps on both sides and provide refuge within median | Pedestrian crossing | Provide a safe crossing point from new subdivisions to the south and Chaffey Park |
| P10 | Ranfurly Way - Pram ramps on both sides and provide refuge within median | Pedestrian crossing | Provide a safe crossing point from new subdivisions to the south and Chaffey Park |

Table 5 Proposed LATM Projects

| Project | Type | Purpose |
|---------------------------------|---------------------------------|---|
| Chaffey Street near Pullen Lane | Concrete Island on bend | To prevent vehicles from veering across the opposing lane and slow vehicle speeds through bends |
| Chaffey Street near Park Street | Concrete Island on bend | To prevent vehicles from veering across the opposing lane and slow vehicle speeds through bends |
| Sanders Street at Game Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |

Merbein Pedestrian and Cycling Plan

| Project | Type | Purpose |
|--|---------------------------------|--|
| Surgery Street at Game Street, Commercial Street and Box Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Litchfield Street at Jenner Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Rainbow Street at Jenner Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Smith Street at Third Street, Commercial Street and Game Street. | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Chaffey Park Drive at Chaffey Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Railway Avenue at Chaffey Street and Box Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Obryan Street at Game Street and Commercial Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Foster Street at Chaffey Street, Commercial Street and Game Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Mead Street at Game Street, Commercial Street and Chaffey | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Park Street at Chaffey Street and Park Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |
| Game Street at Reilly Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |

Merbein Pedestrian and Cycling Plan

| Project | Type | Purpose |
|---|---------------------------------|--|
| Cameron Street at Commercial Street and Reilly Street | Concrete island at intersection | To reduce vehicle speeds into minor streets and provide refuge for pedestrians |

7. Prioritisation of Improvements

Based on the recommendations, a high-level cost estimate for each improvement has been prepared based on recent construction rates provided by Council as well as current rates within the industry. These costs include only the main construction items and do not include site specific items such as service impacts or traffic management. A 30 per cent allowance has been included for contingencies.

Based on the complexity and cost of each project and the identified need, each recommendation is categorised into the following timeframes:

- Short term (1-2 years)
- Medium term (3-5 years)
- Long term (>5 years)

Each of the recommendations have been allocated a priority in Table 5.

Table 6 Prioritised list of improvements

| No. | Project | Type | Total cost (\$) | Priority |
|-----|--|---------|-----------------|-------------|
| C1 | Commercial Street - On-road bike lanes on, west of Main Avenue N | Cycling | 15,000 | Short term |
| C2 | Main Avenue N - On-road bike lanes | Cycling | 8,000 | Short term |
| C3 | Commercial Street - On-road bike lanes between Chaffey Street and River Avenue | Cycling | 10,000 | Short term |
| C4 | River Avenue - On-road bike lanes | Cycling | 7,000 | Short term |
| C5 | Wentworth Road - Sealed shoulders/bike lanes | Cycling | 2,700,000 | Long term |
| W1 | Commercial Street, Surgey Street and Game Street - Footpath on one side | Walking | 235,000 | Medium term |
| W2 | Third Street - Footpath on one side | Walking | 205,000 | Short term |
| W3 | Smith Street - Footpath on one side | Walking | 105,000 | Short term |
| W4 | Commercial Street - Footpath on one side | Walking | 270,000 | Short term |

Merbein Pedestrian and Cycling Plan

| No. | Project | Type | Total cost (\$) | Priority |
|-----|---|------------------|-----------------|-------------|
| W5 | Game Street - Footpath on one side | Walking | 175,000 | Short term |
| W6 | Old channel - Walking track | Walking | 200,000 | Short term |
| W7 | Reilly Avenue between River Avenue and McEdward Street - Footpath on the south side | Walking | 150,000 | Short term |
| W8 | Forbes Drive - All weather path | Walking | 250,000 | Short term |
| W9 | Reilly Street - Footpath on one side | Walking | 205,000 | Short term |
| W10 | Commercial Street - Footpath on one side | Walking | 235,000 | Short term |
| W11 | River Avenue - Footpath on one side | Walking | 155,000 | Short term |
| W12 | Cameron Street - Footpath on one side | Walking | 82,000 | Short term |
| W13 | Park Street - Footpath on one side | Walking | 65,000 | Short term |
| W14 | Mead Street - Footpath on one side | Walking | 125,000 | Short term |
| W15 | Foster Street - Footpath on one side | Walking | 145,000 | Short term |
| W16 | Obryan Street - Footpath on one side | Walking | 62,000 | Short term |
| W17 | Railway Avenue - Footpath on one side | Walking | 62,000 | Short term |
| W18 | Surgey Street - Footpath on one side | Walking | 62,000 | Short term |
| W19 | Smith Street – Footpath on one side | Walking | 20,000 | Short term |
| W20 | River Avenue – Footpath on one side | Walking | 120,000 | Short term |
| S1 | Box Street - SUP | Shared User Path | 55,000 | Short term |
| S2 | Main Avenue South/Calder Highway - SUP | Shared User Path | 445,000 | Medium term |
| S3 | Game Street - SUP | Shared User Path | 683,000 | Medium term |
| S4 | Channel Road - SUP | Shared User Path | 225,000 | Medium term |
| S5 | New subdivision - SUP | Shared User Path | 320,000 | Medium term |
| S6 | Main Channel - SUP | Shared User Path | 662,000 | Medium term |

Merbein Pedestrian and Cycling Plan

| No. | Project | Type | Total cost (\$) | Priority |
|-----|---|---------------------|-----------------|------------|
| S7 | Chaffey Street - SUP | Shared User Path | 1,023,000 | Short term |
| P1 | Third Street - Pram ramps and refuge on both sides | Pedestrian crossing | 6,500 | Short term |
| P2 | Main Avenue North - Pram ramps on both sides | Pedestrian crossing | 4,500 | Short term |
| P3 | Main Avenue North - Pram ramps on both sides | Pedestrian crossing | 4,500 | Short term |
| P4 | Commercial Street - Raised pedestrian crossing | Pedestrian crossing | 12,000 | Short term |
| P5 | Railway Avenue - Raised pedestrian crossing | Pedestrian crossing | 12,000 | Short term |
| P6 | Chaffey Street - Pram ramps on both sides | Pedestrian crossing | 4,500 | Short term |
| P7 | Commercial Street - School crossing | School crossing | 4,500 | Short term |
| P8 | Channel Road - Pram ramps and refuge on both sides | Pedestrian crossing | 6,500 | Short term |
| P9 | Reilly Street - Pram ramps on both sides and provide refuge within median | Pedestrian crossing | 6,500 | Short term |
| P10 | Ranfurlly Way - Pram ramps on both sides and provide refuge within median | Pedestrian crossing | 6,500 | Short term |

The full cost of implementing each of the above facilities is estimated at \$9,149,000, with a breakdown of these costs over the short, medium and long term presented at Table 7.

Table 7 Implementation Cost Summary

| Priority | Cost |
|------------------------|--------------------|
| Short Term Priorities | \$3,879,000 |
| Medium Term Priorities | \$2,570,000 |
| Long Term Priorities | \$2,700,000 |
| TOTAL | \$9,149,000 |

Merbein Pedestrian and Cycling Plan

Potential funding sources for implementing the recommended works include:

- Safe System Pedestrian Infrastructure Program (IP43)
- Commonwealth Road Safety Program
- TAC Local Government Grant Program

Conclusion

The pedestrian and cycling plan has been developed to address the issues raised from the community consultations and following a review of the existing land uses and pedestrian and cycling networks within the township.

Key recommendations include:

- Provision of an east-west and north-south bicycle connection through Merbein
- Provision of footpaths on roads leading to the main shopping precinct as well as schools and parks
- Provision of crossing locations to enable safer crossing facilities
- Provision of shared user paths to provide off-road facilities for connections to schools

The recommendations from this Plan in conjunction with other Council initiatives including the Merbein Community Plan, area wide speed limit reductions and LATM will create a safer and better connected community.



Appendix A

LATM Plan



Mildura Rural City Council

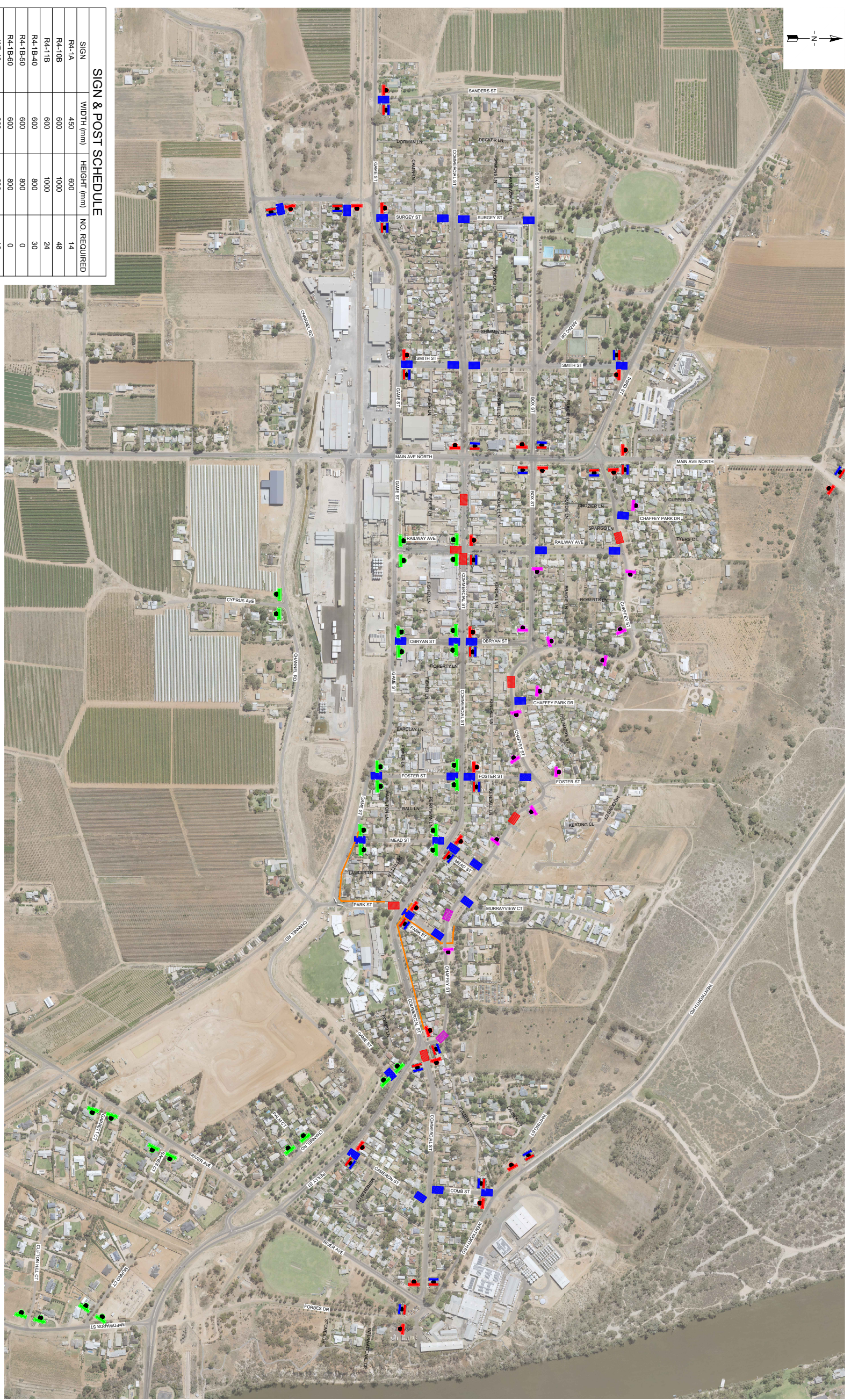
Plot Date: 27/08/2022 2:41:40 PM

| SIGN | WIDTH (mm) | HEIGHT (mm) | NO. REQUIRED |
|------------------------|------------|-------------|--------------|
| R4-1A | 450 | 600 | 14 |
| R4-10B | 600 | 1000 | 48 |
| R4-11B | 600 | 1000 | 24 |
| R4-1B-40 | 600 | 800 | 30 |
| R4-1B-50 | 600 | 800 | 0 |
| R4-1B-60 | 600 | 800 | 0 |
| WS-10 | 600 | 800 | 16 |
| RRPM | 600 | 800 | 306 |
| GALVANIZED STEEL POSTS | 50mm NB | | 108 |

LEGEND

- NEW 40 KM/HR AREA SIGN
- NEW 40 KM/HR REPEATER SIGN
- NEW 40 KM/HR KUMHK SIGN
- NEW 40 KM/HR EYE AS KUMHK SIGN
- NEW 40 KM/HR SIGN
- R4-10B
- R4-1A
- R4-11B
- R4-1B
- NEW SPEED HWM SIGN
- NEW LINE MARKING
- NEW SCHOOL SIGN
- NEW CONCRETE FOOTPATH
- WS-10A
- NEW CONCRETE ISLAND TREATMENT (ON BEND)
- NEW RAISED SAFETY PLATFORM
- NEW SIGNAGE WITH KERB
- NEW ROUNDABOUT ISLANDS
- NEW CONCRETE ISLAND TREATMENT

PLAN
SCALE 1:4000



CONCEPT ONLY

ISSUE 1

DATE

AMENDMENTS

APPROVED

DESIGNED: N MOORE

CHECKED: A BURKE

PROJECT: CYCLIST AND PEDESTRIAN SAFETY

PROJECT NO.:

DRAWN: N MOORE

SCALE: AS SHOWN

DRAWING: AREA MERBEIN

SHEET No.: 100

DATE: 27/10/2021

SIZE: A1


CAO FILE NAME: Merbein Area St154

Contractor shall check and verify all dimensions on site and report any discrepancies to the Designer. Copyright Reserved



Appendix B

Questionnaire





Mildura Rural City Council

Traffix Group

Merbein Walking & Cycling Plan Questionnaire

Mildura Rural City Council has been successful in obtaining funding from the TAC to prepare an action plan for the improvement of pedestrian and cyclist safety, plus connectivity, within the Merbein township.
The plan will aim to benefit pedestrian and cyclist activity in tourism, recreational, residential, schools and commercial aspects of the township.

 [REDACTED]

* Required

What is your connection to Merbein? *

- I am a local resident
- I work in Merbein
- I like to shop in/visit Merbein
- Other: _____

What is your gender?

- Male
- Female
- Other: _____

What is your age?

Your answer _____

How do you normally travel around Merbein? *

- Drive a car
- Walk
- Catch buses
- Cycle
- Ride a motorbike
- Skateboard
- Manual scooter
- Motorised scooter
- Other: _____

Questions for Walking

What is your main purpose for walking in Merbein?

Commuting to work/school/shops

Exercise fitness

Social recreational

Other: _____

How often do you walk during the week?

Daily

Weekly

Monthly

When walking in Merbein, on average how long do you walk?

Less than 15mins

15mins

30mins

An hour

More than an hour

How would you rate the existing level of safety when walking in Merbein?

0 1 2 3 4 5

Very unsafe Very Safe

What improvements should be made to increase your participation in walking?

Your answer

List up to 5 locations where there are existing safety issues for walking?

Your answer

Do you have any suggestions on potential improvements to address the safety issues you have identified?

Your answer

Thinking specifically of road crossings, nominate locations where you experience difficulties crossing?

Your answer

Thinking of walking in Merbein, identify any locations where there are missing links/gap in the network?

Your answer

Are there any other issues you would like to raise for walking in Merbein?

Your answer

Questions for Cycling

What is your main purpose for cycling in Merbein?

- Commuting to work/school/shops
- Exercise fitness
- Social recreational
- Other: _____

How often do you cycle?

- Daily
- Weekly
- Monthly

When cycling in Merbein, on average how long do you cycle?

- Less than 15mins
- 15mins
- 30mins
- An hour
- More than an hour

How would you rate the existing level of safety when cycling in Merbein?

| | | | | | | | |
|-------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------|
| | 0 | 1 | 2 | 3 | 4 | 5 | |
| Very unsafe | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | Very safe |

What improvements should be made to increase your participation in cycling?

Your answer _____

List up to 5 locations where there are existing safety issues for cycling?

Your answer _____

Do you have any suggestions on potential improvements to address the safety issues you have identified?

Your answer _____

Thinking specifically of road crossings, nominate locations where you experience difficulties crossing?

Your answer _____

Thinking of cycling in Merbein, identify any locations where there are missing links/gap in the network ?

Your answer _____

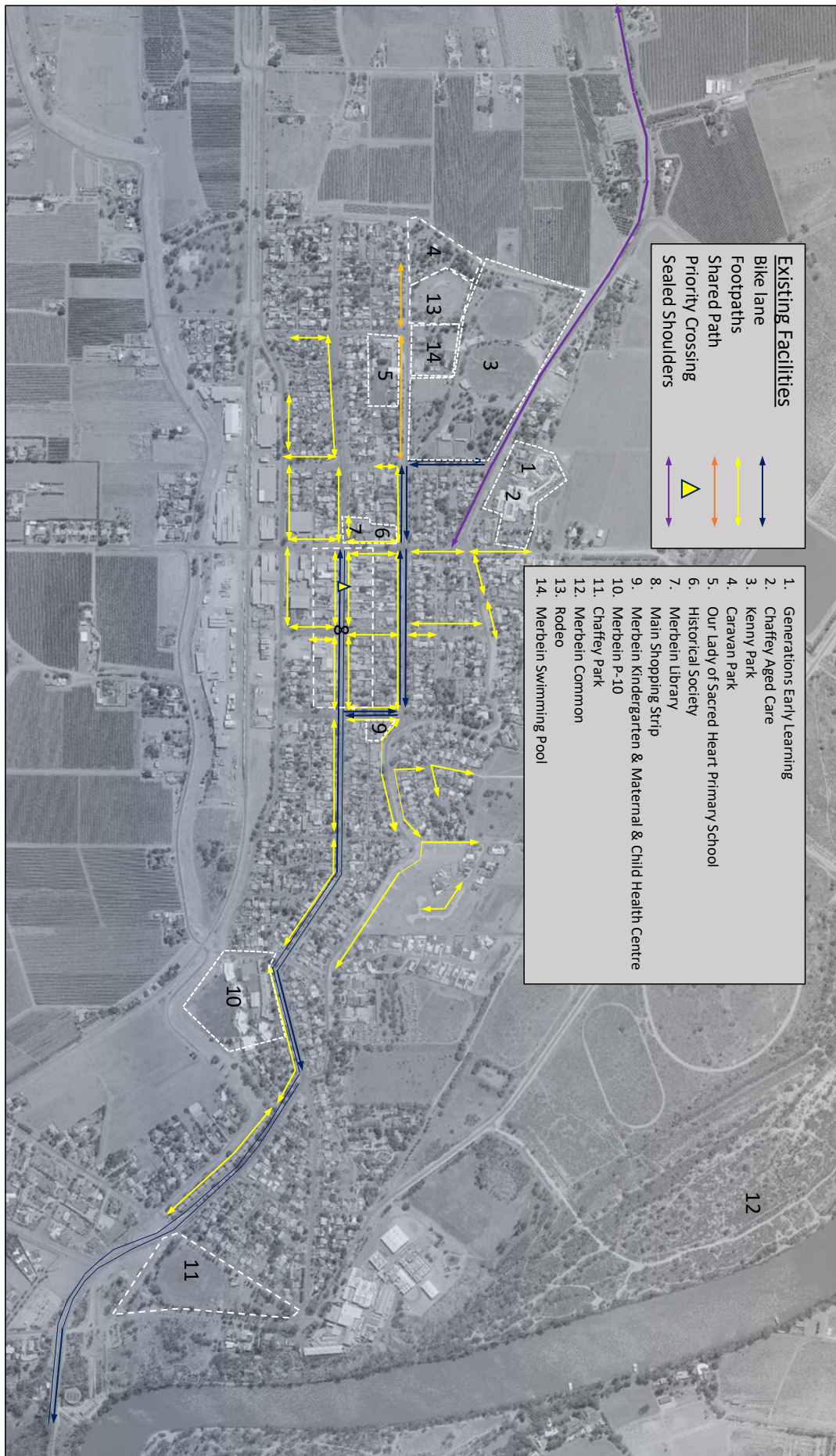
Are there any other issues you would like to raise for cycling in Merbein?

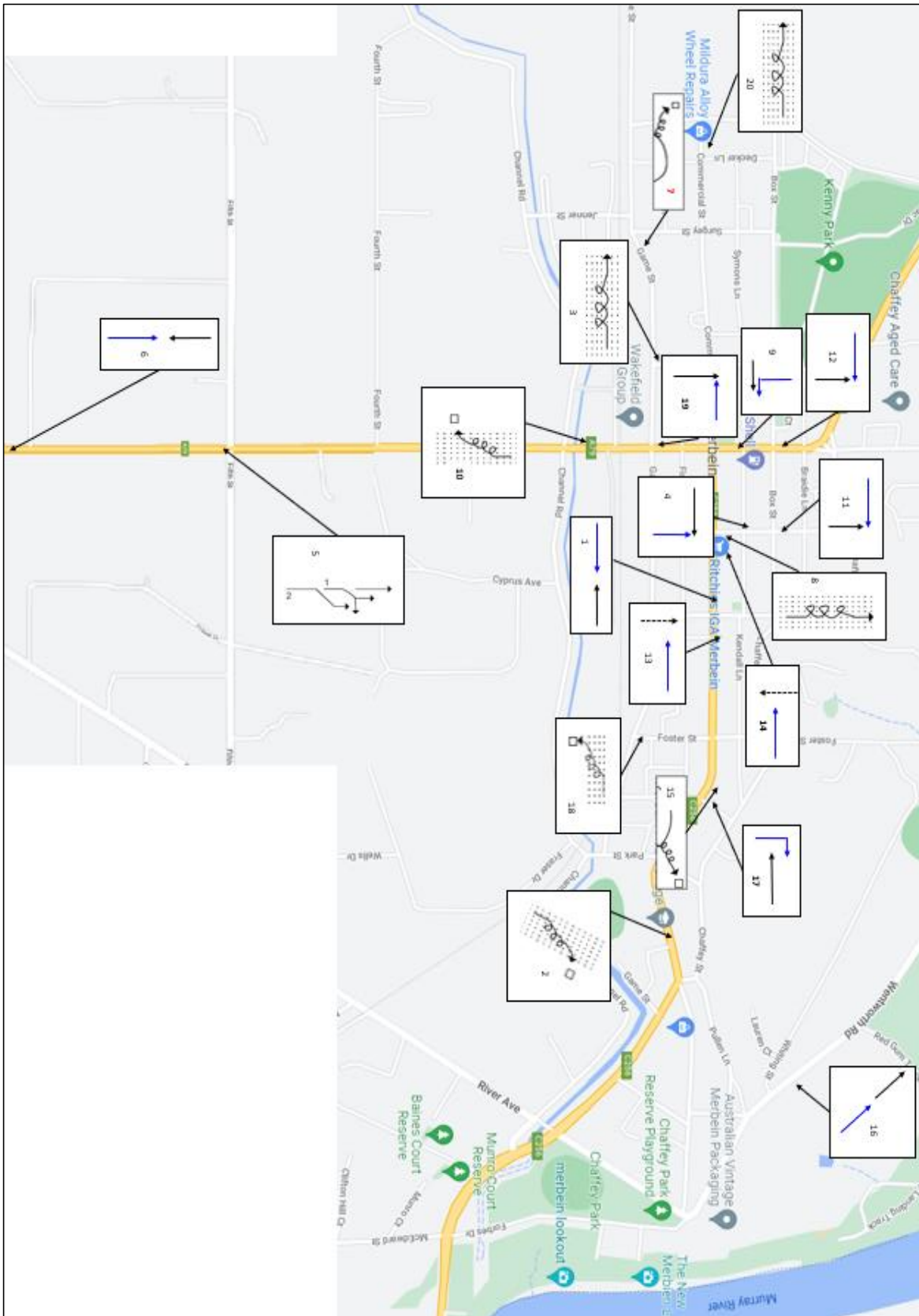
Your answer _____

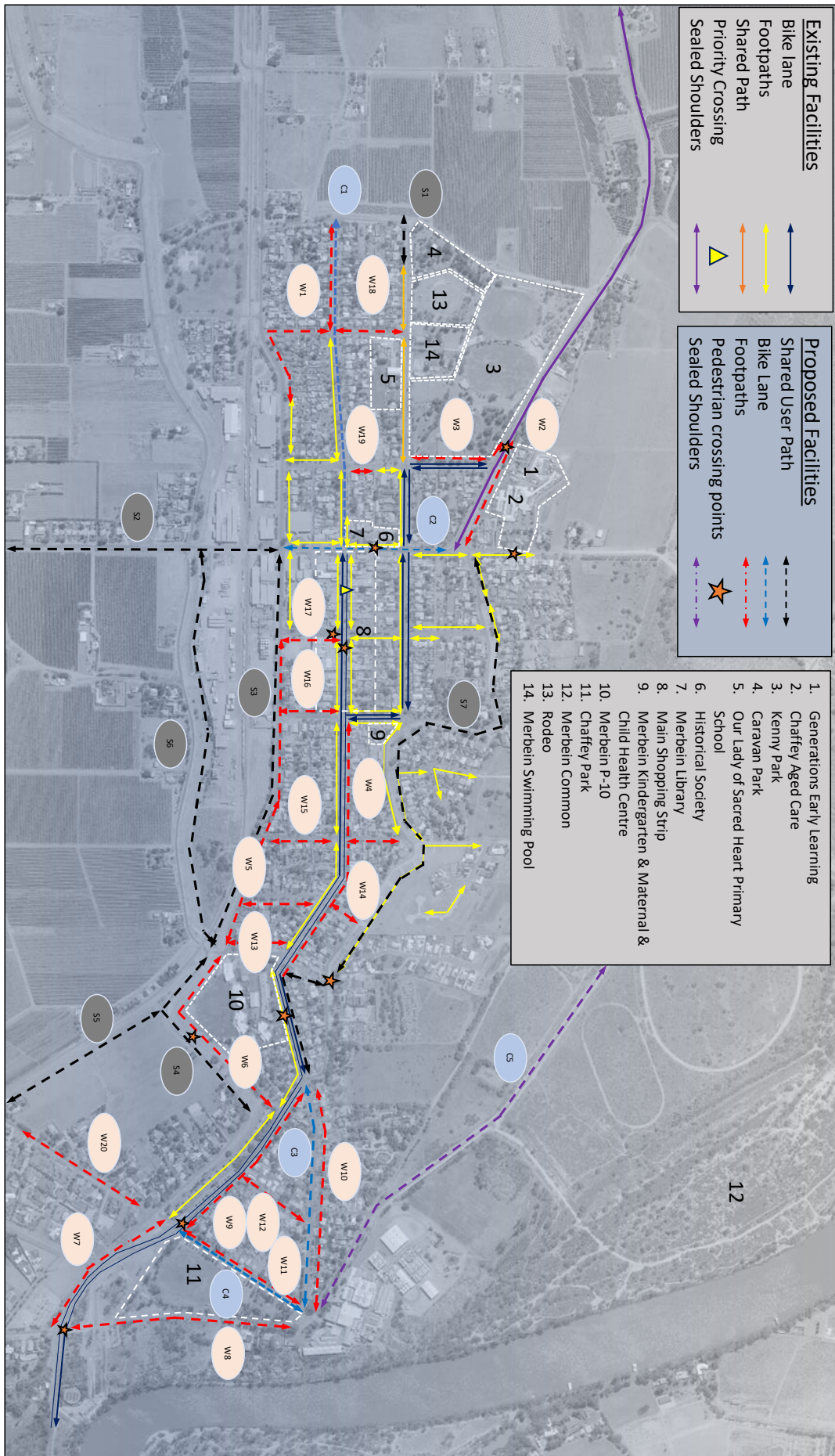


Appendix C

Figures 8, 9 & 10 (Enlarged Copies)







16 URGENT BUSINESS

Nil

17 COMMUNITY QUESTIONS

18 CONFIDENTIAL BUSINESS

Recommendation

That Council resolve to move into confidential business to deal with the following matters as pursuant to Section 66(2) of the *Local Government Act 2020*:

18.1 RELEASE OF CONFIDENTIAL COUNCIL REPORTS

Section 3(1)(h) - Confidential meeting information, being the records of meetings closed to the public under section 66(2)(a)

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice Council should Council wish to keep any of the information in confidential.

18.2 MILDURA SPORTING PRECINCT EXPRESSION OF INTEREST CRICKET TENANCY

Section 3(1)(a) - Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released

Pursuant to section 66(5)(b) of the Local Government Act 2020, if released the information to be received, discussed or considered in relation to this agenda item, may prejudice the position of Council, as various negotiations remain pending.

19 CLOSURE