



**murray river
council**

AGENDA

Ordinary Council Meeting Tuesday, 22 November 2022

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

Date: Tuesday, 22 November 2022

Time: 1pm

**Location: Council Chambers
Moama Administration Office
52 Perricoota Road, Moama**

**Terry Dodds
Chief Executive Officer**

Order Of Business

1	OPENING MEETING	5
2	ACKNOWLEDGEMENT OF COUNTRY	5
3	APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE	5
4	CONFIRMATION OF MINUTES	6
4.1	Confirmation of Minutes - Ordinary Meeting held on 18 October & Extra Ordinary Meeting held on 2 November 2022 of Murray River Council	6
	Questions without notice arising from minutes of previous meeting:	
5	DISCLOSURES OF INTERESTS	24
6	DEPUTATIONS	24
7	MAYORAL MINUTE(S)	25
7.1	Mayoral Minute - Declaration of Statewide Road Emergency	25
8	REPORTS OF COMMITTEES	27
	Nil	
9	REPORTS TO COUNCIL	28
9.1	Chief Executive Officers Report and Supplementary Matters	28
9.1.1	2022 School Presentation Functions	28
9.1.2	Resolutions of the Council - Resolution Tracker & InfoCouncil Action Reports	30
9.1.3	Monthly Operational Report.....	32
9.2	Director Corporate Services Report and Supplementary Matters	34
9.2.1	Draft Information and Records Management Policy.....	34
9.2.2	Code of Conduct (Councillors) Policy V#4 - Final Adoption	43
9.2.3	Code of Conduct (Employees) Policy V#4 - Final Adoption	44
9.2.4	Code of Conduct (Committees) Policy V#4 - Final Adoption	45
9.2.5	Cyber Security Policy V#1 - Final adoption.....	46
9.2.6	Code of Meeting Practice Policy V#5 - Final Adoption.....	57
9.2.7	Councillors Expenses and Facilities Policy V#4 - Final Adoption	58
9.2.8	Delegation of Authority (Mayor and CEO) Policy V#5 - Final Adoption	75
9.2.9	Murray River Council 2021-2022 Annual Report.....	91
9.2.10	LIQUIDITY REPORT AS AT 31 OCTOBER 2022.....	93
9.2.11	Quarterly Budget Review - Period Ended 30 September 2022	102
9.3	Director Infrastructure Report and Supplementary Matters	115
9.3.1	Proposed Asset Decommissioning	115
9.4	Director Planning and Environment Report and Supplementary Matters	117
9.4.1	Amendment to Murray Local Environmental Plan 2011 - Planning Proposal to reclassify land from community land to operational land, rezoning of land from RU1 to IN1, and removal of Minimum Lot Size provisions - Lot 1 DP 793207 - Cobb Highway, Moama	117

9.5	Director Community and Economic Development Report and Supplementary Matters.....	128
9.5.1	Grants Update NOVEMBER 2022.....	128
9.5.2	Section 355 Committee Report - November 2022	130
9.6	Correspondence Report.....	144
9.6.1	Correspondence Report	144
9.7	Sundry Delegates Report	156
9.7.1	Sundry Delegates Report	156
10	NOTICE OF MOTIONS/QUESTIONS WITH NOTICE.....	158
10.1	Notice of Rescission - 10.2 Motion 'That individual councillors have the option to receive their monthly business papers either in print form or electronically' that was lost at the 27 September 2022 Council meeting me recinded.....	158
11	CONFIDENTIAL MATTERS	159
11.1	Recommendation to award Contract MRC 2110 - Construction of Cell 5, Leachate Pond and Leachate Management System at the Moama Landfill.....	159
12	CONCLUSION OF MEETING.....	160

- 1 **OPENING MEETING**
- 2 **ACKNOWLEDGEMENT OF COUNTRY**
- 3 **APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE**

4 CONFIRMATION OF MINUTES

4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 18 OCTOBER & EXTRA ORDINARY MEETING HELD ON 2 NOVEMBER 2022 OF MURRAY RIVER COUNCIL

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the minutes of the Ordinary Meeting of Murray River Council held on 18 October 2022 and Extra Ordinary Meeting of Murray River Council held on 2 November 2022 and be confirmed as a true and correct record.

DISCUSSION

Murray River Council held its Ordinary Meeting of the Council on Tuesday 18 October 2022, commencing at 2:00pm in the Council Chambers (Lower Level), Moama Administration Office, 52 Perricoota Road, Moama.

Murray River Council held its Extra Ordinary Meeting of the Council on Wednesday 2 November 2022, commencing at 10:00am in the Council Chambers (Lower Level), Moama Administration Office, 52 Perricoota Road, Moama.

A copy of the draft minutes for the meetings are attached for ratification by the Council at this meeting.

ATTACHMENTS

1. UNCONFIRMED_MNUTES_Ordinary Meeting of Council 18 October 2022 [!\[\]\(09885fa7dbc7efea01a3982f2e00fbcd_img.jpg\) !\[\]\(efbba78d414c0d979a2d6cb4f74c9442_img.jpg\)](#)
2. UNCONFIRMED_MINUTES_Extra Ordinary Meeting of Council 2 November 2022 [!\[\]\(bd36bd94469b708b49ad0a25da1193a1_img.jpg\) !\[\]\(e055f602873aaa23cf4570643afee359_img.jpg\)](#)

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022**

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 18 OCTOBER 2022 AT 1PM**

PRESENT: Cr Chris Bilkey, Cr Nikki Cohen, Cr Ann Crowe, Cr Neil Gorey, Cr Thomas Weyrich, Cr Frank Crawley, Cr Kron Nicholas, Cr Dennis Gleeson

IN ATTENDANCE: Stephen Fernando (Director Corporate Services), Lindy Leyonhjelm (Executive Assistant), Rod Croft (Director Planning & Environment), Sarah Ryan (Acting Director Community & Economic Development)

1 OPENING MEETING

The Mayor held a short appropriate prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the meeting with an Acknowledgement of Country.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Cr Geoff Wise was not in attendance to the meeting.

4 CONFIRMATION OF MINUTES**4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING OF MURRAY RIVER COUNCIL HELD ON 27 SEPTEMBER 2022****RESOLUTION 011022**

Moved: Cr Frank Crawley

Seconded: Cr Kron Nicholas

That the minutes of the Ordinary Meeting of Murray River Council held on 27 September 2022 and be confirmed as a true and correct record.

CARRIED

Questions without notice arising from minutes of previous meeting/s

5 DISCLOSURES OF INTERESTS

CR THOMAS WEYRICH HAS A PECUNIARY CONFLICT OF INTEREST FOR ITEM 9.5.5 – LOCAL HERITAGE FUND - RECOMMENDATIONS IN THE DIRECTOR COMMUNITY SERVICES & ECONOMIC DEVELOPMENT AND SUPPLEMENTARY MATTERS AND AND ITEM 10.1 NOTICE OF RECISION - 9.5.2 LOCAL HERITAGE FUND – RECOMMENDATIONS MOTION WAS LOST AT 27 SEPTEMBER 2022 COUNCIL MEETING.

6 DEPUTATIONS**7 MAYORAL MINUTE(S)**

Nil

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

18 October 2022

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 2022-2026 DELIVERY PROGRAM REVISION AND UPDATE****RESOLUTION 021022**

Moved: Cr Neil Gorey
Seconded: Cr Dennis Gleeson

That Council endorse the recommended changes to the 2022-2026 Delivery Program as identified in the attached table and subsequent changes in the 2022-2032 Community Strategic Plan (if required).

Request from Cr Crawley on the reasons behind pushing the actions out to future years that were agreed upon at the start of the CSP process be brought back to Council.

CARRIED**9.1.2 REMEMBRANCE DAY SERVICES - 11 NOVEMBER 2022****RESOLUTION 031022**

Moved: Cr Nikki Cohen
Seconded: Cr Neil Gorey

1. That the Mayor, or a representative, attend and lay a wreath at the Remembrance Day Service in Mathoura at the War Memorial, Soldiers Memorial Gardens on Friday 11 November 2022, commencing at 10:45am.
2. That the Mayor, or a representative, attend and lay a wreath and be guest speaker at the Cenotaph, Kerrabee Soundshell Moama on Friday 11 November 2022, commencing at 10:55am.

Crs Cohen and Weyrich will attend the Mathoura Remembrance Day Service.

Cr Bilkey will attend the Moama Remembrance Day Service.

CARRIED**9.1.3 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 041022**

Moved: Cr Neil Gorey
Seconded: Cr Ann Crowe

That the Council receives and notes the status of previous resolutions of Council (in open and closed Council) contained in the Monthly Operation Report including the Resolution Tracker Reports.

CARRIED

Page 2

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022****9.1.4 MONTHLY OPERATIONAL REPORT****RESOLUTION 051022**

Moved: Cr Ann Crowe
Seconded: Cr Thomas Weyrich

That the Officer's report on Monthly Operational Report as of September 2022 be received and the information noted by the Council.

CARRIED

Mr Fernando will report back to Manager People on the potential of accessing the emerging leaders course through Swan Hill TAFE for potential employees for Murray River Council.

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS**9.2.1 PROPOSED PRIVATE ROAD NAMES, RICH RIVER GOLF CLUB, FIFTY TWO (52) LOT COMMUNITY TITLE SUBDIVISION, LOT 2 DP 1191295, 114 TWENTY FOUR LANE, MOAMA NSW****RESOLUTION 061022**

Moved: Cr Frank Crawley
Seconded: Cr Nikki Cohen

1. Council approve the road names; Rich River Drive, Stapleton Close & Parslow Place, within the Community Title Subdivision, Lot 2 DP 1191295, Twenty Four Lane, Moama NSW.

Cr Crawley request to review the option of having an MRC street naming policy to enable an easier option for developers to decide on road naming.

CARRIED**9.2.2 DISCLOSURE OF INTEREST RETURN REPORTING****RESOLUTION 071022**

Moved: Cr Frank Crawley
Seconded: Cr Neil Gorey

That Council notes that the Disclosures of Interest by Councillors and Designated Persons Returns have been tabled.

CARRIED**9.2.3 AUDIT, RISK & IMPROVEMENT COMMITTEE MINUTES - 26 SEPTEMBER 2022****RESOLUTION 081022**

Moved: Cr Frank Crawley
Seconded: Cr Thomas Weyrich

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022**

That

1. the Audit, Risk & Improvement Committee Minutes - 26 September 2022 be received and the information noted by the Council.

That ARIC:

2. has reviewed the DRAFT Financial Statements and concurs that they go to Council subject to external audit approval.
3. notes the deterioration in Council's 2021/2022 financial performance in the Income Statement, operating performance ratio and Own Source Operating Ratio. Accordingly, it is recommended that a review be undertaken with the objective of improving cost recovery of services, the disposal of underperforming assets and the fine tuning of costs in rate financed operations.

The Audit & Risk committee will be conducting a review on the Barham Micro Abatoir with further information that will come to the next Audit & Risk committee which should address the concerns for the rate payers that have been asking Councillors regarding the processes undertaken. Audit & Risk will make a recommendation to Council if a further review is seen to be required.

CARRIED

At 1:28 pm, Cr Kron Nicholas left the meeting.

At 1:32 pm, Cr Kron Nicholas returned to the meeting.

9.2.4 AUDIT, RISK & IMPROVEMENT COMMITTEE MINUTES - 22 AUGUST 2022**RESOLUTION 091022**

Moved: Cr Thomas Weyrich

Seconded: Cr Kron Nicholas

That the Audit, Risk & Improvement Committee Minutes - 22 August 2022 be received and the information noted by the Council.

CARRIED**9.2.5 LAND ACQUISITION & DISPOSAL POLICY V#1****RESOLUTION 101022**

Moved: Cr Kron Nicholas

Seconded: Cr Ann Crowe

That resolve to:

1. provisionally adopt the Draft Land Acquisition & Disposal Policy v#1, and
2. place the said Policy on public display for a period of 28 days.

In Favour: Crs Chris Bilkey, Ann Crowe, Kron Nicholas and Dennis Gleeson

Against: Crs Nikki Cohen, Neil Gorey, Thomas Weyrich and Frank Crawley

Cr Chris Bilkey has the casting vote, moving the motion as is.

EQUAL**CARRIED**

At 1:43 pm, Cr Kron Nicholas left the meeting.

At 1:45 pm, Cr Kron Nicholas returned to the meeting.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

18 October 2022

9.2.6 DRAFT MURRAY RIVER COUNCIL 2021/22 FINANCIAL STATEMENTS**RESOLUTION 111022**

Moved: Cr Frank Crawley

Seconded: Cr Kron Nicholas

That Council:

1. Accept this report in relation to the Draft Murray River Council General Purpose Financial Statements and Special Purpose Financial Statements for the period 1 July 2021 to 30 June 2022, and
2. Authorise the signing of the Statements by Councillors and Management by the Mayor, Deputy Mayor, Chief Executive Officer, and the Responsible Accounting Officer.

CARRIED**9.2.7 LIQUIDITY REPORT AS AT 30 SEPTEMBER 2022****RESOLUTION 121022**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That the Officer's Report, incorporating Investments as at 30 September 2022, consisting of a Liquid Asset Position of \$ 45,987,739 which includes investments of \$ 45,232,408 be received and noted by Council.

CARRIED

At 1:47 pm, Cr Dennis Gleeson left the meeting.

9.2.8 SUPPLEMENTARY ATTACHMENT OF ITEM 9.2.5 LAND ACQUISITION & DISPOSAL POLICY**RECOMMENDATION**

That Council note the attachment in relation to Item 9.2.5 Land Acquisition & Disposal Policy

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS**9.3.1 RECOMMENDATION FOR PLACING THE DRAFT ECHUCA MOAMA FLOOD STUDY ON PUBLIC EXHIBITION****RECOMMENDATION**

That the Draft Echuca-Moama Flood Study Report be placed on Public Exhibition for public comment from 31 October 2022 to 28 November 2022

RESOLUTION 131022

Page 5

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

18 October 2022

Moved: Cr Nikki Cohen
 Seconded: Cr Thomas Weyrich

Deferment of this recommendation due to the current situation in our Local Government Area

CARRIED

At 1:49 pm, Cr Dennis Gleeson returned to the meeting.

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

9.4.1 RECLASSIFICATION OF LAND LOT 1 DP793207 COBB HIGHWAY MOAMA FROM COMMUNITY TO OPERATIONAL LAND

RESOLUTION 141022

Moved: Cr Neil Gorey
 Seconded: Cr Frank Crawley

That Council agrees to commence the process of re-classification of Lot 1 DP793207, Cobb Highway Moama from community to Operational Land in accordance with the justification outlined in this report.

CARRIED

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 MURRAY RIVER COUNCIL COMMUNITY GRANTS PROGRAM, 2022-23 - ROUND 1 ALLOCATION OF FUNDS

RESOLUTION 151022

Moved: Cr Nikki Cohen
 Seconded: Cr Kron Nicholas

That:

1. Council funds the below projects under Round 1 of the 2022-23 Community Grants Program.
2. Council allocates the additional \$918 needed, from the 2022-23 Quick Response Grant Funding

Group	Project Title	Total Amount Requested	Total Project Cost	Amount Recommended
Echuca-Moama Family History Group INC.	Project to Digitise The Historic Pastoral Times Newspaper, Stage 3	\$3,000.00	\$5,000.00	\$3,000.00
Mathoura Retirement Village Committee	Secretary computer and printer	\$3,000.00	\$4,000.00	\$3,000.00
Mathoura Public School P & C Association	Mathoura Public School Yarning Circle Educational and Cultural Space	\$3,000.00	\$5,000.00	\$3,000.00
Wakool Memorial Hall Committee	Wakool Memorial Hall Committee Replacement Chairs	\$2,503.00	\$2,502.42	\$2,503.00
We Are Vivid	Maximising opportunities with Vivid Work Crew	\$3,000.00	\$3,000.00	\$3,000.00

Page 6

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

18 October 2022

Barham Koondrook Historical Society Incorporated	PRESERVING LOCAL HISTORY	\$2,200.00	\$2,491.00	\$2,200.00
St Vincent de Paul Society NSW	Vinnies Barham (Sacred Heart Conference) - Food and Care Packages	\$3,000.00	\$54,500.00	\$3,000.00
Caldwell Hall Management Committee	New Stage Curtains and Window Blinds for the Caldwell Hall and kitchen area.	\$3,000.00	\$4,833.31	\$3,000.00
Local Health Medical Trust	Cheers To Health - A community day with Local Health Medical Trust	\$2,500.00	\$3,500.00	\$2,500.00
Moulamein Wongi	Storage and IT Upgrade	\$3,000.00	\$3,334.00	\$3,000.00
Moulamein Art & Craft Council trading as Moulamein Art Gallery	Technology for the future	\$2,715.00	\$2,715.00	\$2,715.00
TOTAL				\$30,918.00

CARRIED

9.5.2 GRANTS UPDATE OCTOBER 2022

RESOLUTION 161022

Moved: Cr Frank Crawley
 Seconded: Cr Nikki Cohen

That Council receive and note the September 2022 Funding Report.

CARRIED

9.5.3 SECTION 355 COMMITTEE REPORT - OCTOBER 2022

RESOLUTION 171022

Moved: Cr Ann Crowe
 Seconded: Cr Neil Gorey

That Council receive and note the September Section 355 Committee Report.

CARRIED

9.5.4 SKYPORTZ LOCATION EXPRESSION OF INTEREST

RESOLUTION 181022

Moved: Cr Kron Nicholas
 Seconded: Cr Ann Crowe

That Council endorse the expression of interest for Moama to be considered as site for air taxi use.

CARRIED

At 2:06 pm, Cr Thomas Weyrich left the meeting.

At 2:08 pm, Cr Thomas Weyrich returned to the meeting.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022****9.5.5 LOCAL HERITAGE FUND - RECOMMENDATIONS****RESOLUTION 191022**

Moved: Cr Nikki Cohen
 Seconded: Cr Frank Crawley

That Council support the recommendations of the Murray River Council Heritage Advisory Committee, and allocate the 2022-23 Local Heritage Fund as follows:

1. \$2,948.00 - Brookertino Pty Ltd (Pastoral Hotel front façade phase 2)
2. \$2,000.00 - Good Vibrations Motorcycle Museum (Museum maintenance)
3. \$6,052.00 - Nicole Davidson (Front picket fence revival)

Further to this, the offer of funding to Nicole Davidson be given with the following conditions:

1. the project must obtain DA approval from Council, prior to commencement
2. the project must be completed by 15 April 2023 and
3. the project must be able to be completed, even though the amount of funding provided is not the full amount requested.

Should one of the projects decline the offer of funding, then it be reallocated to the other recommended project(s), as appropriate.

CARRIED

The above motion was deferred as discussion of recission motion will be undertaken in the recission motion section 10.1.

9.5.6 APPOINTMENT OF COUNCIL DELEGATES TO: COMMITTEES OR SUB-COMMITTEES OF COUNCIL; SECTION 355 COMMITTEES OF COUNCIL; GOVERNMENT OR INDUSTRY ORGNISATIONS; AND COMMUNITY COMMITTEES OR GROUPS

RESOLUTION 201022

Moved: Cr Thomas Weyrich
 Seconded: Cr Nikki Cohen

That the Council appoints Councillor delegates, alternate delegates and representatives to the various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups, as attached to the report, for the period 18 October 2022 to September 2023, subject to any changes to delegates/representatives made at the meeting.

CARRIED**9.6 CORRESPONDENCE REPORT****9.6.1 CORRESPONDENCE REPORT****RESOLUTION 211022**

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022**

Moved: Cr Frank Crawley

Seconded: Cr Nikki Cohen

That the Correspondence Report be received and the information noted by the Council.

CARRIED**9.7 SUNDRY DELEGATES REPORT****9.7.1 SUNDRY DELEGATES REPORT****RESOLUTION 221022**

Moved: Cr Nikki Cohen

Seconded: Cr Kron Nicholas

That the Sundry Delegates Report of the Mayor and Councillors for the period 27 September 2022 through to 17 October 2022 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

CARRIED

Councillor Ann Crowe reported on his attendance at the following meetings and functions:

- 27 Sept: Council pre-briefing and Council meeting – Moama
- 4 Oct: Unsealed roads maintenance review – Moulamein
- 4 Oct: Weeri Stables Heritage Village – Moulamein
- 5 Oct: Murray Downs Riverside Park Committee Meeting – Murray Downs
- 5 Oct: Update from Council Staff on progress of boat ramp
- 11 Oct: Monthly Councillor Workshop – Moama

At 2:51 pm, Cr Thomas Weyrich left the meeting.

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE**10.1 NOTICE OF RESCISSION - 9.5.2 LOCAL HERITAGE FUND - RECOMMENDATIONS. MOTION WAS LOST AT 27 SEPTEMBER 2022 COUNCIL MEETING****RESOLUTION 231022**

Moved: Cr Nikki Cohen

Seconded: Cr Frank Crawley

That

1. The resolution that was lost at the September 27 Council meeting titled 9.5.2 Local Heritage Fund – Recommendations be rescinded and brought back to Council for voting.

CARRIED

At 2:57 pm, Cr Thomas Weyrich returned to the meeting.

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes**18 October 2022****11 CONFIDENTIAL MATTERS****RESOLUTION 241022**

Moved: Cr Nikki Cohen
Seconded: Cr Frank Crawley

That Council moves out of Open Council into Closed Council at 2:58pm.

CARRIED**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

11.1 Mayoral Minute - Council endorse the appointment of an interim Chief Executive Officer to cover for leave taken by Mr Terry Dodds, CEO Murray River Council

This matter is considered to be confidential under Section 10A(2) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

11.2 Recommendation to Award of Contract for the Conversion of Sportlights in Various Locations

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RESOLUTION 251022

Moved: Cr Nikki Cohen
Seconded: Cr Ann Crowe

That Council moves out of Closed Council into Open Council at 3:19pm.

CARRIED**RESOLUTION 261022**

Moved: Cr Frank Crawley
Seconded: Cr Neil Gorey

That Council brings forward the resolutions from Closed Council into Open Council and these be read aloud.

CARRIED

12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:22pm

The next Ordinary Meeting of Murray River Council will be held on Tuesday 22 November 2022, commencing at 1pm, in Council Chambers, Moama Administration Office, 52 Perricoota Road, Moama.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 18 OCTOBER 2022, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 22 NOVEMBER 2022.

.....
MAYOR

.....
CEO

UNCONFIRMED

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes**2 November 2022**

**MINUTES OF MURRAY RIVER COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON WEDNESDAY, 2 NOVEMBER 2022 AT 10:00AM**

PRESENT: Cr Chris Bilkey (Councillor), Cr Nikki Cohen (Councillor), Cr Ann Crowe (Councillor), Cr Neil Gorey (Councillor), Cr Thomas Weyrich (Councillor), Cr Frank Crawley, Cr Kron Nicholas, Cr Geoff Wise, Cr Dennis Gleeson

IN ATTENDANCE: Terry Dodds (Chief Executive Officer), John Harvie (Director Special Projects), Lindy Leyonhjelm (Executive Assistant), Rod Croft (Director Planning & Environment), Christian Austin (Coordinator Technology & Digital Services), Stephen Fernando (Director Corporate Services)

1 OPENING MEETING

The Mayor held a short appropriate prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the meeting with an Acknowledgement of Country.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE**3.1 LEAVE OF ABSENCE/APOLOGIES****RESOLUTION 011122**

Moved: Cr Nikki Cohen
Seconded: Cr Frank Crawley

That the apologies tendered on behalf of Cr Geoff Wise be received and accepted; and that leave of absence from the meeting be granted.

CARRIED**4 DISCLOSURES OF INTERESTS**

There were no conflict of interests declarations received from Councillors or staff on any matter within the meeting.

5 REPORTS TO COUNCIL**5.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****5.1.1 NOVEMBER 22 ORDINARY COUNCIL MEETING TO BE HELD IN MOAMA AND HOLD FEBRUARY 28,2023 ORDINARY COUNCIL MEETING AT MOULAMEIN****RESOLUTION 021122**

Moved: Cr Dennis Gleeson

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes**2 November 2022**

Seconded: Cr Kron Nicholas

That Council agree to move the 22 November 2022 Ordinary Council meeting to the Council Chambers in Moama and hold the 28 February, 2023 Ordinary Council meeting at Moulamein.

CARRIED**6 CONFIDENTIAL MATTERS****RESOLUTION 031122**

Moved: Cr Frank Crawley
Seconded: Cr Thomas Weyrich

That Council moves out of Open Council into Closed Council at 10:22am.

CARRIED**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

6.1 LOT 1, DP 793207 - COBB HIGHWAY MOAMA - PROCUREMENT HISTORY

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RESOLUTION 031122

Moved: Cr Thomas Weyrich
Seconded: Cr Nikki Cohen

That Council moves out of Closed Council into Open Council at 10:33am.

CARRIED**RECOMMENDATION**

That Council brings forward the resolutions from Closed Council into Open Council and these be read aloud.

RESOLUTION 041122

Moved: Cr Frank Crawley
Seconded: Cr Kron Nicholas

That Council resolve to receive the report providing historical information on the purchase of land at Cobb Highway Moama, identified as Lot 1, DP 793207.

CARRIED

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes

2 November 2022

6.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

5.2.1 LOT 1, DP 793207 - COBB HIGHWAY MOAMA

RESOLUTION 061122

Moved: Cr Frank Crawley
 Seconded: Cr Dennis Gleeson

That Council adopt one of the alternative sets of resolutions:

Alternative Resolution 3 was voted on as the preferred resolution

In Favour: Crs Chris Bilkey, Nikki Cohen, Ann Crowe, Neil Gorey, Thomas Weyrich, Frank Crawley, Kron Nicholas and Dennis Gleeson

Against: Nil

CARRIED 8/0

Alternative Resolution 1

That Council resolve, in relation to the land at Cobb Highway Moama, identified as Lot 1, DP 793207, as a vacant land and not undertake any actions regarding the said land at this point in time.

Alternative Resolution 2

That Council resolve to:

- A. sell or lease the land identified at Cobb Highway Moama, identified as Lot 1, DP 793207, in its entirety in its current condition (as is) through an open market approach of either an auction, tender or expression of interest process, subject to the Chief Executive Officer:
 - i. initiating all necessary related activities such as reclassification from Community to Operational, and any rezoning, of the said land, and
 - ii. undertaking a market assessment on the sale as well as the lease of the said land, valuations of the said land, and the most suitable market approach, out of those identified herein, for the sale or lease of the said land, and
 - iii. subsequent to actioning the items in part A.i. hereof, presenting to Council a firm proposal for the sale or lease of the said land, in its entirety, and in its current condition, such firm proposal to contain:
 - a. a recommendation on whether to sell or lease the land, and if the recommendation is to lease, the recommended period for the lease, and
 - b. the sales or lease proceeds that can be expected, and
 - c. identification of the most desirable approach to market, from the approaches identified herein, and
 - d. the need for any sales intermediaries (e.g., auctioneer, real estate broker), and if so, recommendations for such intermediaries, and
 - e. the timing of the proposed sale or lease of the said land.

Alternative Resolution 3

That Council resolve to:

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes

2 November 2022

- A. sell the land at Cobb Highway Moama, identified as Lot 1, DP 793207, in its entirety in its current condition (as is), as a strategic sale, through a non-competitive direct sale, with a view towards furthering the economic development objectives contained in Council's Community Strategic Plan and stimulating local economic activity, subject to the Chief Executive Officer:
- i. initiating all necessary related activities such as reclassification from Community to Operational, and any rezoning, of the said land, and
 - ii. undertaking discussions and conditional negotiations with one or more suitable parties, including the party who has already expressed an interest in the purchase of the said land, and
 - iii. engaging a suitably qualified independent external party (probity officer) to assess the legislative and regulatory requirements related to sale of the said land through non-competitive direct sale, and
 - iv. presenting to Council a firm proposal for the sale of said land in its entirety, through direct negotiations to an identified party, such firm proposal to contain:
 - a. if more than one party has been engaged in discussion or negotiations, the parties so engaged with, and
 - b. the party being recommended as the purchaser, justifying the reasons therefor including details of activities to be undertaken at the said land and the proposed investments during the first 24 months, and
 - c. an analysis how the direct sale to the proposed buyer will further the strategic objectives within Council's Community Strategic Plan, and
 - d. a comprehensive analysis of economic benefits that can be expected for the region from the proposed sale, including a quantification of the likely economic benefit, and
 - e. the contractual conditions to be placed on the buyer, together with details of redress available to Council through the contract of sale, should the buy not adhere to their obligations, and
 - f. any activities that would need to be undertaken by Council prior to or immediately after the sale, and
 - g. the proposed price for the sale, and
 - h. the proposed timing of the sale.
 - v. presenting to Council a report from the probity manager, identifying the compliance activities undertaken by Council in relation to the intended sale of the said land, and confirming that all legislative and regulatory requirements have been complied with.

Alternative Resolution 4

That Council resolve to:

- A. subdivide and develop the land identified as Lot 1, DP 793207, as a business and/or industrial precinct, on its own or in partnership with a suitable business partner, subject to the Chief Executive Officer:
- i. initiating all necessary related activities such as reclassification from Community to Operational, and any rezoning, of the said land necessary to give effect to its proposed development, and
 - ii. undertaking a comprehensive business case for the development of the said land,
 - iii. if a joint development with a business partner is envisaged, identifying suitable business partners, and engaging in preliminary discussions with such potential partners, and

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes**2 November 2022**

- iv. presenting to Council a firm proposal for the development of the said land as a business/industrial precinct, such firm proposal to contain:
- a. whether the development is to be undertaken by Council on its own or in conjunction with a business partner, and
 - b. if a business partner is being envisaged, recommendation as to such business partner and an outline of the terms and conditions of the proposed joint venture, and
 - c. the proposed layout of the development, with details regarding the size and extent of each block, and
 - a. the estimated investment that is required for the development of the land together with a timeframe for the commencement and the completion of the development, and
 - b. the manner in which the developed blocks are proposed to be disposed of (sale or lease), together with the estimated proceeds from such sale or lease, and
 - c. if the developed blocks are to be predominantly leased, an estimate of the ongoing costs related to the operation and maintenance of the precinct, and
 - d. a comprehensive analysis of the risks associated with undertaking such a development, together with any actions that can be taken to mitigate the identified risks, and
 - e. details of legislative and regulatory compliance that would need to be considered for the proposed development, including any requirements related to Public Private Partnerships.

Alternative Resolution 5

That Council resolve to:

- A. explore the possibility of undertaking a commercial undertaking on the at land Cobb Highway Moama, identified as Lot 1, DP 793207, either on its own or in partnership with a suitable business partner, with the objective of generating a sustainable stream of income for the Council while also contributing to the general economic development of the region, subject to the Chief Executive Officer:
 - i. undertaking an assessment of the commercial activities that may be profitably undertaken at the said land, and
 - ii. presenting to Council a report containing:
 - a. one or more options for commercial activities that can be undertaken at the said land, and
 - b. an assessment of why the proposed commercial activity (or activities) would be a good fit for operating out of the said land including a preliminary assessment of the markets targeted by the proposed commercial activity (or activities), and
 - c. the economic benefits that can be expected to flow to the region from having the proposed commercial activity (or activities) operating in the region, and
 - d. a recommendation on whether such commercial activity (or activities) is to be undertaken by Council on its own or through a joint arrangement, and
 - e. an indication of the estimated investments that would be required to initiate the proposed commercial activity (or activities) together with the estimated returns that can be expected on such investment, and
 - f. a high-level risk analysis of undertaking the proposed commercial activity (or activities), and

MURRAY RIVER COUNCIL Extraordinary Council Meeting Minutes

2 November 2022

- g. details of legislative and regulatory compliance that would need to be considered for the proposed commercial activity (or activities), including any requirements related to Public Private Partnerships.

CARRIED

6.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

Nil

6.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

Nil

6.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

NIL

6.6 CORRESPONDENCE REPORT

Nil

6.7 SUNDRY DELEGATES REPORT

Nil

7 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 11:07am.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 22 November 2022, commencing at 1pm, in the Council Chambers, Moama Administration Office, 52 Perricoota Road, Moama.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE EXTRAORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 2 NOVEMBER 2022, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 22 NOVEMBER 2022.

.....
MAYOR

Questions without notice arising from minutes of previous meeting:

5 DISCLOSURES OF INTERESTS

6 DEPUTATIONS

7 MAYORAL MINUTE(S)**7.1 MAYORAL MINUTE - DECLARATION OF STATEWIDE ROAD EMERGENCY**

File Number: -
Author: Chris Bilkey, Mayor
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That Murray River Council joins with Local Government NSW and Country Mayors Association of NSW in declaring a Statewide Road Emergency.

We are all well aware that Murray River Council has been hit by a seemingly relentless wave of flood events.

And we are not alone. A total of 126 of New South Wales' 128 local government areas have had natural disaster declarations within the last 12 months, according to the President of Local Government NSW, Darriea Turley.

On the third of November 2022, Local Government NSW declared a Statewide Roads Emergency.

The declaration – and urgent call for the NSW and Federal governments to increase their existing road funding commitments in the wake of the floods – comes on the back of an estimated \$2.5 billion in road damages and a collapse of the local and regional road network.

I call on Murray River Council to show our support for this move and whole-heartedly endorse the Local Government NSW declaration of Statewide Road Emergency.

The declaration has already been publicly supported by our peak regional body, the Country Mayors Association of New South Wales.

As part of the Statewide Roads Emergency, LGA NSW and Country Mayors Association of NSW are calling for:

- An acceleration and significant increase in funding for the \$1.1 billion Fixing Local Roads and Fixing Country Bridges program from the New South Wales Government
- A boost to road 'Block Grant' funding to compensate for the damage to the regional road network from the Federal Government
- New funding to provide councils with plant machinery and skilled workers to expedite road repairs from the Federal Government.

We have faced, and may continue to face, an unprecedented and unrelenting series of natural disasters that has seen residents and business owners cleaning up again and again, people isolated, workers unable to get to work, and students unable to get to training or school.

Add to this our very real and immediate concern for our primary producers.

This latest rain event has hit at a critical time. Winter crops are ready to be harvested and the window for planting summer crops, only lasts a matter of weeks.

Livestock are ready to go to sale.

The local and regional road network is critical-enabling infrastructure. It is absolutely vital to our primary producers, and the key to keeping affordable food on the table across New South Wales and beyond.

Our road network, and the road network of councils across the state, have disastrous damage. We are facing a task that is beyond the reasonable scope of any local government authority. We face an unprecedented disaster that requires an unprecedented response.

We need help. Our community needs help. Other regional and rural communities across the state and beyond need help. We desperately need our leaders to lead.

We need to support our peak bodies in their declaration of Statewide Road Emergency.

This is an emergency, and it is time to seek help, and by supporting this Mayoral Minute you are endorsing that I write to the Prime Minister of Australian Anthony Albanese and the Premier of New South Wales Dominic Perrottet pleading for immediate action.

ATTACHMENTS

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

9.1.1 2022 SCHOOL PRESENTATION FUNCTIONS

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That Councillors determine their attendance at each of the annual presentation functions of the district schools who have requested Councillor attendance (and in some cases to present the Council sponsored award), as detailed in the report.

BACKGROUND

There are nine schools within the Murray River Council area, this includes six public (K-6), one high (7-12) and two K-12. There are also a number of schools in our neighboring local government areas of which students who live in the Council area feed into, including Deniliquin, Echuca, etc. Prior to the Covid-19 pandemic, it was customary for schools to hold annual presentation day/evening where deserving students are acknowledged for various awards, including academic achievement, sporting achievement, community service and encouragement. This year, most schools will be reinstating their presentation functions, however some will be in a different format to past years.

The Council's Economic Development team contacted district schools via email confirming their acceptance that Council would provide a \$100 contribution towards end of year school presentation functions and were asked to email an invoice to Council for payment of same. These funds were allocated as part of the Council's Community Financial Assistance Policy. In addition, the schools were advised that should they require a Councillor to attend their presentation function to present an award, to advise Council's staff accordingly.

DISCUSSION

Of the district schools that Council provides the \$100 contribution towards their end of year school presentation functions, the following have requested Councillor attendance (and in some cases, to present the Council sponsored award) at same:

- Barham High School* – Thursday 15 Dec - 1pm
- Barham Public School* - Thursday 15 Dec - 9:30am
- Bunnaloo Public School* - TBA (please allocate an attendee)
- Deniliquin Christian School – Thursday 8 Dec - 7pm
- Deniliquin High School – Tuesday 13 Dec - 7:30pm
- Deniliquin South Public School – Friday 9 Dec - 12:30pm
- Mathoura Public School* – Tuesday 13 Dec - 7pm
- Moama Anglican Grammar School* – Tuesday 13 Dec - 11:15am & 1:35pm
- Moama Public School* – Monday 12 Dec - 12 noon
- Moulamein Public School* – Friday 16 Dec - 9:30am

- St Michael's Primary School (Deniliquin) – Thursday 8 Dec - 6:30pm
- Tooleybuc Central School* – Monday 12 Dec - 6pm
- Wakool/Burraboi Public School* – Monday 12 Dec - 9am

*School within the Murray River Council area.

STRATEGIC IMPLICATIONS

4. Strategic Theme 4: A place of inclusion, culture & wellbeing

4.8 - Actively promote and resource educational pathways into (working with) Council (retain and attract new people) - Developing future leaders.

BUDGETARY IMPLICATIONS

There is an allocation in the Council's budget for the provision of \$100 to district school's annual presentation functions under the Council's Financial Assistance Policy.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**
No risk
- **How can it happen?**
N/A
- **What are the consequences of the event happening?**
N/A
- **What is the likelihood of the event happening?**
N/A
- **Adequacy of existing controls?**
N/A
- **Treatment options to mitigate the risk?**
N/A

CONCLUSION

Councillors have been asked to attend end of year school presentation functions within our LGA and in neighbouring LGA's where students attend who live within Murray River Council. Councillors may be asked to present an award to a student. Each Councillor will be advised of the function and requirements upon allocation at the Council meeting.

ATTACHMENTS

Nil

9.1.2 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Council receives and notes the status of previous resolutions of Council (in open and closed Council) contained in the Monthly Operation Report including the Resolution Tracker Reports.

BACKGROUND

All resolutions of Council in Open and Closed council, including completed actions within the previous 6 weeks, are now shown in the Monthly Operation Report under their relevant section and responsible person.

In November 2018, Council introduced a software program called InfoCouncil. Resolutions of the Council that require action/s after each Council Meeting are automatically generated in InfoCouncil to the relevant Council officer for their action and comment.

DISCUSSION

The **Resolution Tracker Open Report** and the **Resolution Tracker Closed Action Report** contain 'active' resolutions respectively from open and closed meetings of the Council held since November 2018 that require action by Council's officers. The **Resolution Tracker Completed Actions Report** shows all actions that have been completed in the previous 6 weeks.

Comments for the action are shown in the Monthly Operations Report under each division and allocated responsible person. Resolutions that are reported by Council's officers as complete will drop off the 'active' list.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.6 - Provide clear, concise and consistent information that is easily accessible to our customers - Improve externally provided information and communication.

BUDGETARY IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Nil.

RISK ANALYSIS

- **What can happen?**

Council's officers do not action the resolutions of the Council.

- **How can it happen?**

Resolutions from Council Meetings not being recorded in a systematic fashion.

- **What are the consequences of the event happening?**

Actions, because of the resolutions of the Council, not being completed in a timely manner or at all.

- **What is the likelihood of the event happening?**

Low.

- **Adequacy of existing controls?**

Use of the report and minute system, InfoCouncil, which automatically forwards actions (as a result of the resolutions of the Council) from Council Meetings to the relevant Council officer (report writer) after the completion of the minutes of a Council Meeting. A report can then be generated on the status of incomplete/outstanding actions.

- **Treatment options to mitigate the risk?**

Due diligence undertaken by Council's officers (administration and report writers).

CONCLUSION

The Resolution Tracker and Action Reports are presented to Councillors for information in the Monthly Operation Report.

ATTACHMENTS

Nil

9.1.3 MONTHLY OPERATIONAL REPORT

File Number: -

Author: Susan Briggs, Manager Organisational Development

Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Officer's report on Monthly Operational Report as of October 2022 be received and the information noted by the Council.

DISCUSSION

The Monthly Operating Report is being made available as a Work in Progress. This tool provides clarity and aligns, individual Accountability with our 4 Year Delivery Plan and 1 Year Operational Plan so we can measure and monitor our progress.

This report will replace many of the existing reports and give greater detail of the activities that are currently underway, the active projects and the status of each project. It shows the improvements that are underway that have been highlighted in the CEO's KPI's and the steps, outcomes, and status for each business unit.

Attached are the final documents for your review and discussion.

EXECUTIVE SUMMARY**FLOODS, FLOODS and more FLOODS**

Thank you to all MRC staff who assisted with the on-going flood event. It is during a crisis that we see the best of people and thankfully for MRC we have witnessed some amazing staff dedication, motivation, and commitment to our communities and to each other.

In parts of our LGA the flood risk seems lessening, other areas harder to predict, but the biggest risk is the time it will take to recover (financially, physically, environmentally, socially, and mentally). Work on the recovery commenced in earnest on 9/11/22.

Changes to Murray River Council's capital and operational program will take months to assess and report.

The challenge council immediately faces is related to the management of community frustrations (which are rising daily), managing staff fatigue, communication overload, having to adhere to direction from emergency service agencies (that are often resource strained), and cross border issues.

Community spirit in filling a couple of hundred thousand sandbags (and more) and helping place at effected premises and places, and the compelling effort shown by staff.

Flood Impacts on Service Delivery:

- Business Intelligence – TechnologyOne work postponed during initial flood impacts.
- Mathoura CEO roadshow postponed due to flooding, including CEO endorsement of TechnologyOne project.
- ICT projects (hardware & network) have been delayed. No significant outages were experienced during the flooding event
- Parks & Bio Security service delivery impacted, particularly mowing and spraying services.

- Most corporate services functions continue to proceed.
- Eco Dev, Community Services and Customer Service teams all workloads impacted by Floods
- The HR team were light on staff and stepped away for business as usual to assist with the flood emergency.

Risk- Tree failure hazards during high rainfall and flooding events

Risk-Increased 'Cave in risk' when excavating graves in cemeteries due to sodden ground.

All sporting and recreational activities impacted by record October rainfall.

Waterway and Riverfront Projects have been impacted by the flood. Progress not anticipated until after January 2023.

Echuca-Moama Flood Study has been paused to allow the Consultants and the Project Control Group to review the information captured from the Echuca-Moama October-November 2022 Floods.

Community has been highly engaged over social media during the floods. Councils' Facebook page has been the primary source of truth for the flood event.

Business As Usual

Planning for the 23/24 Budget has commenced. Councillor Briefing schedule will be released soon.

Planning for the 22/23 Financial Statements and Audit has also commenced.

Asset condition assessments and revaluation process will commence in November.

Asset classes scheduled for inspection and revaluation are Flood Mitigation Infrastructure and Transportation Infrastructure.

A survey conducted by Technology One ranked MC in the idealist category, very close to the border of Best in Class.

Vacancies in professional roles such as planners, building surveyors, engineers

Significant change to WHS Document system and processes.

Implementation of a new process to track employees due for increases on time through TechOne.

Staff Reimbursements went live and will now be managed in the TechnologyOne software.

Operations are progressing for the new gatehouse at the Moama Landfill

Barham Landfill is being brought onto Mandalay and has had connectivity upgrades.

Risk when Contractors depart but IT access not addressed.


Utilisation of satellite communications (Starlink) is increasing across the council footprint and adding high speed connectivity options for remote sites.

2022 Campaspe Murray Business Awards dinner held on 12 October, approximately 270 in attendance.

New Tourism Officer commenced to cover Maternity Leave position.

Internal resourcing has caused delays with data migration for the TechnologyOne project and additional resourcing will need to be allocated to keep the project on track for the expected go live in July 2023.

ATTACHMENTS

1. **MOR Final October 2022 (under separate cover)** 

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 DRAFT INFORMATION AND RECORDS MANAGEMENT POLICY

File Number: -
Author: Sandy Paterson, Manager Business Intelligence
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the DRAFT Information and Records Management Policy V#2 be adopted and placed on public display.

BACKGROUND

This Information and Records Management Policy is to ensure the safe custody and proper preservation of Murray River Council records as required by legislation.

As a public authority, Council has obligations under the State Records Act 1998 to maintain recordkeeping compliant with that Act. Council must ensure:

- (a) Records are made;
- (b) Records are accurate;
- (c) Records are authentic; and
- (d) Records have integrity.

Council recognises that records are a vital asset for ongoing operations, providing valuable evidence of business activities and decisions. Poor information management leads to issues with accessibility, ease of use, timeliness and security.

DISCUSSION

The original policy was adopted in September 2017 and has been updated to provide direction for the management of information assets including the creation, capture, management, use and disposal of records. The policy has also been amended to identify staff responsibilities including the Senior Responsible Officer (SRO).

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.7 - Provide clear, concise and consistent information that is easily accessible to our customers - Improve internal services to better support community needs.

BUDGETARY IMPLICATIONS

Although there are no direct budgetary implications, strong information governance ensures information is available when needed which in turns enables fact-based decision making.

POLICY IMPLICATIONS

Information and Records Management should be embedded into all functions of Council including policies.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**
Information is lost or stolen.
- **How can it happen?**
Poor information governance practices.
- **What are the consequences of the event happening?**
Significant
- **What is the likelihood of the event happening?**
Possible to Likely
- **Adequacy of existing controls?**
Adequate
- **Treatment options to mitigate the risk?**
Regular auditing and monitoring to be implemented to ensure compliance across Murray River Council.

CONCLUSION

This policy outlines the mandatory requirements to which Council must adhere, to ensure information assets are appropriately managed.

ATTACHMENTS

1. **DRAFT Information and Records Management Policy v2** [↓](#) 

MURRAY RIVER COUNCIL
OPERATIONAL POLICY

DRAFT
**INFORMATION
&
RECORDS
MANAGEMENT
POLICY**

POL-207.V#2



**INFORMATION & RECORDS MANAGEMENT POLICY****POL-207.V#2****1. INTRODUCTION**

This Information & Records Management Policy (the 'Policy') is to ensure the safe custody and proper preservation of Murray River Council (the 'Council') records as required by legislation.

As a public authority, Council has obligations under the State Records Act 1998 to maintain recordkeeping compliant with that Act. Council must ensure:

- › Records are made;
- › Records are accurate;
- › Records are authentic; and
- › Records have integrity.

2. OBJECTIVES

The purpose of this Policy is to ensure that full and accurate records of all activities and decisions of Council are created, managed, and retained appropriately, and in accordance with relevant legislation. This will enable Council to achieve accountability and ensure that Council employees can easily access information, and the rights and interests of the organisation, its employees, customers, and the community are protected.

3. SCOPE

All Council Officers - employees, contractors, volunteers, and consultants must comply with this Policy and the associated Information and Records Management Business Rules, Procedures and Disposal Procedures in their conduct of official business for Council.

This Policy applies to records in all formats, including electronic records.

4. LEGISLATION

Council is committed to promoting consistency and accountability by managing its records in accordance with the following legislation and regulations:

- › Archives Act 1983 (CTH)
- › Copyright Act 1968 (CTH)
- › Electronic Transactions Act 2000 (NSW)
- › Environmental Planning & Assessment Act 1979 (NSW)
- › Evidence Act 1995 (CTH)
- › Government Information (Public Access) Act 2009 (NSW) (GIPA)
- › Health Records Information Privacy Act 2002 (NSW) (HRIPA)
- › Limitation Act 1969 NSW)
- › Local Government Act 1993 (NSW)
- › Privacy & Personal Information Protection Act 1998 (NSW) (PPIPA)
- › Public Service Act 1999 (CTH)
- › State Records Act 1998 (NSW) (including standards and retention & disposal authorities issued under the Act)
- › Work Health & Safety Act 2011 (NSW & CTH)

5. POLICY STATEMENT

Council is committed to:

- ▶ Meeting its responsibilities under the [State Records Act 1998](#) and relevant standards;
- ▶ Implementing best practice in its information and records management system;
- ▶ Continuing to utilise an effective Recordkeeping system as its electronic document record management system (EDRMS); and
- ▶ Ensuring that recordkeeping systems used will support records that are full and accurate, authentic, accessible, reliable and useable and which are secure against unauthorised alteration and destruction.

Council recognises that records are a vital asset for ongoing operations, providing valuable evidence of business activities and decisions.

5.1 Information management / Recordkeeping systems

The management of records is an essential part of any organisation, and a well organised record system not only provides a capable and cost effective service for the general public, but also provides an effective and efficient workflow system for employees. Good record management practices are vital for the ongoing day-to-day Council business activities and for internal and public accountability.

Council records are both electronic and paper and they need to fully support Council's business activities, accountability and cultural and historical heritage. Council uses an EDRMS for storage of electronic records. The EDRMS is used to manage the registration, tracking, retrieval, workflow, security, storage and archiving of Council's files and documents.

A comprehensive Information and Records Management Program is being developed to ensure that Council follows sound procedures for the creation, maintenance, retention and disposal of records and meets its legislative responsibilities in respect to information and records management.

Council's record management is concerned with:

- ▶ Managing records from the time they are created, for as long as they are required;
- ▶ Designing and managing systems to ensure that records are authentic and reliable;
- ▶ Providing a service to meet the needs and protect the interests of the organisation, its employees, and its clients;
- ▶ Capturing complete, accurate, reliable, and useable documentation to meet accountability requirements; and
- ▶ Managing records as an asset and information resource.

The major activities within Council's record management are detailed in the [Information Management Business Rules](#) document and can be summarised as follows:

5.1.1 The capture of records

Ensuring that all activities that need to be documented are captured as records and stored physically or electronically, regardless of their format. These records must be accurate and authentic with procedures in place to ensure their integrity.

5.1.2 Control and accessibility of records

Establishing physical and intellectual control over records once they have been created to ensure that they can be easily found, retrieved and used and ensuring that records are easily accessible to users within and outside the organisation.

Unauthorised access, alteration, deletion or destruction of records is forbidden.

5.1.3 Appraisal and disposal of records

Ensuring that record disposal is carried out systematically and in a controlled manner in accordance with Council's disposal procedures, in conjunction with General Retention and Disposal Authority for Local Government Records GA39, NAP (Normal Administrative Practice) and General Retention and Disposal Authority for imaged records GA36.

5.1.4 Maintenance of records

Ensuring that records are protected, preserved, housed appropriately and managed for as long as they are required, including maintaining the authenticity and integrity of records and restricting access to confidential files.

5.2 Depository for corporate records

The EDRMS is Council's main depository for corporate records, however, it is not the only depository. Other areas of Council's corporate records include:

- ▶ Technology One, Civica Authority, GIS, MapInfo, IntraMaps and other software programs
- ▶ On-site hardcopy records including legal documents, development applications, maps and plans, and personnel records
- ▶ Records storage shed houses archived old general files and records awaiting disposal
- ▶ Off-site State Records housed at Wagga Wagga Storage Repository and old personnel files awaiting disposal.

Adherence to Council's Record Management Program will ensure that all record obligations are met. The Information and Records Management Program has been designed to support the principles of State Records Standard No. 12, namely:

- ▶ Is directed by policy;
- ▶ Is planned;
- ▶ Is staffed with skilled people;
- ▶ Is implemented; and
- ▶ Is monitored and reviewed.

6. RESPONSIBILITIES

This Policy applies to all Council employees engaged in any business and administrative functions for Council (regardless of physical location), including Councillors.

Position	Responsibility
Chief Executive Officer	<p>Ensures that Council complies with:</p> <ul style="list-style-type: none"> ▶ the requirements of the State Records Act 1998 and the standards and requirements issued under the Act. ▶ other legislation relating to information and records management and recordkeeping.
Director Corporate Services	<ul style="list-style-type: none"> ▶ Ensures that information and records management is adequately resourced. ▶ Represents information and records management interests at the Management Executive (ELT) level. ▶ Ensures Council's compliance with the <i>State Records Act 1998</i> and the standards and requirements issued under the Act. ▶ Is the Senior Responsible Officer (SRO) within the organisation



INFORMATION & RECORDS MANAGEMENT POLICY

POL-207.V#2

	<p>who has been assigned strategic and managerial responsibility for records and information management. The SRO is responsible for ensuring that records and information management is in place and operating effectively to support business operations.</p>
<p>Records Team Leader</p>	<ul style="list-style-type: none"> ▶ Ensures that Council protects State Records in its control and maintain accessibility to equipment/technology dependent records and assist with providing an effective disaster recovery plan to protect Council's vital records. ▶ Responsible for the review of Council's Record Management Program annually, or as required by the introduction of, or changes in, legislation, technology and regulations. ▶ Operationally responsible for the efficient management of Council records (physical and electronic) incorporating sound record keeping principles and information and records management best practice guidelines. ▶ Identifies Council's vital records – creating and maintaining a register of such records. ▶ Provides assistance to Council employees in fulfilling their record keeping responsibilities and to provide advice and training as an ongoing process. The Records Team Leader is responsible for the training of all new employees and to ensure that follow-up training is given to all employees as needed.

DRAFT

Managers and Staff	<ul style="list-style-type: none"> › Managers and staff, as public sector employees, need to be aware of record keeping requirements that affect the performance of their duties and maintain confidentiality of Council records, where appropriate. › Have responsibilities to report and capture corporate memory. Staff that are allocated a EDRMS user profile are expected to comply with Council's <i>Information Management Business Rules</i>. In particular, they are expected to be able to: <ul style="list-style-type: none"> ▪ manage their 'In or Due Tray'; ▪ register corporate record documents (paper or electronic) that they receive into the recordkeeping systems; ▪ workflow a document to another staff member; ▪ effectively search for information in EDRMS; ▪ make records to support the conduct of their business activities; ▪ learn how and where records are kept within Council; ▪ not destroy Council records without authority from the Records Officer; ▪ not lose records or transfer possession or ownership of records; ▪ be aware of record management procedures ▪ files must be returned to the Records Officer as soon as action on the file is completed; ▪ must not alter or damage a State Record; and ▪ must use naming conventions as per Council's <u>Information Management Business Rules</u>.
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7. EVALUATION AND REVIEW

It is the responsibility of the Records Team Leader, in conjunction with the Senior Responsible Officer, to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

8. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS

- › Public Sector - Code of Ethics and Conduct
- › NSW Ombudsman - Good Conduct & Administration Practice: Guidelines for Public Authorities & Officials
- › NSW State Records - Guideline 3 – Destruction of records
- › AIIM (Association for Information & Image Management) - Approach to Information Governance ARMA International (2009)
- › Australian Standard ISO 15489 - Information & Records Management
- › Australian Standard ISO 16175 - Digital Information & Records Management Systems
- › Australian Standard ISO 23081 - Metadata for Records
- › MRC Policy - Code of Conduct (POL100)

- › MRC Policy - Information Security Policy (To be Adopted)
- › MRC Policy - Privacy Management Plan (POL206)
- › MRC Framework - Information Governance Framework
- › MRC Plan - Information & Records Management Strategic Plan (To be Adopted)
- › MRC Procedure - Information Management Business Rules
- › MRC Procedure - Security & Access Procedures
- › MRC Procedure - Archiving & Disposal Procedures

Definitions

Term	Definition
Council Officer	<p>An officer is defined as being one of the following:</p> <ul style="list-style-type: none"> ▶ An employee, or ▶ A contractor or subcontractor, or ▶ An employee of a contractor or subcontractor, or ▶ An employee of a labour hire company who has been assigned to work in the person's business or undertaking, or ▶ An outworker, or ▶ An apprentice or trainee, or ▶ A student gaining work experience, or ▶ A volunteer

9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	15 Sept 2017 to DRAFT	VF/17/102820	N/A
2	Reviewed	DRAFT	VF/17/102820	N/A
This policy was adopted by the Chief Executive Officer, Terry Dodds			Date:	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in before 2026

NOTE:

This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Council's Electronic Document system. Printed or downloaded versions of this document are uncontrolled.

DISCLAIMER:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

9.2.2 CODE OF CONDUCT (COUNCILLORS) POLICY V#4 - FINAL ADOPTION

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That:

1. The Code of Conduct (Councillors) Policy V#4 be adopted and placed in the Policy Register.
2. Previous versions of the Code of Conduct Policy be rescinded.

DISCUSSION

The DRAFT Code of Conduct (Councillors) Policy V#4 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.


Under Section 380 of the Local Government Act 1993 (NSW), Council must review their adopted codes of conduct within 12 months of the election and make such adjustments as they consider appropriate.

Council must adopt a Code of Conduct Policy or series of Code of Conduct Policies that incorporates the provisions of the Model Code of Conduct prescribed by the Regulation.

Council's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, the Code or Codes may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. **Code of Conduct (Councillors) Policy V#4 (under separate cover)** 

9.2.3 CODE OF CONDUCT (EMPLOYEES) POLICY V#4 - FINAL ADOPTION

File Number: -
Author: Sandra Gordon, Manager Governance & Risk
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the Code of Conduct (Employees) Policy V#4 be adopted and placed in the Policy Register.

DISCUSSION

The DRAFT Code of Conduct (Employees) Policy V#4 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.


Under Section 380 of the Local Government Act 1993 (NSW), Council must review their adopted codes of conduct within 12 months of the election and make such adjustments as they consider appropriate.

Council must adopt a Code of Conduct Policy or series of Code of Conduct Policies that incorporates the provisions of the Model Code of Conduct prescribed by the Regulation.

Council's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, the Code or Codes may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. **Code of Conduct (Employees) Policy V#4 (under separate cover)** 

9.2.4 CODE OF CONDUCT (COMMITTEES) POLICY V#4 - FINAL ADOPTION

File Number: -
Author: Sandra Gordon, Manager Governance & Risk
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the Code of Conduct (Committees) Policy V#4 be adopted and placed in the Policy Register.

DISCUSSION

The DRAFT Code of Conduct (Committees) Policy V#4 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.

Under Section 380 of the Local Government Act 1993 (NSW), Council must review their adopted codes of conduct within 12 months of the election and make such adjustments as they consider appropriate.

Council must adopt a Code of Conduct Policy or series of Code of Conduct Policies that incorporates the provisions of the Model Code of Conduct prescribed by the Regulation.

Council's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, the Code or Codes may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. **Code of Conduct (Committees) Policy (under separate cover)** 

9.2.5 CYBER SECURITY POLICY V#1 - FINAL ADOPTION

File Number: -
Author: Sandra Gordon, Manager Governance & Risk
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the Cyber Security Policy V#1 be adopted and placed in the Policy Register.

DISCUSSION

The DRAFT Cyber Security Policy V#1 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.

Strong cyber security is an important component in enabling the effective use of emerging technologies and ensuring confidence in the services provided by Murray River Council.

Cyber security covers all measures used to protect systems –and information processed, stored or communicated on these systems – from compromise of confidentiality, integrity and availability.

Cyber security is becoming more important as cyber risks continue to evolve. There have also been rapid technological change resulting in increased cyber connectivity and more dependency on cyber infrastructure.

This Policy applies to:

- ▶ Information, data and digital assets created and managed by Murray River Council, including outsourced information, data and digital assets;
- ▶ Information and communications technology (ICT) systems; and
- ▶ All devices that handle government or citizen data or provide critical Council services.

Council has received one (1) internal submission during the period of public display. Additional information has been included and shown in RED text.

ATTACHMENTS

1. **Cyber Security Policy V#1** [↓](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

**CYBER
SECURITY
POLICY**

POL-213.V#1

Based on the NSW Government – Customer Service Department – NSW Cyber Security Policy V#4



1. INTRODUCTION

Strong cyber security is an important component in enabling the effective use of emerging technologies and ensuring confidence in the services provided by Murray River Council.

Cyber security covers all measures used to protect systems – and information processed, stored or communicated on these systems – from compromise of confidentiality, integrity and availability.

Cyber security is becoming more important as cyber risks continue to evolve. There have also been rapid technological change resulting in increased cyber connectivity and more dependency on cyber infrastructure.

2. OBJECTIVES

Murray River Council's Cyber Security Policy endeavours to strengthen cyber security governance, identify Council's most valuable or operationally vital systems or information, strengthen cyber security controls, develop a cyber security culture and have a thorough cyber incident response.

Council has developed an effective cyber security framework and embedded cyber security into risk management practices and assurance processes.

When cyber security risk management is done well, it reinforces organisational resilience, making entities aware of their risks and helps them make informed decisions in managing those risks.

The Framework will be complemented with meaningful training, communications and support across all levels of Council.

This policy outlines the mandatory requirements to which Council must adhere, to ensure cyber security risks to their information and systems are appropriately managed.

3. SCOPE

This Policy applies to all functions and business units of Murray River Council and to all Council Officials.

This Policy applies to:

- › Information, data and digital assets created and managed by Murray River Council, including outsourced information, data and digital assets;
- › Information and communications technology (ICT) systems; and
- › All devices that handle government or citizen data or provide critical Council services.

4. LEGISLATION

- › Government information (Public Access) Act 2009;
- › Health Records and Information Privacy Act 2002 (NSW)
- › Local Government Act 1993 (NSW);
- › Privacy and Personal Information Protection Act 1998 (NSW);
- › State Records Act 1998

5. POLICY STATEMENT

This Policy specifies the mandatory requirements that must be implemented.

Council must continually improve their cyber security program.

The maturity of this Policy should be approached through risk-based decision making to prioritise higher risks.

Council must consider Cyber Security under five criteria. These are shown below

1. LEAD

1	Council must implement cyber security planning and governance.
1.1	Allocate roles and responsibilities as detailed in this Policy.
1.2	Ensure that the Executive Leadership Team is accountable for cyber security including risks, plans and meeting the requirements of this Policy. Council needs to consider governance of ICT systems to ensure no gaps in cyber security related to items such as video surveillance, alarms, life safety and building management systems that use automated or remotely controlled or monitored assets including industrial devices.
1.3	Develop, implement and maintain an approved cyber security plan that is integrated with Council's business continuity arrangements. This must include consideration of cyber security threats, risks and vulnerabilities that impact the protection of Council's information, ICT assets and services.
1.4	Include cyber security in their risk management framework and consider cybersecurity threats when performing risk assessments.
1.5	Be accountable for the cyber risks of ICT service providers and ensure the providers understand and comply with the cyber security requirements of the contract including the applicable parts of this Policy and any other relevant security policies. This must include providers notifying Council quickly of any suspected or actual security incidents and following reasonable direction from Council arising from incident investigations.

2. PREPARE

2	Council must build and support a cyber security culture across the organisation:.
2.1	Implement regular cyber security awareness training for all employees, contractors and outsourced ICT service providers.
2.2	Increase awareness of cyber security risk across all staff including the need to report cyber security risks.
2.3	Foster a culture where cyber security risk management is an important and valued aspect of decision-making and where cyber security risk management processes are understood and applied.
2.4	Ensure that people who have access to sensitive or classified information or systems and those with privileged system access have appropriate security screening, and that access is removed when they no longer need to have access, or their employment is terminated.
2.5	Share information on security threats and intelligence with Cyber Security NSW to enable management of cyber risk.

3. PREVENT

3	Council must manage cyber security risks to safeguard and secure their information and systems.
3.1	Implement a Cyber Security Framework (CSF), with scope at least covering systems identified as Council's most valuable or operationally vital systems or information.
3.2	Implement the ACSC Essential 8
3.3	Classify information and systems according to their business value (i.e. the impact of loss of confidentiality, integrity or availability), adhere to the requirements of the <u>NSW Government Information Classification Labelling and Handling Guidelines</u> and <ul style="list-style-type: none"> ▸ assign overall responsibility for information asset protection and ownership ▸ implement controls according to their classification and relevant laws and regulations
3.4	Ensure cyber security requirements are built into procurements and into the early stages of projects and the system development life cycle (SDLC), including agile projects. Any upgrades to existing systems must incorporate appropriate controls to ensure the solution remains within the organisation's cyber risk tolerance.
3.5	Ensure new ICT systems or enhancements include processes for audit trails and activity logging to assess the accuracy and integrity of data including processes for internal fraud detection.

4. DETECT, RESPOND AND RECOVER

4	Council must improve their resilience including their ability to rapidly detect cyber incidents and respond appropriately.
4.1	Have a current cyber incident response plan that integrates with Council's incident management process.
4.2	Test the cyber incident response plan at least every year and report the findings to the Executive Leadership Team.
4.3	Deploy monitoring processes and tools to allow for adequate incident identification and response. Ensure monitoring and scanning actions from advisories and alerts issued by Cyber Security NSW and/or clusters are undertaken in the advised time period.
4.4	Report cyber security incidents in accordance with the Cyber Security Response Plan.
4.5	Participate in cyber security exercises as required.

5. REPORT

5	Council must report against the requirements outlined in this policy and other cyber security measures for the previous financial year.
5.1	Report their compliance with the mandatory requirements in this Policy
5.2	Report their maturity against the ACSC Essential 8.
5.3	Report Council's cyber security risks with a residual rating of high or extreme.
5.4	Report Council's most valuable or operationally vital systems or information.
5.5	Report in Council's Annual Report

6. ROLES AND RESPONSIBILITIES

Technology and Digital Services

The Manager of Technology and Digital Services is responsible for:

- › Acting as a focal point within their agency for all matters related to information management that are required to support cyber security
- › Ensuring that a cyber incident that involves information damage or loss is escalated and reported to the appropriate information management response team in your agency

Internal Audit, Risk & Improvement Committee (ARIC)

Internal Audit, Risk & Improvement Committee are responsible for:

- › Validating that the cyber security plan meets Council's business goals and objectives and ensuring the plan supports Council's cyber security strategy;
- › Regularly reviewing Council's adherence to this policy and cyber security controls
- › Providing assurance regarding the effectiveness of cyber security controls

Risk

Council's Manager Governance & Risk is responsible for:

- › Assisting to ensure the risk framework is applied in assessing cyber security risks and withsetting of risk appetite
- › Assisting in analysing cyber security risks
- › Ensuring the cyber risk frameworks fit into the Enterprise Risk framework

3rd party ICT providers

Council is responsible for managing cyber security requirements including contract clauses as well as monitoring and enforcement for 3rd party ICT providers.

Council will ensure vendors have the following in place to protect outsourced government systems:

- › Requirement 1.5:
The ICT provider has a process that is followed to notify the agency quickly of any suspected or actual security incidents and follows reasonable direction from the agency arising from incident investigations (noting this will vary based on risk profile and risk appetite).
- › Requirement 2.1:
The ICT provider ensures that their staff understand and implement the cyber security requirements of the contract.
- › Requirement 3.1:
The most valuable or operationally vital systems or information at Council must be covered in the Cyber Security framework
- › Requirement 3.4:
Cyber Security requirements are built into the early stages of projects and the system development life cycle (SDLC) including agile projects.
- › Requirement 3.5:
Ensure new ICT systems or enhancements include processes for audit trails and activity logging to assess the accuracy and integrity of data, including processes for internal fraud detection.

This does not prevent other contractual obligations being imposed.

7. EVALUATION AND REVIEW

It is the responsibility of the Manager – Technology & Digital Services to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed considering emerging cyber security threats, whichever comes first.

8. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

Associated Documents - External

- › Department of Home Affairs - Cyber Security Strategy - 2020
- › NSW State Archives & Records - Using cloud computing services: Implications for Information and Records Management - 2015
- › NSW Audit Office - Detecting and responding to cyber security incidents
- › Digital.NSW - Managing data and information, 2013
- › Relevant Australian and international standards

Associated Documents - Internal

- › **MRC Policy - Information Security Policy (to be adopted)**
- › **MRC Framework - Information Governance Framework**
- › **MRC Strategy - Information & Records Management Strategy (to be adopted)**
- › **MRC Procedure – Security & Access Controls**

Definitions:

Item	Definition
Access Control	The process of granting or denying requests for access to systems, applications and information. Can also refer to the process of granting ordenyng requests for access to facilities
Application Whitelisting	An approach in which only an explicitly defined set of applications are permitted to execute on a system
Audit Log	A chronological record of system activities including records of system access and operations performed
Audit Trail	A chronological record that reconstructs the sequence of activities surrounding, or leading to, a specific operation, procedure or event
Authentication	Verifying the identity of a user, process or device as a prerequisite to allowing access to resources in a system
Authorisation	The process of defining or verifying permission for a specific identity or device to access or use resources in a system
Business Continuity Plan	A business continuity plan is a document that outlines how an organisation can ensure it's critical business functions will either continue to operate despite serious incidents or disasters that might otherwise have interrupted them, or will be recovered to an operational state within a reasonably short period.
Breach (data)	An incident that results in unauthorised access to, modification or disruption of data, applications, services, networks and/or devices by bypassing their underlying security mechanisms
Breach (security)	When data is lost or subjected to unauthorised access, modification, disclosure, or other misuse or interference. Also referred to as a 'Data Spill'
Classification	The categorisation of systems and information according to the expected impact if it was to be compromised
Critical infrastructure	Those physical facilities, supply chains, information technologies and communication networks which, if destroyed, degraded or rendered unavailable for an extended period, would significantly impact the social or economic wellbeing of the nation or affect Australia's ability to conduct national defence and ensure national security. (Security of Critical Infrastructure Act 2018)
CSF	Cyber Security Framework
CSMS	A Cyber Security Management System is a management system focusedon cyber security of control systems rather than information.
Cyber attack	A deliberate act through cyberspace to manipulate, disrupt, deny, degrade or destroy computers or networks, or the information resident on them, with the effect of seriously compromising national security, stability or economic prosperity

Cyber crime	Crimes directed at computers, such as illegally modifying electronic data or seeking a ransom to unlock a computer affected by malicious software. It also includes crimes where computers facilitate an existing offence, such as online fraud or online child sex offences
Cyber crisis	Major disruptions to services and operations, with genuine risks to critical infrastructure and services, with risks to the safety of citizens and businesses. Intense media interest, large demands on resources and critical services.
Cyber event	An identified occurrence of a system, service or network state indicating a possible breach of security policy or failure of safeguards
Cyber incident	An occurrence or activity that may threaten the confidentiality, integrity or availability of a system or the information stored, processed or communicated by it
Cyber Incident Response Plan	A plan for responding to cyber security incidents
Cyber security	Measures used to protect the confidentiality, integrity and availability of systems and information
Disaster Recovery Plan	Outlines an organisation's recovery strategy for how they are going to respond to a disaster
Essential Eight	The Essential Eight are eight essential mitigation strategies that organisations are recommended to implement as a baseline to make it much harder for adversaries to compromise systems
Full Backup	Full restoration of backups is tested at least once when initially implemented and each time fundamental information technology infrastructure changes occur
ICT	Information and Communications Technology, also referred to as Information Technology (IT), includes software, hardware, network, infrastructure, devices and systems that enable the digital use and management of information and the interaction between people in a digital environment.
ISMS	An Information Security Management System "consists of the policies, procedures, guidelines, and associated resources and activities, collectively managed by an organisation, in the pursuit of protecting its information assets. An ISMS is a systematic approach for establishing, implementing, operating, monitoring, reviewing, maintaining and improving an organisation's information security to achieve business objectives".
Incident Response Plan	A plan for responding to cyber security incidents
Information security	The protection of information and information systems from unauthorised access, use, disclosure, disruption, modification or destruction in order to provide confidentiality, integrity and availability
IoT	The network of physical objects, devices, vehicles, buildings and other items which are embedded with electronics, software, sensors, and network connectivity, which enables these objects to connect to the internet and collect and exchange data
Macro	An instruction that causes the execution of a predefined sequence of instructions

Multi-factor authentication	A method of computer access control in which a user is granted access only after successfully presenting several separate pieces of evidence to an authentication mechanism – typically at least two of the following categories: knowledge (something they know), possession (something they have), and inherence (something they are)
Partial Backup	A partial restoration would be anything less than a full restoration. The expectation would be any at least any chosen file or database
Patching	The action of updating, fixing, or improving a computer program
Position of Trust	A position that involves duties that require a higher level of assurance than that provided by normal employment screening. In some organisations additional screening may be required Positions of trust can include, but are not limited to, an organisation's Chief Information Security Officer and their delegates, administrators or privileged users
Privileged User	A user who can alter or circumvent a system's security measures. This can also apply to users who could have only limited privileges, such as software developers, who can still bypass security measures A privileged user can have the capability to modify system configurations, account privileges, audit logs, data files or applications
Red Team	Ethical hackers that provide penetration testing to ensure the security of an organisation's information systems
Remote Access	Access to a system that originates from outside an organisation's network and enters the network through a gateway, including over the internet
Risk appetite	"Amount and type of risk that an organisation is willing to pursue or retain." (ISO/Guide 73:2009)
Risk tolerance	"Organisation's or stakeholder's readiness to bear the risk, after risk treatment, in order to achieve its objectives." (ISO/Guide 73:2009)
Significant cyber incident	Significant impact to services, information, assets, NSW Government reputation, relationships and disruption to activities of NSW business and/or citizens. Multiple NSW Government agencies, their operations and/or services impacted. May involve a series of incidents having cumulative impacts.
Supply Chain	Supply chain is a system of organisations, people, activities, information, and resources involved in supplying a product or service to a consumer
Systems	Software, hardware, data, communications, networks and includes specialised systems such as industrial and automation control systems, telephone switching and PABX systems, building management systems and internet connected devices
Whitelisting	Authorising only approved applications for use within organisations in order to protect systems from potentially harmful applications

9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	22 Nov 2022 to	VF/22/2433	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in or before 2026

NOTE:

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9.2.6 CODE OF MEETING PRACTICE POLICY V#5 - FINAL ADOPTION

File Number: -
Author: Sandra Gordon, Manager Governance & Risk
Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That

1. The Code of Meeting Practice Policy V#5 be adopted and placed in the Policy Register; and
2. Previous Code of Meeting Practice Policies be rescinded.

DISCUSSION

The DRAFT Code of Meeting Practice Policy V#5 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.

Under Section 360 of the Local Government Act 1993 (NSW), Council must adopt a Code of Meeting Practice Policy that incorporates the mandatory provisions of the Model Code of Meeting Practice for Local Councils in NSW 2021 (Model Meeting Code) prescribed by the Regulation, within 12 months of the election.

Council's adopted Code of Meeting Practice Policy must not contain provisions that are inconsistent with the mandatory provisions of the Model Meeting Code. However, they may incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. Code of Meeting Practice Policy V#5 (under separate cover) 

9.2.7 COUNCILLORS EXPENSES AND FACILITIES POLICY V#4 - FINAL ADOPTION

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That:

1. The Councillors Expenses and Facilities Policy V#4 be adopted and placed in the Policy Register; and
2. Previous Councillors Expenses and Facilities Policies be rescinded.

DISCUSSION

The DRAFT Councillors Expenses and Facilities Policy V#4 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.

Under Section 252 of the Local Government Act 1993 (the Act), within the first 12 months of each term of a Council, the Council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor and the other Councillors, in relation to discharging the functions of civic office.

The Murray River Council Councillor Expenses and Facilities Policy (Version #4) has been prepared in accordance with the Local Government Act 1993 (the "Act") and Local Government (General) Regulation 2021 (the "Regulation"), and complies with the Office of Local Government's Councillor Expenses and Facilities Policy – Suggested Template

The Policy sets out the maximum amounts Council will pay for specific expenses and facilities. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

The objectives of the Policy are to:

- ▶ Enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties
- ▶ Enable facilities of a reasonable and appropriate standard are to be provided to Councillors to support them in undertaking their civic duties;
- ▶ Ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
- ▶ Ensure facilities and expenses provided to Councillors meet community expectations;
- ▶ Support a diversity of representation; and
- ▶ Fulfil Council's statutory responsibilities.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. **Councillor Expenses and Facilities Policy V#4** [↓](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

**COUNCILLOR
EXPENSES
AND
FACILITIES
POLICY**

POL-103.V#4



COUNCILLOR EXPENSES AND FACILITIES POLICY

POL-103.V#4

1. INTRODUCTION

This Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties.

It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations. Councillors must not obtain private or political benefit from any expense or facility provided under this Policy.

The Policy has been prepared in accordance with the Local Government Act 1993 (the 'Act') and the Local Government (General) Regulation 2021 (the 'Regulation') and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

The Policy sets out the maximum amounts Murray River Council (the 'Council') will pay for specific expenses and facilities. Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

The main expenses and facilities are summarized in the table below. All monetary amounts are exclusive of GST.

Expenses	Maximum amount	Frequency
General travel expenses	\$10,000 per Councillor, additional allowance of \$2,500 for the Mayor	Per year
Interstate, overseas and long distance intrastate travel expenses (incl. airfares)	\$25,000 total for all Councillors	Per year
Accommodation and meals	As per the <u>NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009</u> – Items 1,2 & 3 adjusted annually	Per meal/night
Professional development	\$5,000 per Councillor	Per year
Conferences and seminars	\$20,000 total for all Councillors	Per year
ICT expenses	\$3,000 per Councillor	Per term
Carer expenses	\$1,000 per Councillor	Per year
Home office expenses	\$500 per Councillor	Per year
Council vehicle and fuel card	Provided to the Mayor	Per term
Furnished office	Provided to the Mayor	Ongoing
Uniform/Clothing allowance	\$200 per returning Councillor \$600 per newly elected Councillors for the first year of Office.	Per year
Facility	Maximum amount	Frequency
Access to a meeting room	Provided to all Councillors	As required
Council vehicle and fuel card	Provided to the Mayor	Ongoing
Corporate Credit Card	Provided to the Mayor	Ongoing
Furnished office	Provided to the Mayor	Ongoing
Administrative support	Provided to all Councillors	As required

2. PURPOSE

The objectives of this Policy are to:

- ▶ enable the reasonable and appropriate reimbursement of expenses incurred by Councillors while undertaking their civic duties;
- ▶ enable facilities of a reasonable and appropriate standard to be provided to Councillors to support them in undertaking their civic duties;
- ▶ ensure accountability and transparency in reimbursement of expenses and provision of facilities to Councillors;
- ▶ ensure facilities and expenses provided to Councillors meet community expectations;
- ▶ support a diversity of representation; and
- ▶ fulfil the Council's statutory responsibilities.

3. SCOPE

This Policy applies to all Councillors of Murray River Council.

4. LEGISLATION

- ▶ Local Government Act 1993 (specifically Sections 252, 253 and 382)
- ▶ Local Government (General) Regulation 2021 – (specifically Sections 217 and 403)

5. POLICY STATEMENT

The provision of expenses and facilities enables Councillors to fulfil their civic duties as the elected representative of the Council.

The community is entitled to know the extent of expenses paid to Councillors, as well as the facilities provided.

The purpose of this Policy is to clearly state the facilities and support that are available to Councillors to assist them in fulfilling their civic duties.

Council employees are empowered to question or refuse a request for payment from a Councillor when it is not in accord with this Policy.

Expenses and facilities provided by this Policy are in addition to the **monthly** fees and superannuation paid to Councillors.

Councillor's fees are adopted annually by resolution of Council, they are determined by applying the Local Government Remuneration Tribunal - Annual Report and Determination and in accordance with Section 241 of the Act.

Additional costs incurred by a Councillor in excess of these limits are considered a personal expense that is the responsibility of the Councillor.

Councillors must provide claims for reimbursement, including supporting documentation (eg receipts and/or tax invoice), within three (3) months of an expense being incurred. Claims made after this time cannot be approved.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six (6) months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

6. PRINCIPLES

Council commits to the following principles:

- ▶ **Proper conduct:**
Councillors and staff acting lawfully and honestly, exercising care and diligence in carrying out their functions.
- ▶ **Reasonable expenses:**
Providing for Councillors to be reimbursed for expenses reasonably incurred as part of their role as Councillor.
- ▶ **Participation and access:**
Enabling people from diverse backgrounds, underrepresented groups, those in carer roles and those with special needs to serve as a Councillor.
- ▶ **Equity:**
There must be equitable access to expenses and facilities for all Councillors.
- ▶ **Appropriate use of resources:**
Providing clear direction on the appropriate use of Council resources in accordance with legal requirements and community expectations.
- ▶ **Accountability and transparency:**
Clearly stating and reporting on the expenses and facilities provided to Councillors

7. PRIVATE AND POLITICAL BENEFIT

Councillors must not obtain private or political benefit from any expense or facility provided under this Policy, ie Council equipment or facilities cannot be used to provide a political benefit.

Incidental and irregular use of Council equipment and facilities may occur from time to time. Council will not be required to be repaid for such incidental use.

Councillors should avoid obtaining any greater private benefit from Council than an incidental benefit. Where there are unavoidable circumstances and more substantial private use of Council facilities does occur, Councillors must reimburse Council.

Campaigns for re-election are considered to be a political benefit. The following are examples of what is considered to be a political interest during a re-election campaign:

- ▶ production of election material;
- ▶ use of Council resources and equipment for campaigning;
- ▶ use of official Council letterhead, publications, websites or services for political benefit; and
- ▶ fundraising activities of political parties or individuals, including political fundraising events.

PART A: EXPENSES

All expenses provided under this Policy will be for a purpose specific to the functions of holding civic office. Allowances for general expenses are not permitted under this Policy.

Expenses not explicitly addressed in this Policy will not be paid or reimbursed.

8. SPECIFIC EXPENSES**8.1 GENERAL TRAVEL ARRANGEMENTS AND EXPENSES**

All travel by Councillors should be undertaken using the most direct route and the most practicable and economical mode of transport.

Each Councillor may be reimbursed up to a total of \$10,000 per year, and the Mayor may be reimbursed an additional amount of up to \$2,500 per year, for travel expenses incurred while undertaking official business, professional development or attending approved conferences and seminars within NSW.

This includes reimbursement:

- ▶ for public transport fares;
- ▶ for the use of a private vehicle or hire car;
- ▶ for parking costs for Council and other meetings;
- ▶ for tolls;
- ▶ by Cab Charge card or equivalent; and
- ▶ for documented ride-share programs, such as Uber, where tax invoices can be issued.

Allowances for the use of a private vehicle will be reimbursed by kilometre at the rate contained in the current Local Government (State) Award.

Councillors seeking to be reimbursed for use of a private vehicle must keep a log book recording the date, distance and purpose of travel being claimed. Copies of the relevant log book contents must be provided with the claim.

8.2 INTERSTATE, OVERSEAS AND LONG DISTANCE INTRASTATE TRAVEL EXPENSES

Given Council's location on an interstate border, travel to Victoria will be considered as general travel. Arrangements and expenses for this travel will be governed by Clause 8.1 above.

Council will scrutinise the value and need for Councillors to undertake overseas travel. Councils should avoid interstate, overseas and long-distance intrastate trips unless direct and tangible benefits can be established for the Council and the local community. This includes travel to sister and friendship cities.

Total interstate, overseas and long-distance intrastate travel expenses for all Councillors will be capped at a maximum of \$25,000 per year. This amount will be set aside in Council's annual budget.

Councillors seeking approval for any interstate and long-distance intrastate travel must submit a case to, and obtain the approval of, the Council and/or CEO prior to travel.

Councillors seeking approval for any overseas travel must submit a case to, and obtain the approval of, a full Council meeting prior to travel.

The case should include:

- ▶ objectives to be achieved in travel, including an explanation of how the travel aligns with current Council priorities and business, the community benefits which will accrue as a result and its relevance to the exercise of the Councillor's civic duties;
- ▶ who is to take part in the travel;

- › duration and itinerary of travel; and
- › a detailed budget including a statement of any amounts expected to be reimbursed by the participant/s.

For interstate and long-distance intrastate journeys by air, the class of air travel is to be economy.

If a Councillor wishes to upgrade the class of air travel, it will be at the Councillor's personal expense.

For international travel, the class of air travel is to be premium economy, if available. Otherwise, the class of travel is to be economy.

Bookings for approved air travel are to be made through the CEO's office and through Council's corporate account.

Councillors should not benefit from any frequent flyer program linked to airlines when air travel is booked privately and reimbursed by Council. Wherever possible, any accrued points should be transferred back to Council.

8.3 TRAVEL EXPENSES NOT PAID BY COUNCIL

Council will not pay any traffic or parking fines or administrative charges for road toll accounts received when travelling on Council business.

Councillors may seek special consideration in exceptional circumstances and considered on a case-by-case basis.

8.4 ACCOMMODATION AND MEALS

In circumstances where it would introduce undue risk for a Councillor to travel to or from official business in the late evening or early morning, reimbursement of costs for accommodation and meals on the night before or after the meeting may be approved by the CEO. This includes where travel from home would involve travel before 7:00 am or travel to home would involve travel after 6:00 pm and the Councillor lives more than 50 kilometres from the meeting location.

Council will reimburse costs for accommodation and meals while Councillors are undertaking prior approved travel or professional development more than 200 kilometres outside the Murray River Council geographic area.

The daily limits for accommodation and meal expenses within Australia are to be consistent with those set out in Part B Monetary Rates of the NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009 – Items 1,2 and 3, as adjusted annually.

The daily limits for accommodation and meal expenses outside Australia are to be determined in advance by the CEO and approved by the Council.

Councillors will not be reimbursed for alcoholic beverages.

8.5 REFRESHMENTS FOR COUNCIL RELATED MEETINGS

Appropriate refreshments will be available for Council meetings, Council committee meetings, Councillor briefings, approved meetings and engagements, and official Council functions, as approved by the CEO.

8.6 PROFESSIONAL DEVELOPMENT

Council will set aside \$5,000 per Councillor annually in its budget to facilitate professional development of Councillors through programs, training, education courses and membership of professional bodies.

In the first year of a new Council term, Council will provide a comprehensive induction program for all Councillors which considers any guidelines issued by the Office of Local Government (OLG). The cost of the induction program will be in addition to the ongoing professional development funding.

Annual membership of professional bodies will only be covered where the membership is relevant to the exercise of the Councillor's civic duties, the Councillor actively participates in the body and the cost of membership is likely to be fully offset by savings from attending events as a member.

Approval for professional development activities is subject to a prior written request to the CEO outlining the:

- › details of the proposed professional development;
- › relevance to Council priorities and business; and
- › relevance of the exercise of the Councillor's civic duties.

In assessing a Councillor request for a professional development activity, the CEO must consider the factors set out above, as well as the cost of the professional development in relation to the Councillor's remaining budget.

8.7 CONFERENCES AND SEMINARS

Council is committed to ensuring its Councillors are up to date with contemporary issues facing Council and the community and local government in NSW.

Council will set aside a total amount of \$20,000 annually in its budget to facilitate Councillor attendance at conferences and seminars, including the Local Government NSW Annual Conference. This allocation is for all Councillors. The CEO will ensure that access to expenses relating to conferences and seminars is distributed equitably.

Approval to attend a conference or seminar is subject to either a Council resolution or written request to the CEO. In assessing a Councillor request, the CEO must consider factors including the:

- › relevance of the topics and presenters to current Council priorities or business and the exercise of the Councillor's civic duties; and
- › cost of the conference or seminar in relation to the total remaining budget.

Council will meet the reasonable cost of registration fees, transportation and accommodation associated with attendance at conferences approved by the CEO. Council will also meet the reasonable cost of meals when they are not included in the conference fees. Reimbursement for accommodation and meals not included in the conference fees will be subject to Clauses 8.4.

8.8 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) EXPENSES

Council will provide Councillors with appropriate ICT devices as per the monetary limits as set out in Section 1, for each Councillor and each term of Council.

In addition, Councillors may claim up to \$25 (inclusive of GST) to offset their mobile phone and internet expenses. Supporting documentation will not be required.

The amount claimed should be included on the Councillor's monthly expenses claim form.

8.9 SPECIAL REQUIREMENT AND CARER EXPENSES

Council encourages wide participation and interest in civic office. It will seek to ensure Council premises and associated facilities are accessible, including provision for sight and hearing-impaired Councillors and those with other disabilities.

Transport cost provisions as outlined in Section 1 of this Policy will also assist Councillors who may be unable to drive a vehicle.

In certain circumstances, Councillors may access a Council pool vehicle when undertaking Council business.

In addition, to the provisions above, the CEO may authorise the provision of reasonable additional facilities and expenses in order to allow a Councillor with a disability to perform their civic duties.

Councillors who are the principal carer of a child or other elderly, disabled and/or sick immediate family member will be entitled to reimbursement of carer's expenses up to a maximum of \$1,000 per annum for attendance at official business.

Childcare expenses may be claimed for children up to and including the age of 16 years where the carer is not a relative.

In the event of caring for an adult person, Councillors will need to provide suitable evidence to the CEO that reimbursement is applicable. This may take the form of advice from a medical practitioner.

8.10 HOME OFFICE EXPENSES

Each Councillor may be reimbursed up to \$500 per year for costs associated with the maintenance of a home office, such as minor items of consumable stationery and printer ink cartridges.

9. INSURANCES

In accordance with Section 382 of the Act, Council is insured against public liability and professional indemnity claims. Council will also insure Councillors for Councillors and Officers Liability and Personal Accident.

Insurance protection is only provided if a claim arises out of or in connection with the Councillor's performance of his or her civic duties, or exercise of his or her functions as a Councillor. All insurances are subject to any limitations or conditions set out in the policies of insurance.

Council shall pay the insurance policy excess in respect of any claim accepted by Council's insurers, whether defended or not.

Appropriate travel insurances will be provided for any Councillors travelling on approved interstate and overseas travel on Council business.

If a Councillor, whilst performing his or her civic duties, has an accident in their own vehicle, Council will reimburse the Councillor the amount of the Councillor's insurance policy excess that they were required to pay.

However, Council reserves the right to decline reimbursement if the Councillor was in breach of the road rules at the time of the accident.

10. LEGAL ASSISTANCE

Council may, if requested, indemnify or reimburse the reasonable legal expenses of:

- ▶ a Councillor defending an action arising from the performance in good faith of a function under the Act, provided that the outcome of the legal proceedings is favourable to the Councillor;
- ▶ a Councillor defending an action in defamation, provided the statements complained of were made in good faith in the course of exercising a function under the Act and the outcome of the legal proceedings is favourable to the Councillor; and
- ▶ a Councillor for proceedings before an appropriate investigative or review body, provided the subject of the proceedings arises from the performance in good faith of a function under the Act and the matter has proceeded past any initial assessment phase to a formal investigation or review and the investigative or review body makes a finding substantially favourable to the Councillor.

In the case of a Code of Conduct complaint made against a Councillor, legal costs will only be made available where the matter has been referred by the CEO/Code of Conduct Coordinator to a conduct reviewer and the conduct reviewer has commenced a formal investigation of the matter and makes a finding substantially in favour of the Councillor.

Legal expenses incurred in relation to proceedings arising out of the performance by a Councillor of his or her functions under the Act are distinguished from expenses incurred in relation to proceedings arising

merely from something that a Councillor has done during his or her term in office. For example, expenses arising from an investigation as to whether a Councillor acted corruptly would not be covered by this section.

Council will not meet the legal costs:

- › of legal proceedings initiated by a Councillor under any circumstances; or
- › of a Councillor seeking advice in respect of possible defamation, or in seeking a non-litigious remedy for possible defamation; or
- › for legal proceedings that do not involve a Councillor performing their role as a Councillor.

Reimbursement of expenses for reasonable legal expenses must have Council approval by way of a resolution at a Council meeting prior to costs being incurred.

PART B: FACILITIES**11. GENERAL FACILITIES FOR ALL COUNCILLORS**

Council will provide the following facilities to Councillors to assist them to effectively discharge their civic duties and they will be of a standard deemed by the CEO as appropriate for the purpose.

11.1 STATIONERY

Council will provide the following stationery to Councillors each year:

- ▶ Business cards;
- ▶ A name badge which may be worn at official functions, indicating that the wearer holds the office of a Councillor and/or Mayor or Deputy Mayor;
- ▶ Minor stationery items upon request; and
- ▶ Access to local newspaper subscriptions upon request.

Councillors can submit for reimbursement the purchase of other stationery items that are deemed appropriate by the CEO.

11.2 UNIFORMS

Council will provide uniforms to Councillors in line with Council's adopted Uniform Colour and Style Palette for indoor staff, to the maximum value of \$200 per Councillor per year.

However, newly elected Councillors will be allocated a maximum of \$600 for their first year of office.

All uniforms purchased, using Council funds, must have the logo applied and must be returned to Council on the Councillor ceasing to hold office.

11.3 MEETING ROOMS

Councillors may book meeting rooms for official business in a specified Council building at no cost. Rooms may be booked through the CEO's Office.

11.4 ADMINISTRATIVE SUPPORT

Council will provide administrative support to all Councillors to assist them with their civic duties only. Administrative support may be provided by a member of Council's administrative staff, as arranged by the CEO or their delegate.

Council employees are expected to assist Councillors with civic duties only, and not assist with matters of personal or political interest, including campaigning.

12. ADDITIONAL FACILITIES FOR THE MAYOR**12.1 MAYORAL VEHICLE**

Council will provide to the Mayor a maintained vehicle to a similar standard of other Council vehicles, with a fuel card. The vehicle will be supplied for use on Council business, professional development and attendance at the Council's offices. Reasonable private use of the vehicle is allowed without the requirement of compensatory payment.

The acceptance/use of a mayoral vehicle is at the discretion of the elected Mayor.

12.2 MAYORAL OFFICE

Council will provide the Mayor with a furnished office incorporating a computer configured to Council's standard operating environment, telephone and meeting space.

12.3 CORPORATE CREDIT CARD

Council will provide the Mayor with a Corporate Credit Card for use on Council business only. No cash withdrawals can be made.

The Mayor must provide details and receipts for all entries on the Card and abide by all the conditions of use as set out in Council's Corporate Credit Card Policy.

12.4 MOBILE PHONE

Council will provide the Mayor with a mobile telephone device. Reasonable private use is permitted and will not be subject to a compensatory payment.

PART C: PROCESSES**13. APPROVAL, PAYMENT AND REIMBURSEMENT ARRANGEMENTS**

Expenses should only be incurred by Councillors in accordance with the provisions of this Policy.

Approval for incurring expenses, or for the reimbursement of such expenses, should be obtained before the expense is incurred.

Up to the maximum limits specified in this Policy, approval for the following may be sought after the expense is incurred:

- › Local travel relating to the conduct of official business
- › Carer costs
- › ICT expenditure.

Final approval for payments made under this Policy will be granted by the CEO or their delegate.

Payment of Councillor's fees will be paid monthly in arrears and are scheduled for payment in Council's first payment run of each month.

Superannuation payments will be paid quarterly.

13.1 DIRECT PAYMENT

Council may approve and directly pay expenses. Requests for direct payment must be submitted to the Director Corporate Services for assessment against this Policy using the prescribed form, with sufficient information and time to allow for the claim to be assessed and processed.

13.2 REIMBURSEMENT

All claims for reimbursement of expenses incurred must be made on the prescribed form, supported by appropriate receipts and/or tax invoices and be submitted to the Director Corporate Services.

13.3 ADVANCE PAYMENT

Council may pay a cash advance for Councillors attending approved conferences, seminars or professional development and can be made on request to the CEO.

13.4 NOTIFICATION

If a claim is approved, Council will make payment directly or reimburse the Councillor through accounts payable.

If a claim is refused, Council will inform the Councillor in writing that the claim has been refused and the reason for the refusal.

13.5 REIMBURSEMENT TO COUNCIL

If Council has incurred an expense on behalf of a Councillor that exceeds a maximum limit, exceeds reasonable incidental private use or is not provided for in this Policy:

- › Council will invoice the Councillor for the expense; and
- › the Councillor will reimburse Council for that expense within fourteen (14) days of the invoice date.

If the Councillor cannot reimburse Council within fourteen (14) days of the invoice date, they are to submit

a written explanation to the CEO. The CEO may elect to deduct the amount from the Councillor's allowance.

13.6 TIMEFRAME FOR REIMBURSEMENT

Unless otherwise specified in this Policy, Councillors must provide all claims for reimbursement within three (3) months of an expense being incurred. Claims made after this time will not be approved.

Councillor reimbursements will be paid in a timely manner following receipt of the claim.

14. DISPUTES

If a Councillor disputes a determination under this Policy, the Councillor should discuss the matter with the CEO.

If the Councillor and the CEO cannot resolve the dispute, the Councillor may submit a notice of motion to a Council meeting seeking to have the dispute resolved.

15. RETURN OR RETENTION OF FACILITIES

All stationery, uniforms and/or equipment supplied under this Policy are to be relinquished immediately upon a Councillor or Mayor ceasing to hold office or at the cessation of their civic duties.

Should a Councillor desire to keep any equipment allocated by Council, then this Policy enables the Councillor to make application to the CEO to purchase any such equipment. The CEO will determine whether such equipment can be purchased, an agreed fair market price or written down value for the item of equipment. It is anticipated that at the end of the term of the Council, the depreciated value will be zero.

The prices for all equipment purchased by Councillors will be recorded in Council's Annual Report.

16. REPORTING

Council will report on the provision of expenses and facilities to Councillors, as required in the Act and Regulations.

Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six (6) months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.

17. BREACHES

Suspected breaches of this Policy are to be reported to the CEO.

Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the Code of Conduct Policy, as detailed in the Code and in the Procedures for the Administration of the Code.

18. EVALUATION AND REVIEW

It is the responsibility of the Chief Executive Officer to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years but within the first 12 months of a new term of Council or as needed, whichever comes first.

19. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMSAssociated Documents

- ▶ OLG - Local Government Remuneration Tribunal
- ▶ OLG - Guidelines for the Payment of Expenses and the Provision of Facilities for Mayors and Councillors in NSW, 2009
- ▶ OLG - Pecuniary Interest Guidelines (June 2006)
- ▶ OLG - Circular 09-36 Guidelines for Payment of Expenses and Facilities
- ▶ OLG - Circular 05-08 Legal Assistance for Councillors and Council Employees
- ▶ OLG – Circular 17-17 Councillor Expenses and Facilities Policy – Better Practice Template
- ▶ Local Government (State) Award (current)
- ▶ NSW Department Premier & Cabinet - NSW Crown Employees (Public Service Conditions of Employment) Reviewed Award 2009.
- ▶ MRC Policy - Code of Conduct Policy (POL-100)
- ▶ MRC Policy - Code of Meeting Practice (POL-101)
- ▶ MRC Policy - Councillor Access to Information and Interaction with Staff Policy (POL-105)
- ▶ MRC Policy – Corporate Credit Card Policy (POL-204)
- ▶ MRC Policy - Uniform Policy (POL-500)
- ▶ MRC Guideline – Uniform Colour and Style Palette

Definitions and Acronyms

Term	Definition
Accompanying person	A spouse, partner or de facto or other person who has a close personal relationship with or provides carer support to a Councillor
Appropriate refreshments	Food and beverages, excluding alcohol, provided by Council to support Councillors undertaking official business
Act	The Local Government Act 1993 (NSW)
Annual Conference	Local Government NSW Annual Conference
Clause	Unless stated otherwise, a reference to a clause is a reference to a clause of this Policy
Code of Conduct	The Code of Conduct adopted by Council
Councillor	A person elected or appointed to civic office as a member of the governing body of Council who is not suspended, including the Mayor
CEO	The CEO of Council and includes their delegate or authorised representative
ICT	Telecommunications and Information Communications and Technology
Incidental person use	Use that is infrequent and brief and use that does not breach this Policy or the Code of Conduct
Long distance intrastate travel	Travel to other parts of NSW of more than three hours duration by private vehicle

COUNCILLOR EXPENSES AND FACILITIES POLICY

POL-103.V#4

Maximum limit	The maximum limit for an expense or facility provided in the text and summarised in the table on Page 2 of this Policy
Official business	Functions that the Mayor or Councillors are required or invited to attend to fulfil their legislated role and responsibilities for Council or result in a direct benefit for Council and/or for the local government area, and includes: <ul style="list-style-type: none"> ▶ meetings of Council and committees of the whole ▶ meetings of committees facilitated by Council ▶ civic receptions hosted or sponsored by Council ▶ meetings, functions, workshops and other events to which attendance by a Councillor has been requested or approved by Council
Professional development	A seminar, conference, training course or other development opportunity relevant to the role of a Councillor or the Mayor
Regulation	The Local Government (General) Regulation 2005 (NSW)
Year	The financial year, that is the 12 month period commencing on 1 July each year

20. DOCUMENT CONTROL

Version No.	Details	Date	CM9 Reference	Resolution No.
1	Initial Issue –	19 Jul 2016 to 8 Aug 2017	VF/17/102632	170716
2	Review of Policy to: <ul style="list-style-type: none"> ▶ adopt best practice as per OLG Circular 17-17 (Councillor Expenses and Facilities Policy – Better Practice Template); ▶ update to the Murray River Council style and logo; and ▶ Change of name of the Policy 	8 Aug 2017 to 17 Apr 2018	VF/17/102632	080817
3	Review of Policy to: <ul style="list-style-type: none"> ▶ increase to majority of maximum amounts; ▶ alter travel times ▶ ensure Legal assistance clauses are consistent with OLG Councillor and Facilities Policy – Better Practice Template; and ▶ Add last paragraph to Part D, Section 13 (Return or retention of facilities), 13.2. 	17 Apr 2018 to 22 Nov 2022	VF/17/102632	030418
4	Review of Policy in line with the Local Government Act 1993 and current practises.	22 Nov 2022 to	VF/17/102632	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review after September 2026

NOTE:

This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Councils Electronic Document system. Printed or downloaded versions of this document are uncontrolled.

DISCLAIMER:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

9.2.8 DELEGATION OF AUTHORITY (MAYOR AND CEO) POLICY V#5 - FINAL ADOPTION

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That:

1. The Delegation of Authority (Mayor and CEO) Policy V#5 be adopted and placed in Policy Register; and
2. Previous Delegation of Authority (Mayor and CEO) Policies be rescinded.

DISCUSSION

The DRAFT Delegation of Authority (Mayor and CEO) Policy V#5 was adopted at the September Ordinary Council Meeting (27 September 2022) and was placed on public display.

Under the Local Government Act, Councils must review all their delegations within 12 months of an election.


Councils may, by resolution, delegate to the CEO or any other person or body (but not an employee of Council other than the CEO) any of the functions of Council other than those referred to in Section 377 of the Act.

The objectives of this Policy are to:

- ▶ provide clear, guiding principles and a framework for the use of delegated authority within Murray River Council;
- ▶ facilitate the efficient and effective operation of the Council by providing the Mayor, CEO, Council Committees and Council employees with sufficient power and authority to generally manage, control and administer the affairs of the Council on a day-to-day basis; and
- ▶ ensure that Murray River Council complies with the requirements of the Local Government Act 1993, which defines how and what powers vested with the Council can be delegated to Council employees.

Council has received no submissions during the period of public display.

ATTACHMENTS

1. **Delegation of Authority (Mayor & CEO) Policy V#5** [↓](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

**DELEGATIONS
OF
AUTHORITY
(MAYOR & CEO)
POLICY**

POL-102.V#5





DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

TABLE OF CONTENTS

1.	INTRODUCTION.....	3
2.	POLICY OBJECTIVES	3
3.	SCOPE	3
4.	LEGISLATION	4
5.	POLICY STATEMENT	5
6.	DELEGATION OF FUNCTIONS	6
6.1	Delegations to the Mayor	8
6.2	Delegations to Committees	10
6.3	Delegations to the CEO.....	11
7.	EVALUATION AND REVIEW	12
8.	ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS	13
9.	DOCUMENT CONTROL	14
	APPENDIX: (Delegations added by resolution of Council)	15



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

1. INTRODUCTION

Delegations are a fundamental part of good governance and play an important role in ensuring that Council is acting in accordance with the legal and policy framework that applies to it.

Delegations and authorisations enable Council to carry out its functions and to be accountable for the decisions and actions taken on its behalf under specific legislative provisions. Those tasked with the responsibility to carry out a function should have the corresponding authority to carry it out.

It is important that delegations and authorisations are managed effectively to ensure decisions are validly made by a lawfully appointed delegate or authorised officer.

In accordance with Section 377 of the Local Government Act 1993 (NSW) (the 'Act'), the Council, by resolution, delegates its powers, authorities, duties and functions.

The delegations of the Council are subject to the following limitations. The delegated power, authority, duty or function being performed in accordance with:

- ▶ The applicable legislation; and
- ▶ Council policy.

The delegations of Council will remain in force until they are revoked or amended by a resolution of the Council.

The Council notes that the CEO may delegate his or her powers, authorities, duties and functions at his or her discretion.

2. POLICY OBJECTIVES

The objectives of this Policy are to:

- ▶ provide clear, guiding principles and a framework for the use of delegated authority within Murray River Council
- ▶ facilitate the efficient and effective operation of the Council by providing the Mayor, CEO, Council Committees and Council employees with sufficient power and authority to generally manage, control and administer the affairs of the Council on a day-to-day basis.
- ▶ ensure that Murray River Council complies with the requirements of the Local Government Act 1993, which defines how and what powers vested with the Council can be delegated to Council employees

3. SCOPE

This Policy

- ▶ applies to Council's Mayor, CEO and Council Committees who in the performance of their roles require delegated authority to perform their duties; and
- ▶ is to be read in conjunction with all applicable legislation and Council's documents relating to delegations.



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

4. LEGISLATION

- › Local Government Act 1993 (NSW)
- › Local Government (General) Regulations 2021 (NSW)
- › Legislation relevant to, but not limited to, this and associated documents.
 - › Biodiversity Conservation Act 2016 and associated Regulation
 - › Biosecurity Act 2015 and associated Regulation
 - › Boarding House Act 2012 and associated Regulation
 - › Building and Development Certifiers Act 2018 and associated Regulation
 - › Cemeteries and Crematoria Act 2013 and associated Regulation
 - › Children and Young Persons (Care and Protection) Act 1998 and associated Regulation
 - › Children (Education and Care Services National Law Application) Act 2010 and associated Regulation
 - › Children's Guardian Act 2019 and associated Regulation.
 - › Community Land Development Act 1989 and associated Regulation
 - › Community Land Development Act 2021
 - › Community Land Management Act 2021 and associated Regulation
 - › Companion Animals Act 1998 and associated Regulation
 - › Contaminated Land Management Act 1997 and associated Regulation
 - › Conveyancing Act 1919 and associated Regulation
 - › Crown Land Management Act 2016 and associated Regulation
 - › Design and Building Practitioners Act 2020
 - › Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000, Environmental Planning and Assessment Regulation 2021 and Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
 - › Fines Act 1996 and associated Regulation
 - › Fire and Rescue NSW Act 1989 and associated Regulation.
 - › Fluoridation of Public Water Supplies Act 1957 and associated Regulation
 - › Food Act 2003 and associated Regulation
 - › Government Information (Public Access) Act 2009 and associated Regulation
 - › Graffiti Control Act 2008 and associated Regulation
 - › Health Records and Information Privacy Act 2002 and associated Regulation
 - › Heavy Vehicle National Law (NSW) and associated Regulation
 - › Heritage Act 1977 and associated Regulation
 - › Impounding Act 1993 and associated Regulation
 - › Land Acquisition (Just Terms Compensation) Act 1991 and associated Regulation
 - › Land and Environment Court Act 1979 and associated Regulation
 - › Library Act 1939 and associated Regulation 2018
 - › Liquor Act 2007 and associated Regulation
 - › Local Government Act 1993 & Local Government (General) Regulation 2021
 - › Native Title (New South Wales) Act 1994 and associated Regulation together with the Native Title Act 1993 (Cth) to the extent of any inconsistency
 - › Ombudsman Act 1974 and associated Regulation



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

- Plumbing and Drainage Act 2011 and associated Regulation
- Privacy and Personal Information Protection Act 1998 and associated Regulation
- Protection of the Environment Operations Act 1997 and associated Regulation
- Protection of the Environment Operations (Waste) Regulation 2014
- Protection of the Environment Operations (Clean Air) Regulation 2021
- Public Health Act 2010 and associated Regulation
- Public Interest Disclosures Act 1994 and associated Regulation
- Public Works and Procurement Act 1912 and associated Regulation
- Radiocommunications Act 1992 (Cth) and associated Regulation
- Real Property Act 1900 and associated Regulation
- Recreation Vehicles Act 1983 and associated Regulation
- Roads Act 1993 and associated Regulation
- Road Rules 2014
- Road Transport Act 2013 and Road Transport (General) Regulation 2021
- Rural Fires Act 1997 and associated Regulation
- State Emergency and Rescue Management Act 1989 and associated Regulation
- State Emergency Service Act 1989 and associated Regulation
- State Records Act 1998 and associated Regulation
- Strata Schemes Development Act 2015 and Strata Schemes Development Regulation 2016
- Surveying and Spatial Information Act 2002
- Swimming Pools Act 1992 and Swimming Pools Regulation 2018
- Unclaimed Money Act 1995 and associated Regulation
- Waste Avoidance and Resource Recovery Act 2001 and associated Regulation
- Water Management Act 2000 and associated Regulation
- Work Health and Safety Act 2011 and associated Regulation
- Workers Compensation Act 1987 and associated Regulation
- Workplace Injury Management and Workers Compensation Act 1998 and associated Regulation

5. POLICY STATEMENT

Delegations are intended to improve the efficiency of the administrative processes of Council by the assignment of authority and accountability.

A delegation may be general or limited. A delegated function may be exercised only in accordance with any conditions or limitations to which the delegation is subject.

Delegations are to be made and exercised in accordance with all applicable legislation as well as Council's Code of Conduct, policies and budget limitations.

If a delegation refers to a Council policy, it is taken to refer to the current version of that policy or the successor to that policy at the time the delegation is exercised.

If legislation referred to within a delegation is superseded by updated or new legislation, the delegation applies to the new legislation to the extent practicable.

A delegation cannot be exercised by a person who has a conflict of interest. If any conflict of interest occurs, it must be declared immediately and dealt with in accordance with Council's Code of Conduct and all relevant policies.



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

6. DELEGATION OF FUNCTIONS

This Policy provides a Delegation of Authority to support the efficient and effective operation of the Council business by setting out the delegations from Council to the Mayor and the CEO as detailed in this Policy.

Section 377 - General Power of the Council to Delegate

- (1) A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, other than the following:
- a) the appointment of a general manager,
 - b) the making of a rate,
 - c) a determination under section 549 as to the levying of a rate,
 - d) the making of a charge,
 - e) the fixing of a fee,
 - f) the borrowing of money,
 - g) the voting of money for expenditure on its works, services or operations,
 - h) the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),
 - i) the acceptance of tenders to provide services currently provided by members of staff of the council,
 - j) the adoption of an operational plan under section 405,
 - k) the adoption of a financial statement included in an annual financial report,
 - l) a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,
 - m) the fixing of an amount or rate for the carrying out by the council of work on private land,
 - n) the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,
 - o) the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under Section 82A of the Environmental Planning and Assessment Act 1979,
 - p) the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,
 - q) a decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - r) a decision under section 234 to grant leave of absence to the holder of a civic office,
 - s) the making of an application, or the giving of a notice, to the Governor or Minister,
 - t) this power of delegation,
 - u) any function under this or any other Act that is expressly required to be exercised by resolution of the council.
- (1A) Despite subsection (1), a council may delegate its functions relating to the granting of financial assistance if:
- a) the financial assistance is part of a specified program, and
 - b) the program is included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - d) the program applies uniformly to all persons within the council's area or to a significant proportion of all the persons within the council's area.
- (2) A council may, by resolution, sub-delegate to the general manager or any other person or body (not including another employee of the council) any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.
- (3) A council may delegate functions to a joint organisation only with the approval, by resolution, of the board of the joint organisation.



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

Section 378 Delegations by the General Manager

- (1) The general manager may delegate any of the functions of the general manager, other than this power of delegation.
- (2) The general manager may sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).
- (3) Subsection (2) extends to a function sub-delegated to the general manager by the council under section 377(2).

Section 379 Delegation of Regulatory Functions

- (1) A regulatory function of a council under Chapter 7 must not be delegated or sub-delegated to a person or body other than
 - (a) a committee of the council of which all the members are councillors or of which all the members are either councillors or employees of the council, or
 - (b) an employee of the council, or
 - (c) a county council, or
 - (d) a joint organisation.
- (2) A regulatory function of a county council under Chapter 7 must not be delegated or sub-delegated to a person or body other than
 - (a) a committee of the county council of which all the members are members of the county council or of which all the members are either members of the county council or employees of the county council, or
 - (b) an employee of the county council, or
 - (c) a council.
- (2A) A council may delegate a regulatory function to a joint organisation only with the approval, by resolution, of the board of the joint organisation.
- (3) However, if
 - (a) a regulatory function is delegated to a county council, the function may be delegated to the general manager and by the general manager to an employee of the county council, or
 - (b) a regulatory function is delegated to a council, the function may be delegated to the general manager and by the general manager to an employee of the council, or
 - (c) a regulatory function is delegated to a joint organisation; the function may be delegated to the executive officer and by the executive officer to an employee of the joint organisation

Section 380 Review of delegations

Each council must review all its delegations during the first 12 months of each term of office.

Section 381 Exercise of functions conferred or imposed on council employees under other Acts

- (1) If, under any other Act, a function is conferred or imposed on an employee of a council or on the mayor or a councillor of a council, otherwise than by delegation in accordance with this section, the function is taken to be conferred or imposed on the council.
- (2) Such a function may be delegated by the council in accordance with this Part.
- (3) A person must not, under any other Act, delegate a function to—
 - the general manager, except with the approval of the council
 - an employee of the council, except with the approval of the council and the general manager.

6.1 DELEGATIONS TO THE MAYOR

The Mayor, and in the absence of the Mayor, the Deputy Mayor for the period of the Mayor's absence, is delegated authority under Section 377 of the Act to exercise and/or perform on behalf of the Council the following powers, authorities, duties and functions:

Section 226 of the Local Government Act (NSW) 1993 provides as follows:- What is the role of the Mayor? (selective Clauses only)

The role of the Mayor is:

- (d) to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between the meetings of the Council;
- (e) to preside at meetings of the Council;
- (l) to carry out the civic and ceremonial functions of the mayoral office;
- (o) to exercise other such functions of the Council as the Council determines:

Delegation	Legislation
<p>Conferring Powers or Duties</p> <p>To give effect to the law, Council's adopted policies, resolutions and directions, provided that such delegation is not sub-delegated without the specific approval of the Council or as prescribed under the <u>Local Government Act 1993 (NSW)</u>.</p>	Local Government Act 1993
<p>Powers or Duties under other Legislation</p> <p>If, under any other Act other than the <u>Local Government Act 1993 (NSW)</u>, a function is conferred or imposed on the Mayor of Council, the function is taken to be conferred or imposed on the Council and the Mayor of the Council has delegated authority to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.</p>	Local Government Act 1993
<p>Preside at Meetings and Functions of Council</p> <p>To preside at all meetings of the Council, committees, community committees and public meetings convened by the Council at which the Mayor is present, unless the Council otherwise appoints another Councillor or person to perform this function.</p>	
<p>Negotiations on Behalf of Council</p> <p>In conjunction with the Chief Executive Officer, to participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of land and buildings. This function is subject to the limitation that no contractual agreement is to be entered into without a resolution of Council.</p>	
<p>Represent Council – Government and Other Forums</p> <p>To represent the Council, in conjunction with the CEO, in deputations to Government, inquires and other forums where it is appropriate that the Mayor should present the Council's position. To represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth levels.</p>	



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

Delegation
<p>Sign and Execute Documents</p> <p>To sign correspondence and other documents, subject to the limitation that execution of any documents under Council Seal must be carried out in compliance with Regulation 400 of the <u>Local Government (General) Regulations 2021 (NSW)</u>.</p>
<p>Issue Media Releases</p> <p>To make media statements and issue press releases in respect of Council resolutions/recommendations and decisions subject to prior consultation with the CEO. The Mayor may delegate this function to the Deputy Mayor, a specific Councillor or the CEO as he or she may determine.</p>
<p>Urgent Works</p> <p>To authorise work, not approved in the Operational Plan, which in the Mayor's opinion is urgent, at a cost not exceeding \$50,000 except in the case of a Bush Fire Emergency where the limit is \$100,000</p> <p>For the purpose of this delegation, "urgent work" refers to matters requiring immediate attention of the Mayor or CEO and decision making due to situational factors that may have occurred and relates to:</p> <ul style="list-style-type: none"> ▶ Natural disasters or events affecting the implementation of Council's Business Continuity Plan (BCP); ▶ Significant public liability issues; ▶ Work Health and Safety of elected officials; ▶ Work Health and Safety of the public; ▶ Incidents involving Council owned or operated property; <p>This delegation is to be only exercised in consultation with the CEO and is to be the subject of a report to the next available Council Meeting.</p>
<p>General Authority Of Council Between Meetings And During A Recess Period</p> <p>Where there are grounds to support that a decision of the elected Council cannot be delayed between scheduled meetings of the Council or during a Recess Period, to exercise the functions of the elected Council, other than:</p> <ul style="list-style-type: none"> ▶ The functions reserved by the elected Council itself in accordance with Section 377 of the Act; ▶ Those powers and functions delegated to the CEO.
<p>Supervision</p> <p>To monitor the CEO in the exercise of the CEO's powers, duties and functions.</p>
<p>Leave</p> <p>Consider and approve or otherwise applications of leave submitted by the CEO provided that the leave does not exceed 10 weeks in duration. Leave applications by the CEO in excess of 10 weeks to be referred to council for determination.</p>



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

DELEGATION
<p>Professional Development</p> <p>Approve the attendance of the CEO to any seminar, conference or course provided that if it is within the existing adopted budget. If it falls outside existing budget only in extenuating or urgent circumstances and with the concurrence of the Deputy Mayor.</p>
<p>Expulsion from Council Meetings</p> <p>Pursuant to the Local Government Act 1993, exercise the power of expulsion from meetings of council.</p>
<p>Claims Against Council</p> <p>With the concurrence of the CEO, negotiate the settlement of claims against Council, up to the value of \$250,000, subject to the ratification of Council. Where the Mayor and CEO are both satisfied that the Council's interests would be best served by avoiding the matter being determined by a court, other person or body.</p>
<p>Manage the Chief Executive Officer's Contract</p> <p>To act as Council's delegate for the purpose of the day-to-day management of the Chief Executive Officer's contract.</p> <p>To approve applications of leave of absence of the CEO for three or more consecutive business days.</p>
<p>Appoint the Acting Chief Executive Officer</p> <p>On the recommendation of the Chief Executive Officer, to appoint one of the Murray River Council Directors to the temporary position of Acting Chief Executive Officer for a period no longer than to the date of the next Council Meeting, when the Council will either endorse the temporary appointment for such additional time as is necessary or appoint another Director to the temporary position.</p>
<p>Complaints Against the CEO</p> <p>The Mayor shall have the power to investigate substantive written complaints against the CEO and shall initiate action under either the Council's Code of Conduct or Internal Reporting Policy where warranted.</p>

6.2 DELEGATIONS TO COMMITTEES OF COUNCIL

Committees of Council have no delegations except for those provided by resolution of Council.

6.3 DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER (CEO)

The CEO, and in the absence of the CEO their nominee as the Acting CEO for the period of the CEO's absence, is delegated authority under Section 377 of the Act, to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions of the Council, subject to the following:

- › The CEO is restrained from carrying out any of those functions of Council excluded from delegation by operation of section 377(1) of the Act;
- › The CEO is entitled to carry out any functions delegated to the Council by the Departmental Chief Executive or the Minister, subject to any express limitations imposed by the Departmental Chief Executive or Minister;
- › The delegation to the CEO is limited in accordance with Council's adopted policies in force from time to time.

If a function is conferred or imposed on an employee of the Council under any other legislation, the function is deemed to be conferred or imposed on the Council and is delegated to the CEO.

For the avoidance of doubt, the delegated authority conferred or imposed upon the Chief Executive Officer includes the delegated functions of Council as provided in the following tables. The following tables are not intended to be an exhaustive list of all powers, authorities, duties and functions delegated to the Chief Executive Officer. Rather it is to be relied upon as providing guidance to those most commonly relied upon powers, authorities, duties and functions.

The following functions of Council will remain with the CEO and will not be sub-delegated.

DELEGATION
<p>Employment:</p> <ul style="list-style-type: none"> › Approve or refuse the appointment, engagement, or promotion of employees (with the exclusion of senior staff) › Approve or refuse the use of a recruitment consultant. › To dismiss employees or consultants/contractors on such terms that the CEO deems appropriate, provided that prior to the dismissal of senior staff the CEO consults with Council. › To approve or refuse staff to engage, for remuneration, in private employment or contract work outside of the Council. › Approve Council Employment Agreements (if relevant) › To deal with industrial disputes › To approve or refuse applications for Leave without Pay
<p>Council Meetings:</p> <ul style="list-style-type: none"> › Determine matters included in Business Papers of Council and Committees › Invite Groups or Individuals to Address Council or Committee Meetings
<p>Legal Activities:</p> <ul style="list-style-type: none"> › To lay information to prosecute offenders under the relevant Acts and Regulations and any other applicable legislation. › To negotiate on matters in issue between parties in any proceedings in any Court or Tribunal, including but not limited to, the Local, District or Supreme Courts of any State or Territory, any Industrial Relations Tribunal or Commission, and the Land and Environment Court › Authority to negotiate and enter into any form of Lease, Licence, Memorandum of Understanding or other transaction for use of land or assets.



DELEGATIONS OF AUTHORITY (MAYOR & CEO) POLICY POL102.V#5

Urgent Works

To authorise work, not approved in the Operational Plan, which in the Mayor's opinion is urgent, at a cost not exceeding \$50,000 except in the case of a Bush Fire Emergency where the limit is \$100,000

For the purpose of this delegation, "urgent work" refers to matters requiring immediate attention of the Mayor or CEO and decision making due to situational factors that may have occurred and relates to:

- ▶ Natural disasters or events affecting the implementation of Council's Business Continuity Plan (BCP);
- ▶ Significant public liability issues;
- ▶ Work Health and Safety of elected officials;
- ▶ Work Health and Safety of the public;
- ▶ Incidents involving Council owned or operated property;

This delegation is to be only exercised in consultation with the CEO and is to be the subject of a report to the next available Council Meeting.

Employee Committees:

- ▶ Appoint management/employer representatives to the Staff Consultative Committee and the Work Health and Safety Committee
- ▶ Consider and determine matters arising from the Staff Consultative Committee and the Work Health and Safety Committee.

Media Statements:

Make or authorise public and media statements

Interaction with the Minister and Government Departments:

To respond and liaise with the Minister and his/her representatives and the department in relation to correspondence, inquiries or requests for information.

Intellectual Property

To refuse, approve or conditionally approve any request by an existing or previous employee of Council for the non-exclusive use of intellectual property of the Council created by the employee during the course of their employment with Council, providing there is no monetary or commercial benefit to the employee.

Historical Resources

Authority to select and requisition the purchase of all historical resources.

Contracts, Deeds and Agreements

- ▶ Enter into and sign Funding Applications once approved by Council.
- ▶ To sign Contracts, Deeds and Agreements, including Memorandums of Understanding (MOU), that do not require the Council Seal.

7. EVALUATION AND REVIEW

Under Section 380 Review of delegations of the Act - Each council must review all its delegations during the first 12 months of each term of office.

It is the responsibility of the CEO to monitor the adequacy of this Policy and recommend appropriate changes.

This Policy will be formally reviewed every four (4) years or as needed, whichever comes first.

8. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

Associated Documents:

- MRC Policy - Delegations of Authority (CEO to Employees) Policy (POL-107)

Definitions:

Term	Definition
Act	Local Government Act 1993 (NSW)
Authority	Any government (state or federal), government department, statutory corporation or other body having power to legally direct the Council or its officers
Chief Executive	The Chief Executive of the Office of Local Government or the Chief Executive of any other government department which has the carriage of the administrative functions of the Act and the portfolio of Local Government
Law	The requirements of all statutes, rules, ordinances, codes, regulations, proclamations, by-laws, environmental planning instruments, directions and consents of any Authority
Minister	The Minister for Local Government or any future title given to a ministerial position of a future New South Wales State Government portfolio that includes governance of Local Government
Office	The Office of Local Government, Department of Premier & Cabinet, or any future department (or combined department) carrying out the functions of the present Office of Local Government for the State of New South Wales.

9. DOCUMENT CONTROL

Version No.	Details	Date	CM9 Reference	Resolution
1	Initial Issue	23 May 2016 to 26 May 2016		080516
2	Review – addition of further appointed delegations to staff members.	26 May 2016 to 20 Sept 2016		380516
3	Review – removal of reference to DTS & MTP (no longer staff in these positions and not included in interim organisational structure at this time), addition of further appointed delegations to staff members (mainly planning department) & update of Glossary of Terms in reference to Office of Local Government & legal advice received from Council's lawyers dated 6/10/16.	20 Sept 2016 to 16 Jan 2018		040916
4	Review – stand-alone policy of delegations of authority by the Council to the Mayor and CEO (removal of Part 2 - Delegation to Staff by the CEO to a stand-alone policy (Delegations of Authority (CEO to Staff) Policy POL107))	16 Jan 2018 to 22 Nov 2022	VF/17/102822	140118
5	Rewritten – includes current titling of position and to clarify the delegations granted	22 Nov 2022 to	VF/17/102822	



**DELEGATIONS OF AUTHORITY
(MAYOR & CEO) POLICY**
POL102.V#5

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review 2026

NOTE:

This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Councils Electronic Document system. Printed or downloaded versions of this document are uncontrolled.

DISCLAIMER:

This document was formulated to be consistent with Murray River Council's legislative obligations and with the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail. This document does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.

**DELEGATIONS OF AUTHORITY
(MAYOR & CEO) POLICY
POL102.V#5****APPENDIX:**

Delegations added to those of the Mayor or CEO by resolution of Council, after the formal adoption of this Policy.

No:	Delegation	Resolution

9.2.9 MURRAY RIVER COUNCIL 2021-2022 ANNUAL REPORT

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the Murray River Council 2021-2022 Annual Report be noted by the Council.

DISCUSSION

The Local Government Act 1993 (NSW) Part 4 Section 428 (as shown below) set out Council's obligations in preparing and publishing our Annual Report.

428 Annual reports

- (1) Within 5 months after the end of each year, a council must prepare a report (its **annual report**) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.
- (2) The annual report in the year in which an ordinary election of councillors is to be held must also report as to the council's achievements in implementing the community strategic plan over the previous 4 years.
- (3) An annual report must be prepared in accordance with the guidelines under section 406.
- (4) An annual report must contain the following—
 - (a) a copy of the council's audited financial reports prepared in accordance with the *Local Government Code of Accounting Practice and Financial Reporting* published by the Department, as in force from time to time,
 - (b) such other information or material as the regulations or the guidelines under section 406 may require.
- (5) A copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require. A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.



The End of Term Report was prepared and presented to Council in November 2021. This report has been attached to this report and the election for the new term of Council was held in December 2021 which is partly in the reporting period for this Annual Report.

The 2021-2022 Financial Statements will be included in the Annual Report when the final copy is available.

The Annual Report will be published to Council's website.

Courtney Dean Council's Communication Officer is to be commended for her excellent desktop publishing skills allowing Council to produce such professional documents.

ATTACHMENTS

1. **End of Term Report 2017-2021 (under separate cover)** 
2. **MRC Annual Report 2021-2022 (under separate cover)** 

9.2.10 LIQUIDITY REPORT AS AT 31 OCTOBER 2022

File Number: -

Author: Abbas Mehr, Financial Accountant

Authoriser: Stephen Fernando, Director Corporate Services

Recommendation
THAT THE OFFICER'S REPORT, INCORPORATING INVESTMENTS AS AT 31 OCTOBER 2022, CONSISTING OF A LIQUID ASSET POSITION OF \$ 43,438,068 WHICH INCLUDES INVESTMENTS OF \$ 41,480,139 BE RECEIVED AND NOTED BY COUNCIL.

BACKGROUND

Monthly Report on Liquidity for the period ending 31 October 2022

DISCUSSION

Shown below are the Liquid Asset Balances and Investments for the period ending 31 October 2022

DETAILS	AUGUST 2022	SEPTEMBER 2022	OCTOBER 2022
Cash Book Balance B/Fwd	\$ 1,548,103	\$ 3,818,125	\$ 743,245
Add income for month	\$ 10,343,648	\$ 8,708,664	\$ 1,485,403
Deduct expenditure for month	\$ 10,595,940	\$ 10,447,085	\$ 4,046,437
CASH AVAILABLE	\$ 1,295,811	\$ 2,079,704	-\$ 1,817,788
Redeem/(Purchase) Investments	\$ 2,243,150	-\$ 1,325,000	\$ 3,775,718
CASH BOOK BALANCE	\$ 3,817,915	\$ 755,331	\$ 1,957,930
Add investments	\$ 43,200,805	\$ 45,232,408	\$ 41,480,139
CASH POSITION	\$ 47,018,720	\$ 45,987,739	\$ 43,438,068
As per Bank Statements	\$ 3,818,125	\$ 743,245	\$ 1,968,678

FUNDS BREAKDOWN - OCTOBER 2022					
COMPONENTS	GENERAL FUND	WATER SUPPLY	SEWERAGE	WASTE	TOTAL
Unrestricted Cash	\$3,130,623	\$2,999,458	\$6,366,113	\$1,360,465	\$13,856,659
Externally Restricted Funds	\$4,866,168	\$3,205,636	\$3,042,582	-	\$11,114,386
Internally Restricted Funds	\$10,954,927	\$2,403,147	\$5,108,950	-	\$18,467,023
	\$18,951,717	\$8,608,241	\$14,517,645	\$1,360,465	\$43,438,068

FUNDS	AUGUST 2022	SEPTEMBER 2022	OCTOBER 2022
General Fund	\$23,812,151	\$21,595,529	\$18,951,717
Water Supply Fund	\$8,751,060	\$8,624,491	\$8,608,241
Sewerage Fund	\$14,455,509	\$14,032,789	\$14,517,645
Waste Fund		\$1,734,930	\$1,360,465
	\$47,018,720	\$44,252,809	\$43,438,068

The closure of FY 2021-22 reserves is being finalised and the reserves detail will continue in this section next month.

OVERDRAFT LIMITS: Bank Overdraft - \$ 650,000

I hereby certify that the balances of the various funds of Council have been reconciled, with the bank statements and investment register as at 30 September 2022.

Abbas Mehr

Financial Accountant

INVESTMENTS REPORT AS AT 31 OCTOBER 2022

As required by Section 212 of the Local Government (General) Regulations 2005 and Section 625 of the Local Government Act 1993, a summary of Council's surplus funds invested, totalling \$41,480,139 are listed below including \$ 41,478,129 in Term Deposits and \$2,010 in other investments. The detailed list of the investments appears in Annex 1.

Investments by Bank / ADI

Amount by Bank / ADI

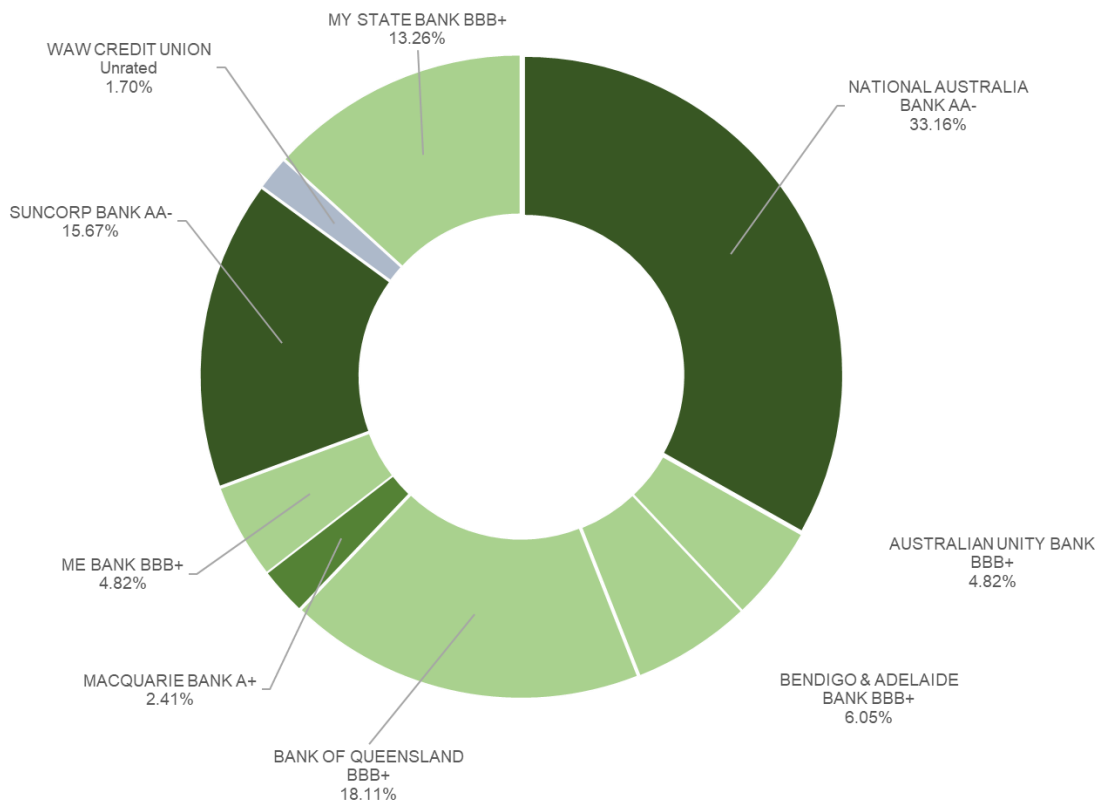
Bank / ADI Name	Rating	Investment	Legend
NATIONAL AUSTRALIA BANK	AA-	\$ 13,753,113	■ AA-
AUSTRALIAN UNITY BANK	BBB+	\$ 2,000,000	■ A+
BENDIGO & ADELAIDE BANK	BBB+	\$ 2,509,643	■ BBB+
BANK OF QUEENSLAND	BBB+	\$ 7,510,475	■ BBB
MACQUARIE BANK	A+	\$ 1,000,000	■ Unrated
ME BANK	BBB+	\$ 2,000,000	
SUNCORP BANK	AA-	\$ 6,501,407	
WAW CREDIT UNION	Unrated	\$ 703,490	
MY STATE BANK	BBB+	\$ 5,500,000	
Total		\$ 41,478,129	



Investments by Bank / ADI

Percentage by Bank / ADI

Bank / ADI Name	Rating	Investment	Percentage	Legend
NATIONAL AUSTRALIA BANK	AA-	\$13,753,113	33.16%	AA-
AUSTRALIAN UNITY BANK	BBB+	\$ 2,000,000	4.82%	A+
BENDIGO & ADELAIDE BANK	BBB+	\$ 2,509,643	6.05%	BBB+
BANK OF QUEENSLAND	BBB+	\$ 7,510,475	18.11%	BBB
MACQUARIE BANK	A+	\$ 1,000,000	2.41%	Unrated
ME BANK	BBB+	\$ 2,000,000	4.82%	
SUNCORP BANK	AA-	\$ 6,501,407	15.67%	
WAW CREDIT UNION	Unrated	\$ 703,490	1.70%	
MY STATE BANK	BBB+	\$ 5,500,000	13.26%	
Total		\$41,478,129	100.00%	

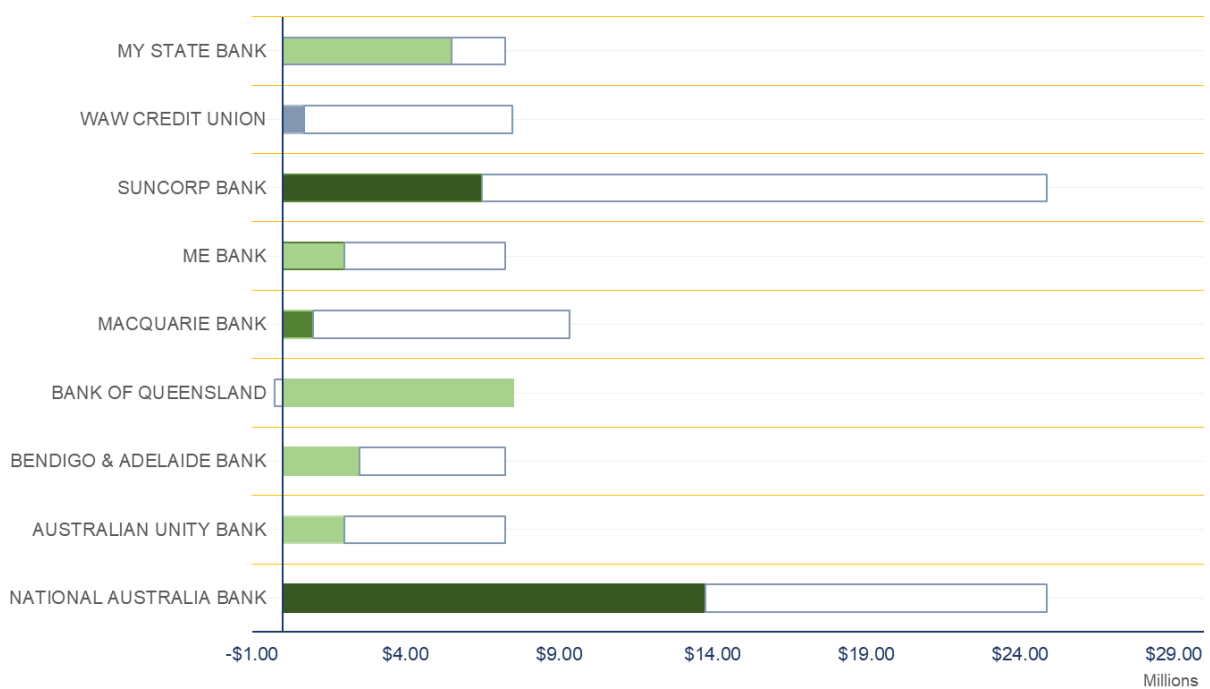


Investments by Bank / ADI [Policy Limits]

Policy Limits (Amount) / Current Investment

Bank / ADI Name	Policy Limit	Investment	Legend
NATIONAL AUSTRALIA BANK	\$ 24,886,877	\$ 13,753,113	■ AA-
AUSTRALIAN UNITY BANK	\$ 7,258,672	\$ 2,000,000	■ A+
BENDIGO & ADELAIDE BANK	\$ 7,258,672	\$ 2,509,643	■ BBB+
BANK OF QUEENSLAND	\$ 7,258,672	\$ 7,510,475	■ BBB
MACQUARIE BANK	\$ 9,332,579	\$ 1,000,000	■ Unrated
ME BANK	\$ 7,258,672	\$ 2,000,000	
SUNCORP BANK	\$ 24,886,877	\$ 6,501,407	
WAW CREDIT UNION	\$ 7,466,063	\$ 703,490	
MY STATE BANK	\$ 7,258,672	\$ 5,500,000	
Total		\$ 41,478,129	

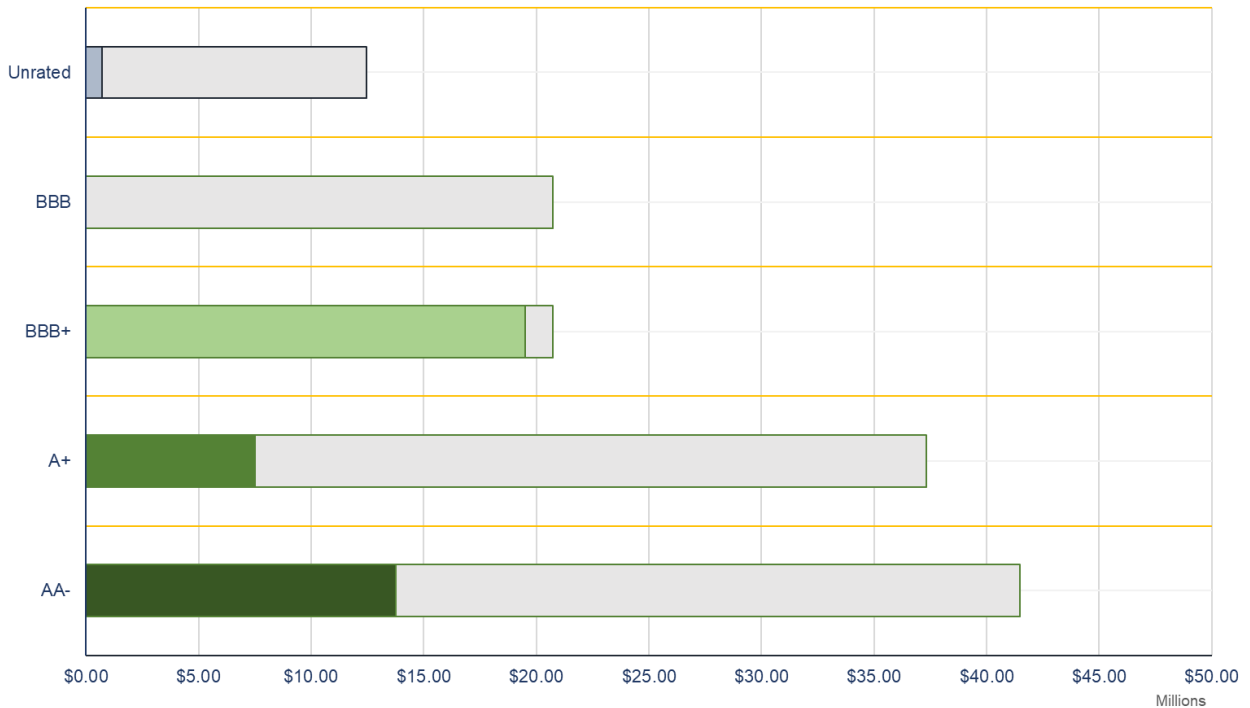
Investments By ADI - Policy Limits



Investments by Rating

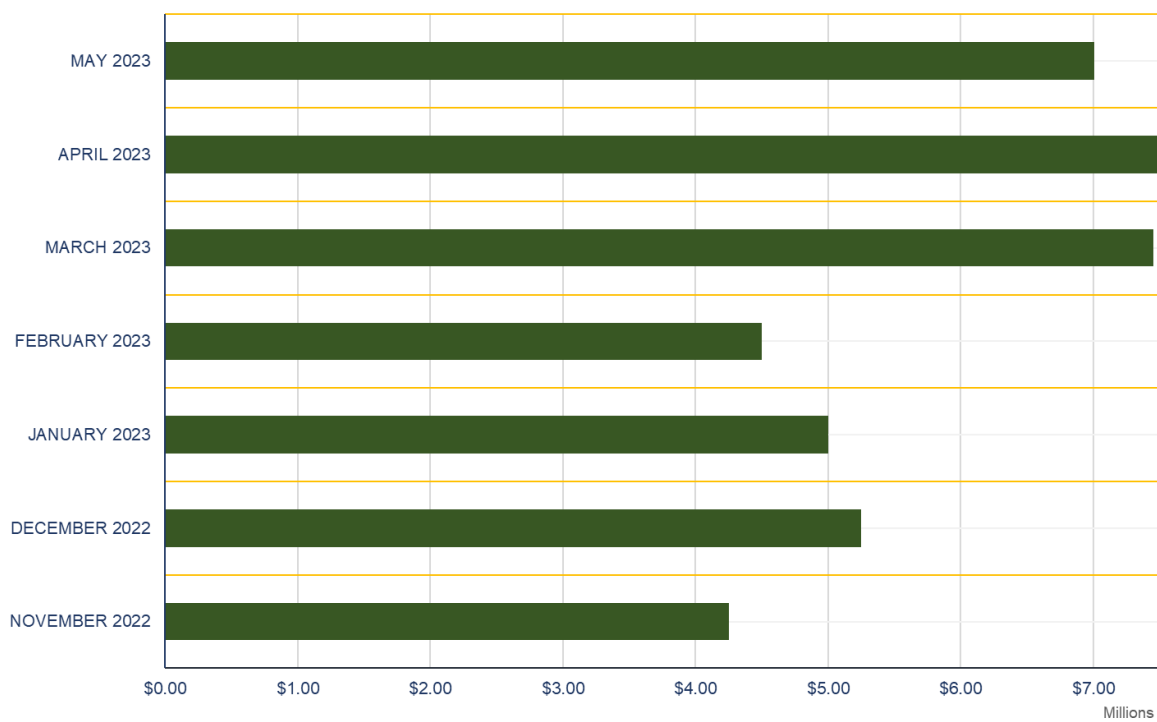
Policy Limits (Amount) / Current Investment

Rating	Policy Limit	Investment
AAA	\$ 41,478,129	\$ -
AA+	\$ 41,478,129	\$ -
AA	\$ 41,478,129	\$ -
AA-	\$ 41,478,129	\$ 13,753,113
A+	\$ 37,330,316	\$ 7,501,407
A	\$ 37,330,316	\$ -
A-	\$ 37,330,316	\$ -
BBB+	\$ 20,739,064	\$ 19,520,119
BBB	\$ 20,739,064	\$ -
BBB-	\$ 20,739,064	\$ -
Unrated	\$ 12,443,439	\$ 703,490
Total	\$ 41,478,129	



Investments by Maturity

Month	Amount
NOVEMBER 2022	\$ 4,254,981
DECEMBER 2022	\$ 5,250,000
JANUARY 2023	\$ 5,000,000
FEBRUARY 2023	\$ 4,500,000
MARCH 2023	\$ 7,453,490
APRIL 2023	\$ 8,011,050
MAY 2023	\$ 7,008,608
	\$ 41,478,129



STRATEGIC IMPLICATIONS

5. Strategic Theme 5: A place of Prosperity and Resilience

5.2 - Encourage and support economic development across the region - Commercial Investment Strategy.

BUDGETARY IMPLICATIONS

The estimated interest income for this financial year is expected to increase amid rise in interest rates. Our funds placement is being planned in a well-coordinated manner to redeem benefit of increasing rates.

POLICY IMPLICATIONS

Murray River Council Investment Policy (POL203)

LEGISLATIVE IMPLICATIONS

Section 625 of the Local Government Act 1993

Regulation 212 of the Local Government (General) Regulations 2005

Trustee Act 1925 Section 14

RISK ANALYSIS

- **What can happen?**
Imprudent use of Council's financial assets
- **How can it happen?**
Non Compliance of Investment rules, policies and mandates
- **What are the consequences of the event happening?**
Potential Loss of financial assets
- **What is the likelihood of the event happening?**
Very Low
- **Adequacy of existing controls?**
Good
- **Treatment options to mitigate the risk?**
Responsible management of financial resources invested in accordance with the Council's Investment policies and mandates.

CONCLUSION

Murray River Council's liquidity position is satisfactory as at 31 October 2022

ATTACHMENTS

1. **Annex 1 - Detailed List of Investments** [↓](#) 

Detailed List of Investments
as at 31 October 2022

Annex 1

Start Date	Maturity Date	ADI	Type	Amount Invested	Interest Rate	Term (Days)	Interest Due	S&P Long Term Rating
25-Nov-21	03-Nov-22	NAB	TD	\$ 750,000	0.53%	343	\$ 3,735	AA-
06-Jan-22	10-Nov-22	Bank Qld	TD	\$ 501,759	0.63%	308	\$ 2,667	BBB+
10-May-22	17-Nov-22	MyState	TD	\$ 1,000,000	2.30%	191	\$ 12,036	BBB+
10-Jan-22	24-Nov-22	Bank Qld	TD	\$ 1,003,222	0.70%	318	\$ 6,118	BBB+
25-Nov-21	25-Nov-22	NAB	TD	\$ 1,000,000	0.55%	365	\$ 5,500	AA-
30-Nov-21	02-Dec-22	ME Bank	TD	\$ 1,000,000	0.70%	367	\$ 7,038	BBB+
11-Jan-22	08-Dec-22	NAB	TD	\$ 1,000,000	0.70%	331	\$ 6,348	AA-
30-Nov-21	09-Dec-22	ME Bank	TD	\$ 1,000,000	0.70%	374	\$ 7,173	BBB+
05-Apr-22	09-Dec-22	Bank Qld	TD	\$ 1,000,000	1.25%	248	\$ 8,493	BBB+
20-Apr-22	12-Dec-22	Bank Qld	TD	\$ 750,000	1.50%	236	\$ 7,274	BBB+
09-Dec-21	15-Dec-22	NAB	TD	\$ 500,000	0.70%	371	\$ 3,558	AA-
20-Apr-22	04-Jan-23	Bank Qld	TD	\$ 1,000,000	1.55%	259	\$ 10,999	BBB+
21-Apr-22	10-Jan-23	NAB	TD	\$ 1,000,000	1.49%	264	\$ 10,777	AA-
21-Apr-22	17-Jan-23	NAB	TD	\$ 1,000,000	1.51%	271	\$ 11,211	AA-
22-Apr-22	24-Jan-23	NAB	TD	\$ 1,000,000	1.58%	277	\$ 11,991	AA-
22-Apr-22	31-Jan-23	NAB	TD	\$ 1,000,000	1.60%	284	\$ 12,449	AA-
26-Apr-22	07-Feb-23	NAB	TD	\$ 1,000,000	1.74%	287	\$ 13,682	AA-
27-May-22	15-Feb-23	MyState	TD	\$ 750,000	2.81%	264	\$ 15,243	BBB+
27-May-22	15-Feb-23	MyState	TD	\$ 750,000	2.81%	264	\$ 15,243	BBB+
25-May-22	21-Feb-23	AUS UNITY	TD	\$ 1,000,000	2.55%	272	\$ 19,003	BBB+
30-May-22	28-Feb-23	AUS UNITY	TD	\$ 1,000,000	2.81%	274	\$ 21,094	BBB+
04-Mar-22	03-Mar-23	SCORP	TD	\$ 1,000,000	0.82%	364	\$ 8,178	A+
08-Mar-22	08-Mar-23	MyState	TD	\$ 1,000,000	1.02%	365	\$ 10,200	BBB+
09-Jun-22	09-Mar-23	NAB	TD	\$ 500,000	2.98%	273	\$ 11,144	AA-
14-Jun-22	13-Mar-23	NAB	TD	\$ 750,000	3.23%	272	\$ 18,053	AA-
15-Jun-22	14-Mar-23	NAB	TD	\$ 1,000,000	3.36%	272	\$ 25,039	AA-
15-Sep-22	14-Mar-23	WAWCU	TD	\$ 703,490	3.60%	180	\$ 12,489	Unrated
28-Jul-22	28-Mar-23	Macquarie	TD	\$ 1,000,000	3.35%	243	\$ 22,303	A+
04-Aug-22	28-Mar-23	B&AB	TD	\$ 750,000	3.41%	236	\$ 16,536	BBB+
04-Aug-22	28-Mar-23	B&AB	TD	\$ 750,000	3.41%	236	\$ 16,536	BBB+
11-Aug-22	04-Apr-23	SCORP	TD	\$ 750,000	3.60%	236	\$ 17,458	A+
11-Aug-22	04-Apr-23	SCORP	TD	\$ 750,000	3.60%	236	\$ 17,458	A+
15-Aug-22	11-Apr-23	SCORP	TD	\$ 501,407	3.68%	239	\$ 12,082	A+
18-Aug-22	06-Apr-23	SCORP	TD	\$ 750,000	3.60%	231	\$ 17,088	A+
18-Aug-22	06-Apr-23	SCORP	TD	\$ 750,000	3.60%	231	\$ 17,088	A+
22-Aug-22	13-Apr-23	SCORP	TD	\$ 1,000,000	3.68%	234	\$ 23,592	A+
22-Aug-22	13-Apr-23	SCORP	TD	\$ 1,000,000	3.68%	234	\$ 23,592	A+
25-Aug-22	19-Apr-23	NAB	TD	\$ 750,000	3.58%	237	\$ 17,434	AA-
25-Aug-22	19-Apr-23	NAB	TD	\$ 750,000	3.58%	237	\$ 17,434	AA-
29-Aug-22	26-Apr-23	B&AB	TD	\$ 1,009,643	3.60%	240	\$ 23,899	BBB+
05-Sep-22	03-May-23	MyState	TD	\$ 750,000	3.75%	240	\$ 18,493	BBB+
05-Sep-22	03-May-23	NAB	TD	\$ 1,000,000	3.68%	240	\$ 24,197	AA-
05-Sep-22	10-May-23	MyState	TD	\$ 750,000	3.75%	247	\$ 19,033	BBB+
05-Sep-22	10-May-23	MyState	TD	\$ 500,000	3.75%	247	\$ 12,688	BBB+
29-Sep-22	17-May-23	NAB	TD	\$ 753,113	4.13%	230	\$ 19,600	AA-
30-Sep-22	17-May-23	Bank Qld	TD	\$ 750,000	4.25%	229	\$ 19,998	BBB+
30-Sep-22	24-May-23	Bank Qld	TD	\$ 750,000	4.26%	236	\$ 20,658	BBB+
30-Sep-22	24-May-23	Bank Qld	TD	\$ 750,000	4.26%	236	\$ 20,658	BBB+
13-Oct-22	30-May-23	Bank Qld	TD	\$ 1,005,495	4.00%	229	\$ 25,234	BBB+
		SP	Shares	\$ 2,000				
		WAWCU	Shares	\$ 10				
				\$ 41,480,139				

9.2.11 QUARTERLY BUDGET REVIEW - PERIOD ENDED 30 SEPTEMBER 2022

File Number: -

Author: Nikki Chalmers, Management Accountant

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

That the budget variations as detailed within the report and any subsequent changes made to those votes be included in Council's estimates of income and expenditure for 2022/2023 financial year.

BACKGROUND

Clause 203 of the Local Government (General) Regulation 2005 (the Regulations) requires a Council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of Council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year.

It also requires the budget review statement to include a report by the responsible accounting officer as to whether they consider the statement indicates council to be in a satisfactory financial position (regarding its original budget) and if not, to include recommendations for remedial action.

Legislative requirements together with the implementation of a formal reporting mechanism will ensure that councils have a robust and transparent budget reporting framework

DISCUSSION**Budget Position as of 30 September 2022**

Overall net budget position, or working capital, has improved on the 2022/23 Original Budget deficit of (\$1,388,802) to a 2022/23 Revised Budget deficit of (\$339,174) – an overall improvement of \$1,049,628 as at end of 30 September 2022.




INCOME STATEMENT – CONSOLIDATED

The September 2022 quarter review has revised the estimated operating surplus as of June 2023 to \$5,796,572. This is a decrease from the original budgeted surplus of \$6,022,335 due to, in part, additions of grant funding which the information was not available when setting the original budget for 2022/23 financial year.

Total budget result improves on the original 2022/23 deficit of (\$1,388,802) to a deficit of (\$339,174) as of 30 September 2022. This is an overall net reduction in budgeted deficit of \$1,049,628. The information below shows the movements for the September 2022 quarter, as well as the net budget variances resolved by Council outside the quarterly review process.

Note that actual for rates is based on three quarter allocation (1 July 2022 to 31 March 2023) as rates are collected either up-front in July or over four instalment periods. Most ratepayers pay their rates over the instalment periods.

CONSOLIDATED COUNCIL		Murray River Council - Long Term Financial Plan - Income Statement						
		2022/23 Yr Original Budget	2022/23 Yr Revised Budget	2022/23 Yr Outside QBR	2022/23 Yr Qtr Budget Review 1	2022/23 Yr Quarterly Revisions	2022/23 Yr YTD Movement	2022/23 Yr Actual
Income from Continuing Operations								
Rates and Annual Charges	B2-1	19,203,440	19,203,440		-	-	↔	4,787,055
User Charges and Fees	B2-2	6,513,570	6,513,570		-	-	↔	1,166,524
Interest and Investment Revenue	B2-5	719,800	719,800		-	-	↔	92,827
Other Revenues	B2-3	1,649,420	1,649,420		-	-	↔	561,464
Lease Revenue	B2-6	470,500	470,500		-	-	↔	56,700
Grants & Contributions for Operational Purposes	B2-4D	17,131,663	17,869,570		737,907	737,907	↑	2,722,642
Grants and Contributions for Capital Purposes	B2-4C	11,680,497	17,611,974		5,931,477	5,931,477	↑	3,865,158
Total Income from Continuing Operations		57,368,890	64,038,274	-	6,669,384	6,669,384	↑	13,252,371
Expenses from Continuing Operations								
Employee Benefits and On-costs	B3-1	(18,192,552)	(17,603,632)		588,920	588,920	↓	(5,747,504)
Borrowing Costs	B3-3	(198,090)	(160,170)		37,920	37,920	↓	(17,549)
Materials and Contracts	B3-2	(16,559,911)	(17,960,050)	(357,856)	(942,283)	(1,300,139)	↑	(4,845,366)
Depreciation and Amortisation	B3-4	(21,338,940)	(21,338,940)		-	-	↔	(5,334,735)
Other Expenses	B3-5	(1,305,160)	(1,278,910)		26,250	26,250	↓	(229,047)
Total Expenses from Continuing Operations		(57,594,653)	(58,241,702)	(357,856)	(289,193)	(647,049)	↑	(16,174,202)
NET OPERATING RESULT FROM CONTINUING OPERATIONS SURPLUS/ (DEFICIT)		(225,763)	5,796,572	(357,856)	6,380,191	6,022,335	↑	(2,921,831)
Other Funding Movements								
Total Capital Expenditure	B3-1 to 5	(28,131,133)	(35,445,680)	(1,683,460)	(5,631,087)	(7,314,547)	↑	(4,423,062)
Total Transfers From/ (To) Reserves	C1-1	2,522,734	4,240,194	1,683,460	34,000	1,717,460	↑	-
Sale Proceeds from Sale of Assets	B4-1	520,000	1,080,000		560,000	560,000	↑	388,307
Total Loan Borrowings	C3-3	3,163,000	3,163,000		-	-	↔	-
Total Loan Repayments	C3-3	(717,340)	(653,560)		64,380	64,380	↓	(131,300)
Deferred Debtor Advances Repaid	C1-4	141,360	141,360		-	-	↔	-
Depreciation Contra Reversal	NDEP	21,338,940	21,338,940		-	-	↔	5,334,735
TOTAL OTHER FUNDING MOVEMENTS SURPLUS/ (DEFICIT)		(1,163,039)	(6,135,746)	-	(4,972,707)	(4,972,707)	↑	1,168,680
TOTAL BUDGET SURPLUS/ (DEFICIT)		(1,388,802)	(339,174)	(357,856)	1,407,484	1,049,628	↓	(1,753,151)
NET OPERATING RESULT BEFORE CAPITAL ITEMS SURPLUS/ (DEFICIT)								
		(11,906,260)	(11,815,402)	(357,856)	448,714	90,858		(6,786,989)

Legend:  increase in budget  decrease in budget  no change in budget

Income from Continuing Operations

Projected 2022/23 financial year budgeted revenues are estimated to increase a further \$6,669,384 to \$64,038,274. Detailed breakdown of each variation is shown in Attachment 1 and Attachment 2. A summary of the net variations is shown below:

CONSOLIDATED COUNCIL		Murray River Council - Long Term Financial Plan - Income Statement						
		2022/23 Yr Original Budget	2022/23 Yr Revised Budget	2022/23 Yr Outside QBR	2022/23 Yr Qtr Budget Review 1	2022/23 Yr Quarterly Revisions	2022/23 Yr YTD Movement	2022/23 Yr Actual
Income from Continuing Operations								
Rates and Annual Charges	B2-1	19,203,440	19,203,440		-	-	↔	4,787,055
User Charges and Fees	B2-2	6,513,570	6,513,570		-	-	↔	1,166,524
Interest and Investment Revenue	B2-5	719,800	719,800		-	-	↔	92,827
Other Revenues	B2-3	1,649,420	1,649,420		-	-	↔	561,464
Lease Revenue	B2-6	470,500	470,500		-	-	↔	56,700
Grants & Contributions for Operational Purposes	B2-4D	17,131,663	17,869,570		737,907	737,907	↑	2,722,642
Grants and Contributions for Capital Purposes	B2-4C	11,680,497	17,611,974		5,931,477	5,931,477	↑	3,865,158
Total Income from Continuing Operations		57,368,890	64,038,274	-	6,669,384	6,669,384	↑	13,252,371
Expenses from Continuing Operations								
Employee Benefits and On-costs	B3-1	(18,192,552)	(17,603,632)		588,920	588,920	↓	(5,747,504)
Borrowing Costs	B3-3	(198,090)	(160,170)		37,920	37,920	↓	(17,549)
Materials and Contracts	B3-2	(16,559,911)	(17,860,050)	(357,856)	(942,283)	(1,300,139)	↑	(4,845,366)
Depreciation and Amortisation	B3-4	(21,338,940)	(21,338,940)		-	-	↔	(5,334,735)
Other Expenses	B3-5	(1,305,160)	(1,278,910)		26,250	26,250	↓	(229,047)
Total Expenses from Continuing Operations		(57,594,653)	(58,241,702)	(357,856)	(289,193)	(647,049)	↑	(16,174,202)

Legend: ↑ increase in budget ↓ decrease in budget ↔ no change in budget

Expenses from Continuing Operations

Projected 2022/23 financial year budgeted operating expenditures are estimated to increase by \$647,049 to (\$58,241,702). Detailed breakdown of each variation is shown in Attachment 1 and Attachment 2. A summary of the net variations is shown below:




CONSOLIDATED COUNCIL		Murray River Council - Long Term Financial Plan - Income Statement						
		2022/23 Yr Original Budget	2022/23 Yr Revised Budget	2022/23 Yr Outside QBR	2022/23 Yr Qtr Budget Review 1	2022/23 Yr Quarterly Revisions	2022/23 Yr YTD Movement	2022/23 Yr Actual
Expenses from Continuing Operations								
Employee Benefits and On-costs	B3-1	(18,192,552)	(17,603,632)		588,920	588,920	↓	(5,747,504)
Borrowing Costs	B3-3	(198,090)	(160,170)		37,920	37,920	↓	(17,549)
Materials and Contracts	B3-2	(16,559,911)	(17,860,050)	(357,856)	(942,283)	(1,300,139)	↑	(4,845,366)
Depreciation and Amortisation	B3-4	(21,338,940)	(21,338,940)		-	-	↔	(5,334,735)
Other Expenses	B3-5	(1,305,160)	(1,278,910)		26,250	26,250	↓	(229,047)
Total Expenses from Continuing Operations		(57,594,653)	(58,241,702)	(357,856)	(289,193)	(647,049)	↑	(16,174,202)

Legend: ↑ increase in budget ↓ decrease in budget ↔ no change in budget

Other Funding Movements

Projected 2022/23 financial year budgeted capital expenditure and other funding movements are estimated to decrease by a further \$4,972,707 to a deficit (\$6,135,746). This is in part due to increases in capital expenditure brought in with associated grant funding. Detailed breakdown of each variation is shown in Attachment 1 and Attachment 2. A summary of the net variations is shown below:

CONSOLIDATED COUNCIL		Murray River Council - Long Term Financial Plan - Income Statement						
		2022/23 Yr	2022/23 Yr	2022/23 Yr	2022/23 Yr	2022/23 Yr	2022/23 Yr	2022/23 Yr
Other Funding Movements		Original Budget	Revised Budget	Outside QBR	Qtr Budget Review 1	Quarterly Revisions	YTD Movement	Actual
Total Capital Expenditure	B3-1 to 5	(28,131,133)	(35,445,680)	(1,683,460)	(5,631,087)	(7,314,547)	↑	(4,423,062)
Total Transfers From/ (To) Reserves	C1-1	2,522,734	4,240,194	1,683,460	34,000	1,717,460	↑	-
Sale Proceeds from Sale of Assets	B4-1	520,000	1,080,000		560,000	560,000	↑	388,307
Total Loan Borrowings	C3-3	3,163,000	3,163,000		-	-	↔	-
Total Loan Repayments	C3-3	(717,340)	(653,560)		64,380	64,380	↓	(131,300)
Deferred Debtor Advances Repaid	C1-4	141,360	141,360		-	-	↔	-
Depreciation Contra Reversal	NDEP	21,338,940	21,338,940		-	-	↔	5,334,735
TOTAL OTHER FUNDING MOVEMENTS SURPLUS/ (DEFICIT)		(1,163,039)	(6,135,746)	-	(4,972,707)	(4,972,707)	↑	1,168,680

Legend:  increase in budget  decrease in budget  no change in budget

ALL FUNDS STATEMENT

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is in my opinion that the Quarterly Budget Review Statement for Murray River Council for quarter ended 30 September 2022 indicates that Council's projected financial position at 30 June 2023 will be satisfactory / ~~unsatisfactory~~ at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.



Name: **Nikki Chalmers**

Finance Manager, Murray River Council

Date: 11 November 2022

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.6 - Provide clear, concise and consistent information that is easily accessible to our customers - Improve externally provided information and communication.

BUDGETARY IMPLICATIONS

Refer to annual budget.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

RISK ANALYSIS

- **What can happen?**
Inability to manage council financial resources

- **How can it happen?**
Inadequate financial reporting and checks and balances

- **What are the consequences of the event happening?**
Risk that council will not know if it is managing its financial resources effectively

- **What is the likelihood of the event happening?**
Unlikely

- **Adequacy of existing controls?**
Adequate

- **Treatment options to mitigate the risk?**
Adequate and timely financial planning and reporting

CONCLUSION

Murray River's budget and financial performance is adequate as at the end of September 2022.

ATTACHMENTS

1. **Attachment 1 - September 2022 Quarterly Budget Review** [↓](#) 
2. **Attachment 2 - Approved Variations Outside QBR Process** [↓](#) 

Attachment 1 -September 2022 Quarterly Budget Review

Variations for the September 2022 quarter budget review

REVENUE						
Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
Grants and Contributions - Operating	RFS Hazard Reduction	General Fund	-	\$37,460	\$37,460	RFS Hazard Reduction funding not included in original budget.
	Reconnecting Regional NSW Grant	General Fund		\$301,708	\$301,708	Additional grant funding for events not reported in original budget.
	Financial Assistance Grant (FAG)	General Fund	\$9,318,400	\$9,717,139	\$398,739	Actual info re FAGs not available when budget setting occurred, since received and updated budget based on information received for FY23.
Total Grants & Contributions - Operational			\$9,318,400	\$10,056,307	\$737,907	
Grants and Contributions - Capital	Grant - Growing Local Economies	General Fund	-	\$1,154,000	\$1,154,000	Grant funding & expenditure relating to Barham Micro Abattoir Project not included in original budget, nil impact to budget.
	Grant - Local Roads & Community Infrastructure Phase 3 (LRCI P3)	General Fund	-	\$3,723,628	\$3,723,628	Grant Funding to cover costs for capital projects not included in original budget, nil impact to budget.
	Grant - Fixing Local Roads Round 3 (FLR R3)	General Fund	-	\$996,349	\$996,349	Grant Funding to cover costs for capital projects not included in original budget, nil impact to budget.
	NSW Country Passenger Infrastructure Program	General Fund	-	\$57,500	\$57,500	Grant Funding to cover costs for Bus Shelters.
Total Grants & Contributions - Capital			-	\$5,931,477	\$5,931,477	
Total Revenue - Sep 2022 Qtr Budget Review			\$9,318,400	\$15,987,784	\$6,669,384	
OPERATING EXPENDITURE						
Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
Employee Benefits and Oncosts	HR Manager Vacant position	General Fund	(\$371,300)	(\$207,100)	\$164,200	Reduction in employee costs as Manager position vacant and currently filled by Contractor.
	Priority Weed Control	General Fund	-	(\$17,000)	(\$17,000)	Employee expenses associated with priority weed control grant, 100% funded.
	Training	General Fund	(\$4,130)		\$4,130	Training budget reallocated to cover material costs.
	Development Services wages	General Fund	(\$2,040,500)	(\$1,602,910)	\$437,590	Reallocation of employee costs to cover Contractor and associated costs in Development Services.
Total Employee Benefit & Oncost			(\$2,415,930)	(\$1,827,010)	\$588,920	
Materials and Contracts	Caravan Parks	General Fund	(\$25,000)	(\$19,000)	\$6,000	Repairs & Maintenance budget for Picnic Point reallocated to Capital to offset critical electrical works required.
	Waste - Contractors	General Fund	(\$51,090)	(\$40,090)	\$11,000	Reallocation of contractor budget to capital expense to cover costs relating to fencing for Mathoura Common not budgeted for.
	RFS - Contractors	General Fund	-	(\$37,460)	(\$37,460)	Expenditure relating to RFS Hazard Reduction, not included in original budget, fully grant funded.
	HR - Contractor	General Fund	(\$37,000)	(\$200,000)	(\$163,000)	Manager HR currently filled by Contractor, funded by reduction in employee costs.

Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
	Rental property	General Fund	(\$48,860)	(\$21,005)	\$27,855	Reduction in rental & associated property costs budgeted for to attract Council Staff, helping to fund Contractor in Development Services Resolution 120722 approved.
	Priorty Weed Control	General Fund	(\$2,300)	(\$19,300)	(\$17,000)	Material expenses associated with priority weed control grant, 100% funded.
	Events	General Fund	-	(\$301,708)	(\$301,708)	Contractor expenses associated with Grant for Reconnecting Regional NSW not reported in original budget, 100% grant funded.
	Development Services	General Fund	(\$88,000)	(\$525,590)	(\$437,590)	Employee costs reallocated to cover Contractor expenses in Development Services.
	Training Costs	General Fund	-	(\$4,130)	(\$4,130)	Employee training reallocated to cover material costs.
	RFS	General Fund	-	(\$26,250)	(\$26,250)	Correction to original budget allocation of contributions.
	Total Materials and Contracts		(\$252,250)	(\$1,194,533)	(\$942,283)	
Borrowing Costs	Interest Expense	General Fund	(\$198,090)	(\$160,170)	\$37,920	Budget included loan repayment & interest relating to borrowings for Street Lighting, however borrowing never proceeded with in FY22, therefore removing repayment & interest expense from FY23 budget.
	Total Borrowing Costs		(\$198,090)	(\$160,170)	\$37,920	
Other Expenses	RFS		(\$26,250)		\$26,250	Correction to original budget allocation of contributions.
	Total Other Expenses		-	-	\$26,250	
	Total Operational Expenditure - Sep 2022 Qtr Budget Review		(\$2,668,180)	(\$3,021,543)	(\$289,193)	
CAPITAL EXPENDITURE						
Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
Council Own Funding	Caravan Parks	General Fund	-	(\$34,000)	(\$34,000)	Critical Electrical works at Picnic Point were initially budgeted in R&M, costs & work based on quotes now considered capital. Funded by R&M Expense reallocated and reduction in other capital works.
Council Own Funding	Asbestos Removal	General Fund	-	(\$47,000)	(\$47,000)	Carry over missed in budget preparation relating to Asbestos removal. Funded by reduction in other capital works.
Council Own Funding	Administration Buildings	General Fund	(\$502,390)	(\$110,000)	\$392,390	Removal of Moama Office Stage 2a capital project as not proceeding in FY23.
Grant Funding	Barham Micro Abattoir	General Fund	-	(\$1,154,000)	(\$1,154,000)	Grant funding & expenditure relating to Barham Micro Abattoir Project not included in original budget, nil impact to budget.
Grant Funding	LRCI P3 Projects	General Fund	-	(\$3,723,628)	(\$3,723,628)	Capital project expenditure relating to LRCI P3 funding. Nil impact to budget.
Grant Funding	FLR R3 Projects	General Fund	-	(\$996,349)	(\$996,349)	Capital project expenditure relating to FLRI P3 funding. Nil impact to budget.
Council Own Funding	Mathoura Common Fencing	General Fund	-	(\$11,000)	(\$11,000)	Funds to cover fencing costs at Mathoura Common, funded by Contractor expenses.
Grant Funding	NSW Country Passenger Infrastructure Program	General Fund	-	(\$57,500)	(\$57,500)	Capital project expenditure relating to Country Passenger Infrastructure Program for Bus Shelters.
	Total Other Capital Expenditure		(\$502,390)	(\$6,133,477)	(\$5,631,087)	
	Total Capital Expenditure - Sep 2022 Qtr Budget Review		(\$502,390)	(\$6,133,477)	(\$5,631,087)	

Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
OTHER FUNDING MOVEMENTS						
Budget Group	Budget Item	Fund Allocation	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Further Details
					-	-
Reserve Movement	Reserve Movements	General Fund	-	\$34,000	\$34,000	Grant funding regarding priority weed control, not reported in original budget.
	Total Reserve Movements		-	\$34,000	\$34,000	
Proceeds from Sale of Assets	Sale of Industrial Properties	General Fund	\$270,000	\$830,000	\$560,000	Increase budget based on sale of industrial properties in Wild Avenue.
	Total Proceeds from Sale of Assets		\$270,000	\$830,000	\$560,000	
Loan Repayments						
	Loan Repayments - Street Lighting	General Fund	(\$717,940)	(\$653,560)	\$64,380	Budget included loan repayment & interest relating to borrowings for Street Lighting, however borrowing never proceeded with in FY22, therefore removing repayment & interest expense.
	Total Borrowing Movements				\$64,380	
	Total Other Funding Movements - Sep 2022 Qtr Budget Review		-	\$34,000	\$658,380	
Net September 2022 Quarter Budget Movement					\$1,407,484	

Attachment 2 - Approved Variations Outside QBR Process Quarterly Budget Review

Variations approved by separate Council resolution up to the September 2022 quarter budget review
 The amounts below are those Council resolutions that have a budget impact, for example, they have no budget or a current budget allocation is amended.

REVENUE						
Budget Group	Budget Item	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Council Resolution	Further Details
Interest and Investment Revenue		-		-		
	Total Interest and Investment Revenue	-	-	-		
	Total Revenue - Outside QBR Review Process	-	-	-		
OPERATING EXPENDITURE						
Budget Group	Budget Item	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Council Resolution	Further Details
Materials and Contracts	Planning & Building Services Contractor	-	(\$357,856)	(\$357,856)	120722	Additional funding to cover Contractor costs for the Development Services resource shortfall, including accommodation costs.
	Total Materials and Contracts	-	(\$357,856)	(\$357,856)		
	Total Operational Expenditure - Outside QBR Review Process	-	(\$357,856)	(\$357,856)		
CAPITAL EXPENDITURE						
Budget Group	Budget Item	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Council Resolution	Further Details
Council own source	2021/22 Capital Carryovers	-	(\$1,647,960)	(\$1,647,960)	150622	2021/22 Capital Carryovers approved, funded by Reserve Movement.
Council own source	2020/21 Capital Carryovers	-	(\$35,500)	(\$35,500)	110821	2020/21 Capital Carryovers approved and in progress, funded by Reserve Movement.
	Total Capital Expenditure	-	(\$1,683,460)	(\$1,683,460)		
	Total Capital Expenditure - Outside QBR Review Process	-	(\$1,683,460)	(\$1,683,460)		

Attachment 2 - Approved Variations Outside QBR Process Quarterly Budget Review

Variations approved by separate Council resolution up to the September 2022 quarter budget review
 The amounts below are those Council resolutions that have a budget impact, for example, they have no budget or a current budget allocation is amended.

OTHER FUNDING MOVEMENTS						
Budget Group	Budget Item	Current Budget 2022/23 Year	Amended Budget 2022/23 Year	Movement	Council Resolution	Further Details
Reserve Movement	Reserve	-	\$1,647,960	\$1,647,960	150622	2021/22 Capital Carryovers approved, funded by Reserve Movement.
	Reserve	-	\$35,500	\$35,500	110821	2020/21 Capital Carryovers approved and in progress, funded by Reserve Movement.
Total Reserve Movements		-	\$1,683,460	\$1,683,460		
Total Other Funding Movements - Outside QBR Review Process		-	\$1,683,460	\$1,683,460		

Outside QBR Review Process Budget Movement **(\$357,856)**

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

9.3.1 PROPOSED ASSET DECOMMISSIONING

File Number: -

Author: Glenn Bulmer, Manager Buildings & Facilities

Authoriser: Jack Bond, Director Infrastructure

RECOMMENDATION

That the Officer's report on Proposed Asset Decommissioning as at 22 November 2022 be received and the information noted by the Council.

DISCUSSION

Murray River Council has previously engaged an external consultant (CT Management Group) to undertake a comprehensive assessment of Council's Buildings and Structures.

As a result of this body of work, the following list of buildings / structures have been identified for possible disposal (decommissioning) based on assessment of condition, function, capacity and utilisation. These buildings / structures have been earmarked for disposal within the next two (2) years. **Note:** Five (5) buildings / structures have already been decommissioned due to safety concerns / condition or have been replaced by new assets.

As a part of the decommissioning process, consultation will occur internally (completed 17 November 2022) and in some cases externally (e.g. recreation reserve user groups) to ensure all identified buildings / structures are suitable for decommissioning / disposal. **Note:** Extensive consultation with external stakeholders has already occurred for some of the assets (e.g. Barham Recreation Reserve Old Clubhouse and Toilet block).

Proposed Buildings / Structures Decommissioning List:

Asset Name	Asset Id	CTM Site ID	T1 ID
Wakool Recreation Reserve - Shed 6x3m	BUILD182	112202025734	6000335
Wakool Recreation Reserve - Tennis Court Shelters	BUILD182A	112202042702	6001909
Tooleybuc Recreation Reserve - Tennis Clubrooms	BUILD215	1512202042424	6000311
Tooleybuc Recreation Reserve - Tennis Kiosk	BUILD215A	1512202043308	6000312
Tooleybuc Recreation Reserve - Toilet Block (2) - Mens	BUILD217D	1512202010331	6000305
Tooleybuc Recreation Reserve - Toilet Block (2) - Womens	BUILD217E	1512202010725	6000306
Barham Showground Reserve - Football Clubrooms	BUILD231	412202013453	6000025
Goodnight Tip Shed and Toilet	BUILD267	1612202032046	6000071
Goodnight Tip Shed and Toilet - Amenities	BUILD267A	1612202032418	6000740
Barham Showground Reserve - Toilets South	BUILD269	412202013130	6000034
Moulamein Race Course - Gun Club Amenities Building	BUILD278	14122020112206	6000249
Clubhouse (Tennis)	BUILD293	1712202084854	6000091
Liston Park Amenities Block Female	BUILD34B	123202033731	6000928
Liston Park Amenities Block Male	BUILD34C	123202033257	6000929
Liston Park Amenities Block 2	BUILD34A	123202032135	6000927
Old Moama Depot - Tractor Shed	BUILD71	1130202035634	6000076
Moama Pound (Old)	BUILD72	1130202040455	6000075

Kyalite Recreation Reserve - Toilet Block BUILDTBA89 1712202081215 6000092

Buildings Already Decommissioned (Safety Issues or Replaced Facility):

Asset Name	Asset Id	CTM Site ID	T1 ID
Wakool Recreation Reserve - Shed 5x3m	BUILD184	112202024841	6000334
Wakool Recreation Reserve - Tennis Cubrooms (Old)	BUILD187A	112202044322	6000338
Koraleigh Recreation Reserve - Shed	BUILD224A	1612202095324	6000084
Moulamein Race Course - Clubhouse Toilet Block	BUILD277E	1412202014706	6000248
Moulamein Race Course - Gun Club Building	BUILD278A	14122020111413	6000250

A detailed overview of each asset is contained in the report attachment. Details include photos, location mapping, description and fair value.

ATTACHMENTS

- 1. Building and Structures Proposed Decommissioning List - Draft V2 (under separate cover)** 

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

9.4.1 AMENDMENT TO MURRAY LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO RECLASSIFY LAND FROM COMMUNITY LAND TO OPERATIONAL LAND, REZONING OF LAND FROM RU1 TO IN1, AND REMOVAL OF MINIMUM LOT SIZE PROVISIONS - LOT 1 DP 793207 - COBB HIGHWAY, MOAMA

File Number: -

Author: Christopher O'Brien, Senior Town Planner

Authoriser: Rod Croft, Director Planning & Environment

RECOMMENDATION

That:

1. The Officer's report be received and noted by Council.
2. The Planning Proposal be endorsed and sent to NSW Department of Planning and Environment (DPE) for a 'Gateway Determination' in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. Council staff be endorsed to complete all actions as outlined in the Gateway Determination and endorsed to complete any alteration to the Planning Proposal which may be required throughout the course of the process.

BACKGROUND

The process for preparing and amending a Local Environmental Plan (LEP) is stipulated in the *Environmental Planning and Assessment Act 1979* (the 'Act') and covered within the NSW Department of Planning and Environment (DPE) document entitled: 'Local Environmental Plan Making Guideline – September 2022', available: <https://www.planning.nsw.gov.au/-/media/Files/DPE/Guidelines/LEP-Making-Guideline.pdf?la=en>.

The plan making process normally involves the following key components:

- The preparation of a Planning Proposal
- The issuing of a Gateway determination
- Community and other consultation on the Planning Proposal (as required)
- Finalising the Planning Proposal
- Drafting of the LEP (plan)
- Making the plan
- Notifying the LEP on the NSW Legislation website

A Planning Proposal is a document that explains the intended effect of the proposed LEP and provides the justification for making it.

On 25 January 2021, Council purchased the subject land (being Lot 1 DP 793207 – located on Cobb Highway, Moama) for the purposes of expanding the existing Moama Business Park.

In accordance with various sections of the *Local Government Act 1993* the following points are noted:

- All land vested in a Council (except a road or land to which the *Crown Land Management Act 2016* applies) must be classified as either "community" or "operational".
- The purpose of these classifications is to clearly identify the Council land which should be kept for use by the general public (community) and land which is to be used for other purposes (operational).

- Community land would ordinarily comprise land such as a public park.
- Operational land would ordinarily comprise:
 - land held as a temporary asset or as an investment
 - land which facilitates the carrying out the functions of Council, or
 - land which may not be open to the general public, such as a works depot or a Council garage.
- The use and management of community land is to be regulated by a plan of management. Until a plan of management is adopted, the nature and use of the land must not change.
- Except in the limited circumstances referred to in Section 45(4) of the *Local Government Act* 1993, 'community' classified land must not be sold.

In accordance with Section 31 of the *Local Government Act* 1993:

(2) Before a council acquires land, or within 3 months after it acquires land, a council may resolve (in accordance with this Part) that the land be classified as community land or operational land.

(2A) Any land acquired by a council that is not classified under subsection (2) is, at the end of the period of 3 months referred to in that subsection, taken to have been classified under a local environmental plan as community land. [emphasis added]

Due to an internal Council error the subject land was not classified as 'operational' within the three-month period from settlement and the land has automatically reverted to a 'community' land classification. As noted above, the land cannot currently be utilised for its intended use as the expansion to the Moama Business Park until the land is reclassified from 'community' to 'operational'.

To facilitate this reclassification, a Planning Proposal has been drafted by Habitat Planning (Attachment 1) to amend Schedule 4 of the Murray Local Environmental Plan 2011 to reclassify this land from "community" to "operational". The Planning Proposal also seeks to rezone the land from RU1 Primary Production to IN1 General Industrial (soon to be known as E4 General Industrial due to changes proposed by NSW State Government), and to remove the Minimum Lot Size provisions applying to the site.

DISCUSSION

Site characteristics

The subject site is Lot 1 DP 793207 (Cobb Highway, Moama) and has a total area of 32.83 hectares. The land is zoned RU1 Primary Production under the Murray LEP 2011 and is mapped as River Murray land under the State Environmental Planning Policy (Biodiversity and Conservation) 2021. The lot size provisions affecting the property are 120 hectares. The land is not mapped as an Urban Release Area, Bush Fire Prone Land, Flood Prone Land, Terrestrial Biodiversity (Native Vegetation), Key Fish Habitat (Aquatic Biodiversity), Wetlands, RAMSAR Wetlands, a Watercourse, mining resources or contaminated land. The site does not contain any known items of environmental heritage significance. The site is rectangular in shape and is currently used for extensive agricultural purposes. Some native vegetation remains on the site. The subject land is shown below in Figure 1 and Figure 2.

Figure 1 – Locality map (Source ePlanning Spatial Viewer)

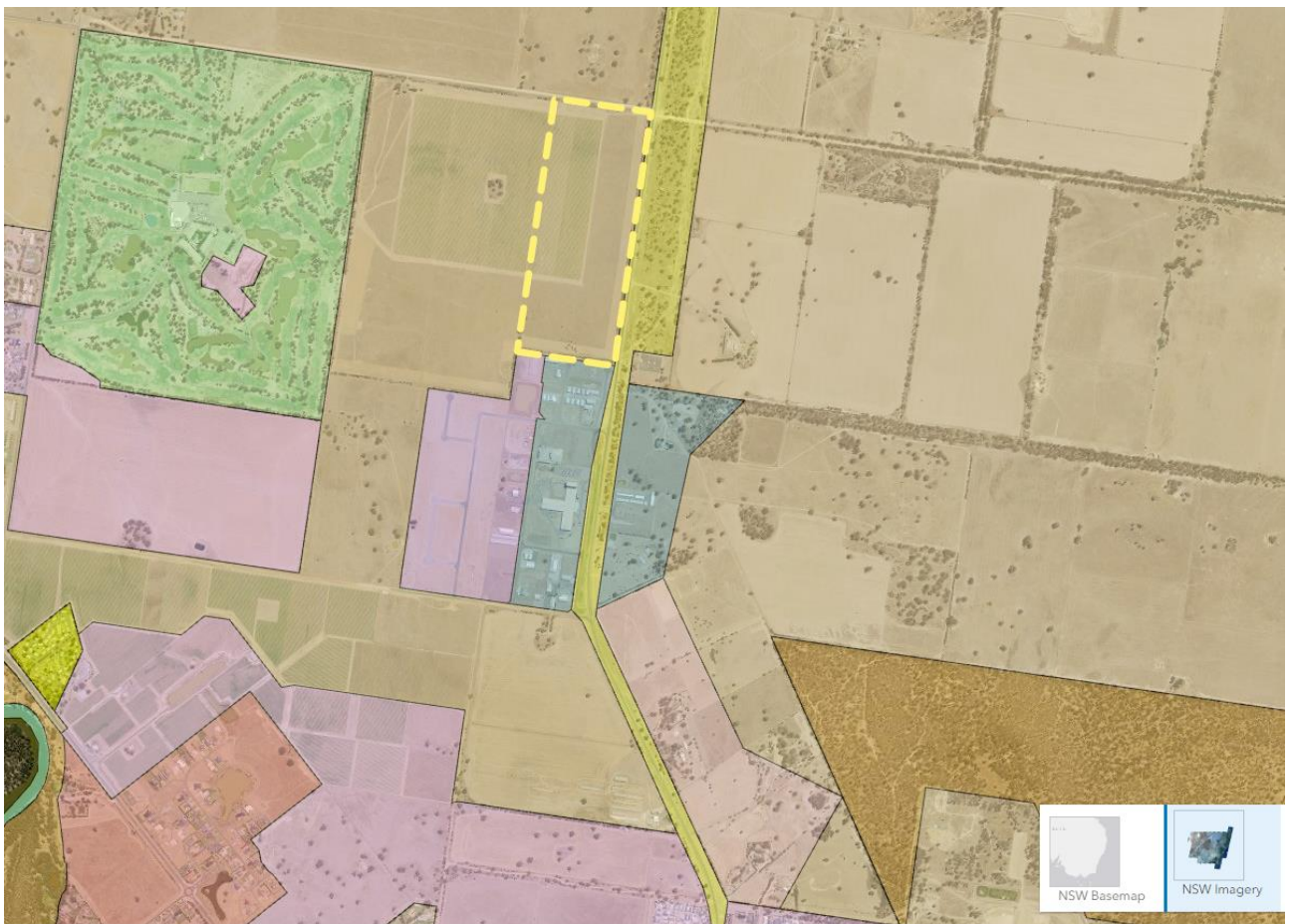


Figure 2 – Aerial photography of subject land



Planning Proposal adequacy assessment

The Planning Proposal has been assessed against all relevant provisions and is consistent with the following:

- Murray River Council Local Strategic Planning Statement 2020-2040
- Murray Strategic Land Use Plan 2010-2030
- Riverina Murray Regional Plan 2036
- Applicable State Environmental Planning Policies
- Applicable Section 9.1 Ministerial Directions
- Practice Note “PN 16-001 - Classification and reclassification of public land through a local environmental plan” and associated “Attachment 1 - Information checklist for proposals to classify or reclassify public land through an LEP”.

The comments and assessment contained within the Planning Proposal align with Council’s evaluation of the Proposal (subject to slight updates as requested by DPE during draft assessment). The transfer of the land to Council ownership was initiated purely to extend the Moama Business Park for commercial/industrial development with no intent to ever utilise the land as a ‘community’ use. As the land has never been previously utilised for a public use or public reserve, there is no effectual loss of active or passive community space associated with the subject reclassification to operation land.

Strategic and site-specific merits of the Planning Proposal

The eventual development of the site as an expansion to the existing Moama Business Park has been documented in the following reports and analysis:

- *Moama Business Park Expansion – Infrastructure project.*

- *Murray Local Strategic Planning Statement (LSPS).*
- *Murray Strategic Land Use Plan 2010-2030.*

It is further noted the change to the controls applying to the site (upon conclusion of this Planning Proposal) will provide a range of business opportunities and allow Council to facilitate significant economic benefit to the community within Moama and the entire Murray River Council area.

The land is not positioned to provide public benefit as a traditional community space and should the Planning Proposal not be supported, significant reassessment of the strategic and economic viability of this land as community space would be required.

Timeline for completion

All required consultation (including Public Hearing requirements) and administrative tasks will be carried out as close to the proposed timeline as possible.

STRATEGIC IMPLICATIONS

5. Strategic Theme 5: A place of Prosperity and Resilience

5.1 - Encourage and support economic development across the region - Development of Business Parks / industrial expansion.

BUDGETARY IMPLICATIONS

Habitat Planning has previously been engaged by Council to complete the Planning Proposal report and lodge onto the NSW Planning Portal website.

POLICY IMPLICATIONS

Murray River Council Asset Management Policy (POL305).

Murray Development Control Plan 2013

LEGISLATIVE IMPLICATIONS

Environmental Planning & Assessment Act 1979.

Local Government Act 1993.

Murray Local Environmental Plan 2011

RISK ANALYSIS

• What can happen?

If additional land is not rezoned and reclassified within Moama, new businesses and industry may be unable to operate within the town.

• How can it happen?

The rezoning and reclassification is not completed and businesses move elsewhere.

• What are the consequences of the event happening?

Businesses may move to adjoining Council areas (i.e. Shire of Campaspe in Victoria).

• What is the likelihood of the event happening?

Moderate.

- **Adequacy of existing controls?**

Rezoning and reclassifying the land will ensure industrial/commercial businesses can further expand/commence within Moama.









- **Treatment options to mitigate the risk?**

Council support the recommendations to approve the Planning Proposal.

CONCLUSION

The Planning Proposal is a suitable outcome for Council. The planning proposal is consistent with the objects of the *Environmental Planning and Assessment Act 1979* and will allow for the strategic extension of the Moama Business Park. The planning proposal is not inconsistent with the aims of the Murray Local Environmental Plan 2011 and all other Environmental Planning Instruments relevant to the Council. The Planning Proposal will be notified to the public, and any submissions received will be considered and addressed appropriately. All conditions of the Gateway Determination will be complied with. It is therefore recommended Council proceed with the Planning Proposal in accordance with the recommendations at the start of this report.

ATTACHMENTS

1. **Local Environmental Plan Making Guideline (under separate cover)** 
2. **Deposited Plan**  
3. **Initial Comments from DPE**  
4. **Plan of existing services in the area**  
5. **21308 - Lot 1 DP793207 Cobb Highway Moama - Planning Proposal (Final) (under separate cover)** 

MURRAY RIVER COUNCIL

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

SURVEYORS REFERENCE: 3390

PLAN FORM 1

SIGNATURES, SEALS AND STATEMENTS of intention to dedicate public roads or to create public reserves, drainage reserves, easements, restrictions on the use of land or positive covenants.

THE COMMON SEAL OF
 ECHART LIMITED HAS BEEN AFFIXED IN THE PRESENCE
 OF
 DIRECTOR OF PLANNING AND ENVIRONMENT
 MURRAY RIVER COUNCIL

Crown Lands Office Approval

PLAN APPROVED

Land District:
 Paper No:
 Field Book:
 pages

Council Clerk's Certificate

I hereby certify that -
 (a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and
 (b) the requirements of Part 3 Division 2 of the Water Board Act 1987 and 1 Water Supply Authorities Act 1987
 have been complied with by the applicant in relation to the proposed
 (insert "new road", "subdivision" or "consolidation" set out herein)
 Subdivision No:
 Date:
 (Signature)
 Council Clerk

† Date if inapplicable
 District Water Board
 Metropolitan Water Sewerage and Drainage Board and the Hunter
 is to be subdivided is wholly outside the area of operations of the
 for a consolidated lot or the opening of a new road or where the land
 This part of the certificate is dated where the application is only
 Council File No:

PLAN DRAWING ONLY

PLAN OF SUBDIVISION OF
 PORTIONS 77, 78 AND CLOSED
 GOVERNMENT ROADS.

Lengths are in metres Reduction Ratio 1:

Mun./Shire: MURRAY
 Locality: MOAMA
 Parish: TATAILA
 County: CADELL

Plans used in preparation of survey/compilation.

THIS IS SHEET 2 OF MY PLAN IN 2 SHEETS

REGISTERED SURVEYOR
 DP 793207

Registered:
 C.A.:
 Title System:
 Purpose:
 Rel. Map:
 Last Plan:

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

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 (insert "new road", "subdivision" or "consolidation" set out herein)
 Subdivision No:
 Date:
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† Date if inapplicable
 District Water Board
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Lengths are in metres Reduction Ratio 1: 10000

Mun./Shire: MURRAY
 Locality: MOAMA
 Parish: TATAILA
 County: CADELL (78)

Plans used in preparation of survey/compilation.

THIS IS SHEET 1 OF MY PLAN IN 2 SHEETS

REGISTERED SURVEYOR
 DP 793207

Registered:
 C.A.:
 Title System:
 Purpose:
 Rel. Map:
 Last Plan:

10	20	30	40	50	60	70	Table of mm	110	120	130	140
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This negative is a photograph made as a permanent record of a document in the custody of the Registrar General this day 9th August, 1990

From: Thomas Scoble <thomas.scoble@dpie.nsw.gov.au>
Sent: Wednesday, 2 November 2022 2:53 PM
To: Rod Croft <rcroft@murrayriver.nsw.gov.au>
Cc: Haydon Murdoch <Haydon.Murdoch@planning.nsw.gov.au>; Wayne Garnsey <Wayne.Garnsey@planning.nsw.gov.au>
Subject: RE: [#22004] Planning Proposal - Cobb Highway

Hi Rod

Thanks for sending. Given that the land is identified in the old Moama LUS and is a logical extension of the existing precinct we only have some minor comments:

- Update Section D 3.3.11 to include further detail of existing infrastructure and servicing
- It is noted that the PP is to rezone rural land to industrial land adjoining Cobb Hwy (State Road). Update PP to clarify that Council will consult with TfNSW throughout the process
- Update the PP to reference the actions of the Draft Riverina Murray Regional Plan 2041
- Ensure Certificate Title and title searches are provided

Please feel free to contact me if you would like to discuss further

Thanks

Tom Scoble

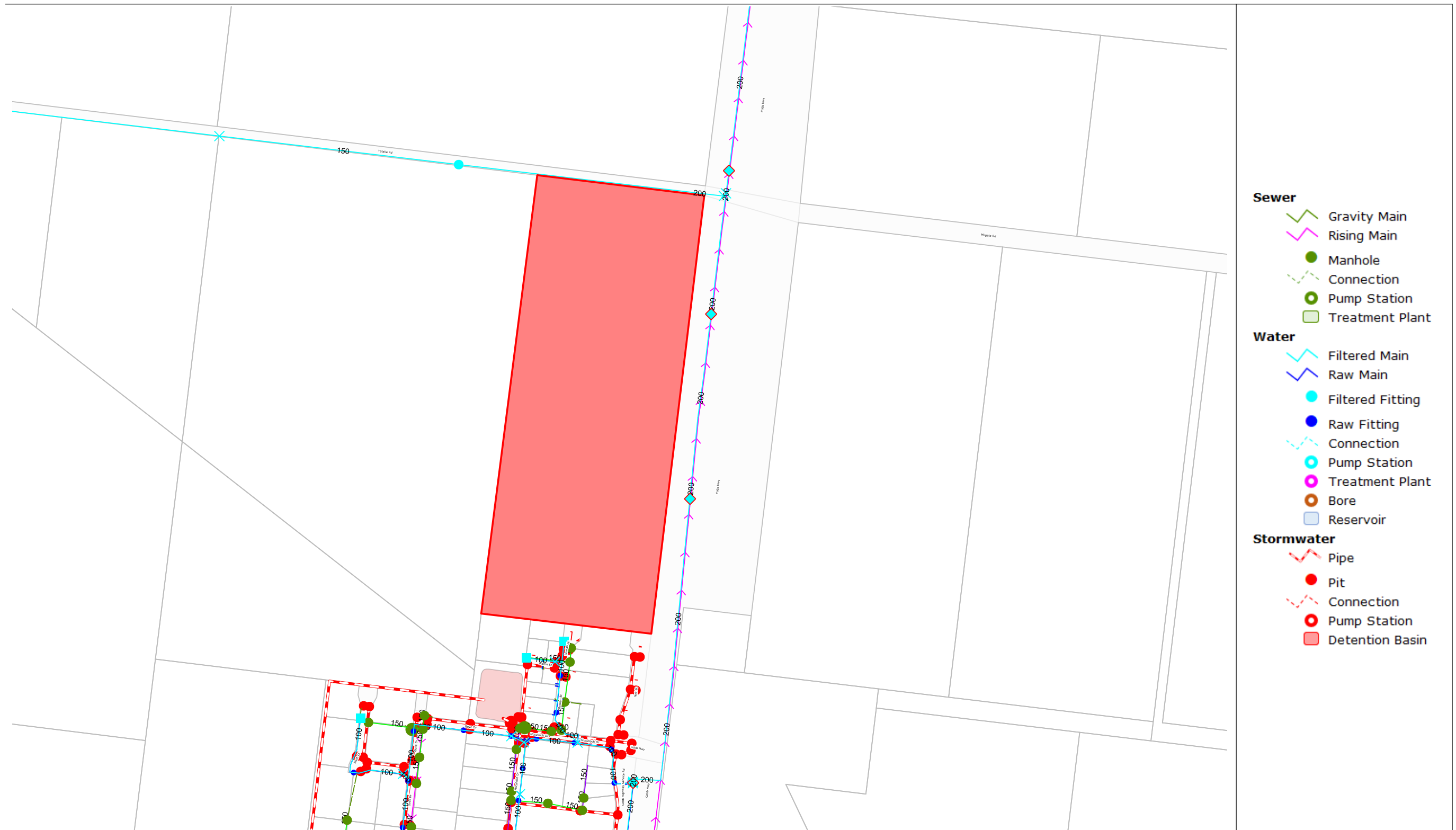
Planning Officer, Western Region

Local & Regional Planning | Department of Planning and Environment

T 02 8275 1737 | E Thomas.scoble@dpie.nsw.gov.au

www.dpie.nsw.gov.au





Murray River Council Mapping

Printed
 8/11/2022
 Scale
 1: 7500



IMPORTANT NOTICE
 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.
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9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 GRANTS UPDATE NOVEMBER 2022

File Number: -

Author: Tiana Cronin, Grant Officer

Authoriser: Sarah Ryan, Acting Director Community and Economic Development

RECOMMENDATION

That Council receive and note the October 2022 Funding Report.

BACKGROUND

The purpose of this report is to provide an update on current funding applications submitted by Council.

DISCUSSION

Council has applied for funding under the following programs:

<p>Fixing Country Roads – Bridge and Route Load Assessment Stream</p>	<p>Lead applicant – joint application with: <i>Edward River Council, Berrigan Shire Council, Federation Council, Murrumbidgee Council and Murray Irrigation Limited.</i></p> <p>For bridge and route load assessments on the local and regional road network. Each of the 384 structures undergo a load rating assessment in accordance with AS5100 to confirm the current and potential load rating of each structure. This assessment would include detailed structural analysis and computer modelling of the bridge elements to determine an adequate load rating.</p>	<p>Requested \$3,722,015</p> <p>No Contribution from Council</p>
<p>Fixing Country Roads – Roads and Bridges Construction Stream</p>	<p>Kyalite Road – Widening. A total of 11.8kilometers of MR 296 to be widened to 8 metre seal, including 500mm shoulders.</p>	<p>Requested \$3,133,617</p> <p>Contribution from Council \$1,139,497</p>
<p>Fixing Country Potholes</p>	<p>Focus on targeted maintenance (patch) and repair of potholes on Local and Regional Roads.</p> <p><i>Funding is allocated based on: Total funding / Total regional and local road kilometres submitted) * total council area regional and local road kilometers.</i></p>	<p>No contribution from Council</p>

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.10 - Strategic planning which produces consistent, strategic, transparent outcomes - Streetscaping / Master Planning / Placemaking.

BUDGETARY IMPLICATIONS

Due to the flood impact, and timing of grant applications – applications made prior to the floods - if and when grants are received further consideration as to whether to accept or reject offers will need to be made. This is due to the unknown condition of our infrastructure network and what the Disaster Recovery Funding Arrangements will recompense council for.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**
Projects not funded
- **How can it happen?**
Grants applications unsuccessful
- **What are the consequences of the event happening?**
Funding to be sought elsewhere or projects may not proceed
- **What is the likelihood of the event happening?**
Medium
- **Adequacy of existing controls?**
Adequate
- **Treatment options to mitigate the risk?**
Applications put forward for funding are scoped and prepared with all information available at the time of submitting.

CONCLUSION

Council continues to seek funding to deliver various projects within the Community Strategic Plan to benefit the Murray River Council Community.

ATTACHMENTS

Nil

9.5.2 SECTION 355 COMMITTEE REPORT - NOVEMBER 2022

File Number: -

Author: Jaclyn Blaswick, Administration Officer

Authoriser: Sarah Ryan, Acting Director Community and Economic Development

RECOMMENDATION

That Council receive and note the September Section 355 Committee Report.

BACKGROUND

Council Section 355 Committees are to provide minutes of each committee meeting to keep Council informed of the committee's activities.

DISCUSSION

The Economic Development and Tourism teamwork with all committees to help them meet their obligations as required by S355 Local Government Act 1993.

The minutes received by Council are generally for the period during June 2022 until October 2022 and are attached for Council's information

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.1 - Create and maintain safe and accessible community spaces that enhance healthy living and promote active lifestyles - Sports and recreation facilities and spaces.

BUDGETARY IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**
Nil.
- **How can it happen?**
Nil.
- **What are the consequences of the event happening?**
Nil.
- **What is the likelihood of the event happening?**
Nil.
- **Adequacy of existing controls?**
Nil.

- **Treatment options to mitigate the risk?**

Nil.

CONCLUSION

Council staff are highly engaged with Section 355 Committees with scheduled monthly face to face meetings.

The following items have been noted at recent committee meetings:

- Moulamein South Recreation Reserve Committee have submitted a letter dated August 1, 2022 passing on thanks to Council for maintaining the reserves and surrounding areas
- Barham School of Arts querying where heating fee from coin payments is deposited
- Friends of Old Moama cancelled November 2022 meeting due to flooding within region.
- Wakool Recreation Reserve have raised
 - Building requiring maintenance such as eaves of building creating leakage etc and awaiting CT report to be presented to Council meeting
 - Querying signage to be placed at entrance points of town showing it is RV friendly and has a dump point

ATTACHMENTS

1. **Section 355 Committee Report - November 2022** [↓](#) 

MOULAMEIN SOUTH RECREATION RESERVE COMMITTEE MEETING**Held: Wednesday 1st June 2022 at 5:33pm****Venue: Moulamein Sporting Complex**

Present: Kathy Munro, Rossy Main, Ron Doran, Colleen Wilson and Luke Keogh.

Apologies: Shantal Sherman, Mel Arthur, Deb Polkinghorne and Garry Russell

Minutes of the previous meeting as tabled:

Moved Kathy Munro

Seconded Ron Doran

That the minutes from the general meeting held on the 3rd May 2022 be accepted. **Carried**

Business arising:

- 1 Grant Applications
 - Complex improvements - submitted
 - Little Aths shed - ongoing
 - BBQ - Colleen to get quotes to forward to Amy.

Treasurers Report:

- Financial Statement attached

Moved Colleen Wilson

Seconded Kathy Munro

That the Treasurer's Report as tabled be accepted. **Carried**

Correspondence:

Out: MRC - mowing

In: Email Invoices - Bakker & Glen
MFNC

General Business

- 1 AGM – 7th November 2022
- 2 MFNC A/c request – decided to defer until we receive notification of the grant application.
- 3 Netball courts – There will be some recoat patching occurring (as advice by Luke).
- 4 Down pipe on Netball shed has been damaged, Luke to organise Brian Goble to fix.

Meeting Closed at 5.54 pm.

Next meeting 7th November 2022, 5.30pm.

Rossy Main
Hon. President

Colleen Wilson
Hon. Secretary

Moulamein South Recreation Reserve Committee

PO Box 17 MOULAMEIN NSW 2733

Email moulameinsrrc@gmail.com

1st August 2022

Murray River Council
PO Box 906
MOAMA NSW 2731

To Whom It May Concern

Our committee is writing to thank the Council for maintaining the Reserves surrounding areas. The grounds are continually looking well maintained and it is a credit to the town gardener.

While we do ask the Council to continue maintaining the surrounds of the football oval and the netball courts, we are happy to continue mowing the football oval.

Yours Sincerely,

Colleen Wilson
Hon. Secretary
Moulamein South Recreation Reserve Committee

Rossy Main
Hon. President
0428 875 078

Colleen Wilson
Hon. Secretary
0429 031 899

Shantal Sherman
Hon. Treasurer



MOAMA RECREATION RESERVE
MANAGEMENT COMMITTEE
ABN: 30 084 831 951
P.O. Box 340 MOAMA NSW 2731

MINUTES
Tuesday 9TH AUGUST 2022
@ SPORTS PAVILION. 5.45PM

CHAIR: Cr. Nikki Cohen.

PRESENT: MRC Luke Keogh, Kirk Teasdale, Jonathan Keele, Matt Lake, Fran Galvin, Nancye Smith, Nici Deller, Judy Teasdale, Matthew Dobeli.

APOLOGIES: Leah Smith.

IN ATTENDANCE:

Move Minutes of JUNE Meeting & reports 2022 meeting. Moved- Matt Seconded - Fran

MATTERS ARISING FROM MINUTES;

CORRESPONDENCE IN:

MRC. Luke K. Management Pan

Club Reports

MRC Shire info & available grants.

CORRESPONDENCE OUT:

Minutes, Agendas, Treasurers Reports

MRC Shire info & available grants

TREASURER'S REPORT:

Treasurer's June & July reports be received and accounts ratified. Moved Fran Seconded by Jonathan

GENERAL BUSINESS:

1. **Vandalism – SECURITY CAMERA'S, any reports.** Nil.
2. **Management Plan UPDATE** will be going to September meeting to be adopted.
3. **MFNC Grand Final Hosts.** It's been a few years since having a final here because of CV, so great to have a Grand Final back, great chance to show case our grounds and facilities & great cash flow for the League. Discussion re parking, using the ovals, shire parking, school etc. Hopefully will be able to park out front of on Perricoota Rd, as need as much parking as possible.
4. Chat re maybe one day organising a fun family social afternoon with sporting games of cricket, soccer?
5. Discussion brought up re is the preschool still going ahead in same position, as discussed re future cycling track additions.
6. **Main Oval** – Very busy with training.
7. **EDDY OVAL** – Busy with athletics carnivals and trainings.
8. **WATER STORAGE** – Good, plenty of rain and more to come.
9. **BOOKINGS....**
Reminder - before outsiders book - There needs to be a check with user groups first. All Clubs to do their bookings for Ovals in the Calendar on-line. Also for group usage and Events.
Clubs are now getting used to booking system and working well.
10. Pre School plan still on the management-still supported by council.
11. **MRC** important to continue negotiating land for our future developments.
Next Meeting OCTOBER 11TH (Most likely will be the AGM)

USER GROUP REPORTS:

A) **MFNC**

Matt Lake Pres

Murray League Grand Final (Saturday 17th September) to be played here at Moama Rec Reserve. Thanks to MRC - Luke Keogh & MBC – George Santos. The Murray League made a "Business-Financial" decision as they believe that here at Moama represents the biggest "gate" outcome compared to other Murray League towns/venues. The

League vote count/presentations to be held at MBC Sunday 11th September

Electronic Scoreboards for both Netball courts have been organised. Requests to MBC & Simplot re; assistance with funding. Temporary "Suspended" electrical cabling to be installed so they can be in operation for Murray League Grand Final day. Permanent "Underground" works to be completed over summer months.

Only two home & away games left and then it's finals time. With Seniors, Reserves, U/14's & possibly U/17's Football & A,B,C, Res, U/17's, U/15's & U/13's Netball all making finals.

Senior Football Coach Sam Sheldon has signed on to Coach again next year. It will be our first senior's finals in 5 years.

B) MCricket C:

Kirk Teasdale Pres

Very happy with youth of the club who have been trying out with the Academy and doing well, there has been a lot of travelling around the country side.

Discussion re new proposed nets.

C) TOUCH:

Pauleen Sleeman

D) ADV PlayPark:

Judy Teasdale

Luke K said soft fall will be applied around playpark soon.

Discussion re cycle track which being proposed could incorporate the ideas of the Adv P learning cycling and the rules of the road.

Lots of maintenance needs to be done.

Tables seem to be walking around away from playpark, with Spring coming and the need for more tables, hopefully they will be replaced back under the shelters.

Also discussed at meeting for Adv Playpark bike education ideas be added to cycling track additions.

E) LITTLE Athletic:

Leah Smith Pres

F) BOT Gardens:

Nancy Smith

Looking forward to new section and new plants. Working bee in Spring. Rabbits still a big problem.

G) SOCCER:

Jonathan Keele

Saturday morning soccer will finish on Saturday 10th September 2022

Saturday 3rd September – Senior Men's Semi Finals. Will require 2 pitches

Luke: Are we able to have the grounds mown the day before?

Spring/Summer competition starts Thursday 20th October until 15th December 2022 Sunday Soccer will commence Sunday 25th October and run through until end of March.

H) CYCLING

Matthew Dobeli Pres

Not much to report for EMCC as we road race over winter and don't use our clubrooms, other than some outside personal training sessions.

The red light alarm which I believe is the septic tank had activated, we reported to council and is now off so i gather it's been emptied/fixed?

Our only query was of the previous plans to extend our criterium track, it was previously in the plans but with all the new development –preschool/daycare? etc, is it still in the plans - we might need to approach council for this, at our meeting re plans for a kids bike course, MRC officials were unsure.

GRAMMAR School:

Nici Deller

We would like to acknowledge the Traditional Owners of the land on which our school is built and pay our respects to Elders past, present and emerging. We remember that the land on which our students flourish is, was and always will be sacred to Aboriginal people.

With the ongoing bugs and lingering viruses, maintaining operational has been a daily challenge. Our staff have been amazing in pulling together and taking on additional duties to cover each other during this time. We are incredibly grateful for their dedication and support.

Whilst we continue to assess COVID risks for each incursion, excursion and camp, it has been great to see our students attend Camps again this year. Our 9 students traveled to the Strathbogie Ranges for their year level camp and the Year 10 students had their camp in Melbourne. Year 5 students traveled to Bendigo and Ballarat and the Year 12 PDHPE students visited sporting facilities at other independent schools in Melbourne and Ballarat.

One focus area in our current Strategic Plan is to strengthen our connections with the local community. We continue to be involved in local community events and offer support. Our Year 11 VET Tourism and Events students have been supporting Moama Lights and last Sunday, the school was able to support the Marshalling team at Johnno's Run. Our students continue to be involved in many sporting opportunities and we thank the Rec Reserve for their continued support by being able to access their facilities.

{picture students at Ballarat Rowing facility}



J) Cr Nikki. Moama Lights a success, many families came to Moama Echuca just to see the lights. Over 20,000 tickets were sold. Some one even proposed on one of the nights.

K) MRC: Luke Keogh: General Works: Grounds: Buildings/Assets: Projects

General:

Main Oval & Brick Alley driveways complete. Line marking is to be done in the next week. West side of school was also completed as part of the works.

- Stage Five Botanic Gardens in construction, next stage is to source plants for spring.- Ongoing.
- SCCF4-JE Female amenity. Finalising funding deeds with State Government.

Master Plan:

- The Draft Master Plan is being finalised with the addition of all the feedback comments. Some minor visual changes were made and it will be reported to the September council meeting for final adoption.

Buildings:

- Jack Eddy oval- Door handle repaired, still some minor issues
- Cleaning- Reminder Cleaning happens weekly at Main Pavilion, Jack Eddy & Brick Alley toilets. Users to clean after use. Jack Eddy now receives an extra clean. \$2200 per month.
- Power usage - Currently monitoring weekly usage to provide feedback to the Committee at next meeting. Noticing lights on when not in use.
- Velodrome sewer blockage repaired, blockage behind Playpark.

Grounds/General:

- Grounds are holding up okay. Fertilised and mowing at winter height of 25mm.
- Main oval will be verti drained around the 17th to relieve compaction prior to the MFL Grand Final.
- Lights on main oval still not back up. Had to hold off due to sealing works.
- Playpark-Looking to put in a significant quantity of soft fall ready for spring/summer.
- Irrigation breaks-Jack Eddy repaired.
- Bollards installed on Main Oval to improve safety.

Ground bookings:

- Been busy. School sports and soccer carnivals. AFL

Water Storage:


- Currently at capacity approx. 22 megs storage on site
- Last year for 12 months June 21 to July 22 used total 95.8 megalitres water. This irrigation was predominantly rain water harvested. Increased usage with Dog Park and new office lawns now on system.

General Business:

- **Murray Football League Grand Final 17th September.** Working with the League to secure long term partnership at Moama. Ground works will commence prior to repair turf and usage access will be reduced. Long term need to look at scheduling traffic off this oval to reduce impact on turf.
- Council assisting with costs associated with the final. Signs, Advertising/Promotion. Etc.
- Need to consider Moama Junior Football Club becoming another user group separate to the Moama Football Club or raising user fees for MFNC.
- Building Handover- Checklist for commercial clean and walk through.

NEXT meeting & 2022. OCTOBER 11TH {AGM} 5.45pm –

Please don't hesitate to contact myself or Nikki for any issues to pass on. Meeting concluded 6.50
Secretary; Judy Teasdale Sec 0419 817 371 Cr Nikki Cohen 0419 573 258

MOAMA RECREATION RESERVE			
STATEMENT OF INCOME & EXPENDITURE FROM 01/07/2021 TO 30/6/2022			
EXPENDITURE		INCOME	
Bank Charges	120.00	ATO BAS / GST Refunds	66.00
Waste Management Services	1,837.57	Annual Fee	29,669.00
Covid Grant Payments	6,875.00	Ground Usage Fee	4,139.70
ATO BAS / GST	2,773.00	Pavillion Hire	120.00
Postal Services	77.00	Covid Grant - Murray River Council	12,500.00
Repayment - Murray River Council	20,000.00		
Stationery	11.15		
Cancellation Refunds			
Repairs & Maintenance	10,329.00		
Sub Total	<u>42,022.72</u>	Sub Total	<u>46,494.70</u>
Plus excess Income over Expenditure	4,471.98		
TOTAL	<u>46,494.70</u>	TOTAL	<u>46,494.70</u>
EQUITY		ASSETS	
Westpac Bank - as on 30-06-2021	61,628.46	Westpac Bank as at 30/06/2022	66,773.44
Plus Excess Income over Expenditure	4,471.98		
Plus Unpresented Cheque # 600	673.00		
TOTAL	<u>66,773.44</u>	TOTAL	<u>66,773.44</u>
<p>The above Financial Statements have been prepared from the books and records of the MOAMA RECREATION RESERVE made available to me for the period 1st July 2021 to 30th June 2022, and now report that in my opinion the above Statement and Balance Sheet fairly sets out the financial position of the Committee as at that date.</p>			
 Vanessa Duncan Finance Officer		 Abbas Mehr Financial Accountant	

MOAMA RECREATION RESERVE

Income & Expenditure Statement

01.07.22 to 30.06.23

<u>INCOME</u>	AUG/SEPT	YTD	BUDGET
Ground Hire	570.00	570.00	8,000
Tenant Contributions	34,404.00	34,404.00	36,376
GST		291.00	600
TOTAL	<u>34,974.00</u>	<u>35,265.00</u>	<u>44,976</u>
<u>EXPENDITURE</u>			
Rubbish Removal	307.71	451.38	2,000
Fee Refund	130.00	430.00	
GST	3,099.00	3,099.00	3,000
Sundries	20.00	30.00	200
Murray River Shire			20,000
R&M			10,000
TOTAL	<u>3,556.71</u>	<u>4,010.38</u>	<u>35,200</u>

BANK RECONCILIATION

Opening Funds Balance 01.08.2022		65,937.77
Plus INCOME	34,974.00	
Less EXPENDITURE	3,556.71	
Surplus		<u>31,417.29</u>
		<u>97,355.06</u>
Closing Funds bank 31.07.2022	100,584.06	
Less U/P cheques (608,609)	3,229.00	<u>97,355.06</u>

ACCOUNTS FOR RATIFICATION

<u>ACCOUNTS FOR RATIFICATION</u>		GROUND HIRE	
Bank Fee	20.00		
Fee Refund	130.00	St. Joseph's College	\$ 435.00
Veolia En.Services	307.71	Echuca College	135.00
BAS	3,099.00		
TOTAL	<u>3,556.71</u>		<u>570.00</u>

Section 355 LGA Barham School of Arts Hall Committee Report.**12th September 2022****NOTE. This meeting is included in the Barham Koondrook Lions Club monthly meeting.****Meeting Commenced- 8-03pm.****Chair:** T Barker.

G Barker, J Boyd, A Mathers, P Williamson, R Millar, A Millar, R Daws, L Sheldrick, B Rash, J Whelan,
B Campbell, G Minnis.

Apologies: C Pye, J Pye, G Cook, R Arthur.**Section 355 LGA Barham SOA Hall Report.**

J Boyd- Hirers aren't cleaning up to the appropriate standard required after functions. The Cleaner has remarked on the poor state of the Reception Room after several functions. He has not seen heater money being shown as deposited into Lions Club Hall Account for some time. Where does it go?

Moved: J Boyd **Seconded:** R Millar "That our secretary write to MRC with a view to requesting that staff ensure that the cleaning bond money is received, and premises are inspected after use. Any extra cleaning costs to be deducted from the bond before refund. Also that we have further concerns about where the money from the heaters is deposited/recorded. Our club would like a meeting with the appropriate Council officer to resolve these issues. **Carried.**

Financial Report.

See attachment.

Meeting Closed- 9-42 pm.

John Whelan

Secretary

Barham Koondrook Lions Club.

0429977351.

Friends of Old Moama

GENERAL MEETING MINUTES

Date: Tuesday 4th October 2022

Venue: The Captains Cottage

Present: Sue Shaw, Mary Ledwidge, Eric McConachy, Judy McCleary, Shirley Durrant, Brian Ellis, Cr Nikki Cohen, Robyn Morphett, Carolyn Rolls

Apologies: Beck Hayward

Opened: 10am

PREVIOUS MINUTES:

Approve minutes 6th September 2022 Moved: Mary 2nd: Judy

FINANCE REPORT:

\$2847.47 Moved: Shirley 2nd: Brian

CORRESPONDENCE:

1. Judy McCleary – email all to celebrate a successful open day on 1st October

BUSINESS ARISING:

Item 1 – Jinker – unanimous decision to seek another quote – Nikki to follow-up

Item 2- - History Open day – feedback from the day –

-see Sue's report.

- Thankyou to Council for clearing up surrounds before open day.

- Total sales after costs = \$360. Share profit - \$180 to be put into FOOM account

-Successful mini-market

- Cemetery walks and tours of Old Telegraph Station created interest

- Advertising was successful, especially so many mentions in Community page of Riv.

- Eric collected signs – thank you

-Film with May Robson created interest in Captains Cottage.

- Numbers approx – 80 for Captains Cottage and 120 for Telegraph Station – locals and visitors.

Item 3 – Fence line – any update from Council – next meeting

GENERAL BUSINESS:

Item A - Back Door – Starting to deteriorate, no longer protected by lean to –suggest security door + screen door + security lights needed

Item B - Police project – Mary and Eric to research info in filing cabinets. Family History group (Janice) has done research on Alexander Constantine

Item C - Flood? – Council to keep FOOM informed

Item D - Christmas plan?- next meet

Item E - OTS security toilet – Dave Dundee to deadlock toilet door, install lights and camera

Item F - Secretary - Carolyn indicated her resignation from next meet.

Meeting closed: 10.55

Next meeting: 1st November 2022, 10 am at Captains Cottage

Minutes of S355 Wakool Recreation Reserve Committee Held on 6thth October 2022, commencing at 8.00pm, at WDSM Club.

Meeting Opened:8.07pm

Acknowledgement of Country-The traditional custodians of the Wamba Wamba Barapa Barapa people of the land on which we meet today and pay our respects to the elders past and present.

Present: Genny Oggian, Robert Grant, Maree Whelan, Graham Rowland, Jean Fairchild, Michael Cattnach, Ian Main, Michelle Till

Apologies: Ann Hamilton, Annette Dow,

Conflict of Interest Declarations; Nil

Minutes of previous meeting; 17th February 2022

Moved; Maree Whelan Seconded; Genny Oggian Carried

Matters Arising:

- Rob Grant has spoken with David Landini regarding the power account for Tennis and the free camping, Rec Reserve is going to pay the difference in the account. No account has been received yet.
- Donation boxes are still to be made and placed at camper's toilets.
Ian Main moved, seconded Rob Grant that we have 2 donation boxes one at the camper's toilets and one at the Men's shed. Carried.
- **Murray River Council**, Rob Grant asked that it be noted in our minutes as to why we have had no responses to our minutes? We are complying with the 355 committee guidelines and having at least 4 meetings per year, as directed by John Harvey in a meeting in 2021.
We have several issues raised in previous meeting minutes that have not yet been responded to.

Correspondence In:

- Letter from Hall Committee regarding combining Wakool 355 committee's, it was agreed this would not benefit the town's 335 committees.
- Wakool Men's Shed, regarding placing a Gazebo/kitchen/seating area at the site of the old show bar, this would enhance the camping area.

Out:

- Letter of support to Men's Shed to gain a grant.

Treasures Report: Robert Grant reported a balance on the 08/09/2022 of \$10752.28

Movement in the account has been, \$ 302.79 Power account (pump),

Moved; Robert Grant Seconded; Ian Main Carried.

General Business:

- **Murray River Council items to be noted or addressed.**

:-Letter from the Men's Shed, Large discussion held and Motion moved by Rob Grant to build a Gazebo/outdoor kitchen area at the site of the old show bar, this will be built by the men's shed and paid for by the Recreation Reserve 355 committee. The approximant cost is \$7500.00. Seconded by Jean Fairchild, carried

:-Michelle explained what has happened with the hot water at the Rec Reserve, we now only have one hot water unit on and if we get a large crowd or a function, we can turn the other hot water units on as needed. All the hot water units need new taps, and this has been organised to be done by Border plumbing and the Rec Reserve 355 committee will pay the account.

:-We received an account for a rental of a gas bottle in the name of the Wakool Football Club, Michelle is looking into where this gas bottle is before it is paid. Will report back at the next meeting.

:-Committee agreed that as the WCPA is part of the Rec Reserve Committee there will be no charge on the event that they are holding but all paperwork is to be put into Council as requested and the grounds and facility is to be left clean and tidy. Carried.

:- Ian Main stated that the Rec Reserve building needs quite a lot of maintenance, eves of the building as this is causing leaking etc. **Could Council Assist, response please.**

:- Genny explained that some campers that used the facility for the time they were working at the silos, gave a donation of \$750.00, and that us very much for the great facility. Thank you card to be sent.

:- John Harvey and Sarah Ryan had meeting in person with the 355 committee in 2021 and explained that we would be able to have sign's stating that the Town was RV friendly town and that we have a dump point. We understand there is a dump point sign in town, but we would like to see something on the three entrances to the town along with the RV Friendly Sign. **Could we please have a response.**

Next Meeting: 24th November 2022 8pm Wakool DSM Club

Meeting Closed at 9.15 pm

9.6 CORRESPONDENCE REPORT

9.6.1 CORRESPONDENCE REPORT

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Correspondence Report be received and the information noted by the Council.

DISCUSSION

Due to the volume of correspondence that Council receives from Government Agencies, each Councillor has been forwarded the emails directly. As per resolution 290921 at the September 28, 2021, Council meeting, incoming emails from Government Agencies will not be included in this report unless by exception, only outgoing correspondence to Government agencies and general correspondence is recorded in the report.







INCOMING CORRESPONDENCE:

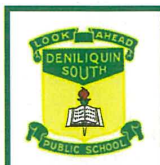
- Invitation to presentation Day 2022 – Deniliquin South Public School
- Invitation to presentation Day Moama Public School 2022
- Invitation to presentation Day Barham Public School 2022
- Request for sponsorship and invitation to presentation day – Deni Christian School

OUTGOING CORRESPONDENCE:

- Letter to Office of the Premier of New South Wales
- Urgent letter of request to Federal Member for Farrer

ATTACHMENTS

1. **Presentation Day 2022 - Deniliquin South Public School** [↓](#) 
2. **Presentation Day Moama Public School 2022 - MURRAY RIVER COUNCIL** [↓](#) 
3. **Invitation to Make Presentation of Award - Annual Presentation Day - Thursday 15 ~ Barham Public School** [↓](#) 
4. **Request for Sponsorship - 2022 School Presentation Event - Deniliquin Christian School** [↓](#) 
5. **Letter to Office of the Premier of NSW - Alicia McCumstie** [↓](#) 
6. **Urgent request for support - Murray River Council** [↓](#) 



Deniliquin South Public School

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332 – 350 Sloane Street
P O Box 833
Deniliquin NSW 2710
Principal: Liz Dudley

General Manager
Murray River Council
P O Box 21
MATHOURA NSW 2710



Dear Sir/Madam,

RE: Presentation Day 2022

Our 2022 School Presentation Ceremony will be held at the Deniliquin RSL Club on Friday 9th December 2022 at 12.30pm.

We have been grateful for your kind financial contribution in the past. This has enabled us to purchase the many prizes we present to successful students on the day.

We are hoping that you are willing to make a contribution to this year's Presentation Ceremony.

If you are able to attend please contact the South School office on 5881 2045 by Friday 2nd December and let us know if you or a representative will be attending.

Kind regards,

Aimee Liefting
Presentation Day Co-Ordinator
12/10/2022

MOAMA PUBLIC SCHOOL
Simms Street
Moama N.S.W. 2731
Ph. 03 54821564
Fax 03 54806460
Email moama-p.school@det.nsw.edu.au



Sarah Ryan
Murray River Council
52 Perricoota Road
Moama NSW 2731

Dear Sarah,

It is that time again when we begin to organise our Presentation Day for our school and our students.

Moama Public School sincerely appreciates the generous support you have previously provided at our annual school Presentation Day.

The details for the event are:
DATE: Monday 12 December, 2022
VENUE: Moama Public School Hall
TIME: 12 noon

Our experience of your previous generosity brings us to ask: Are you willing to again participate as a sponsor of an award?

We are extremely grateful for the support which enables us to recognise and acknowledge student achievement, and would be most appreciative of, and grateful for your donation.

To assist us with our planning could you please complete the attached sheet and return it us by Friday 16th September, 2022.

If we haven't heard from you by then we will attempt to make contact in the week following.

Kind regards,

Scott McKenzie
Principal
26.8.22

MOAMA PUBLIC SCHOOL PRESENTATION DAY

Monday 12 December, 2022

RSVP by

Friday 16 September, 2022

PLEASE RETURN THIS SECTION TO

Isabelle Campbell
Moama Public School
P.O. Box 183
MOAMA NSW 2731

or email to:

isabelle.campbell@det.nsw.edu.au

Our organisation is **unable** to sponsor an award for Presentation Day

Our organisation is **willing** to sponsor an award for Presentation Day

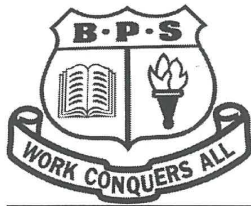
This year our donation will be \$.....

Organisation

Contact Person Phone Number.....

Email Address:

Signed.....

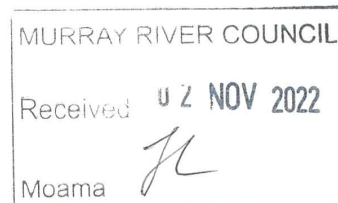


BARHAM PUBLIC SCHOOL

Principal: Mrs Roslyn Buchanan
Phone: 03 5453 2133
Email: barham-p.school@det.nsw.edu.au

PO Box 39
BARHAM N.S.W. 2732

Murray River Council
PO Box 21
MATHOURA NSW 2710



Dear Sir/Madam,

Barham Public School will host its annual presentation day on Thursday 15th December, 2022.

This event is a wonderful opportunity to celebrate the achievements of the school in 2022 and acknowledge individual students with the presentation of awards and certificates. It will also include a showcase of student talent.

We would be delighted if you could attend this ceremony to present an award.

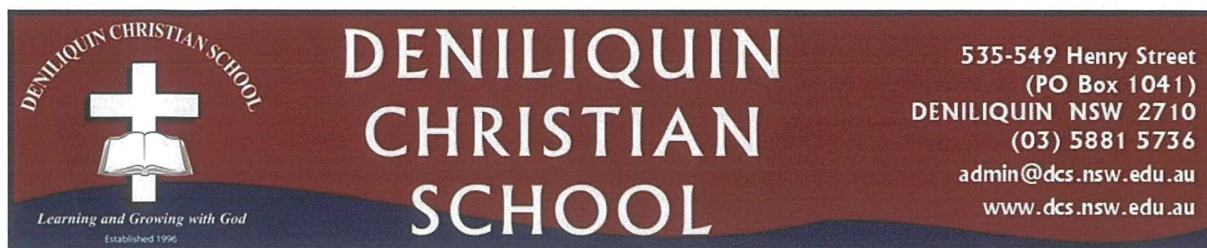
Date: Thursday, 15th December 2022
Time: 9.30am
Venue: CluBarham, Murray Street Barham
RSVP: 03 5453 2133 by Tuesday, 6th December 2022

We hope you are able to join us and look forward to your reply.

Yours sincerely,

Roslyn Buchanan
Principal

26th October, 2022



4 November 2022

Murray River Council
PO Box 906
MOAMA NSW 2731

MURRAY RIVER COUNCIL

Received 09 NOV 2022

Moama

Dear Council Members,

I am writing to seek your support for our 2022 School Presentation Event.

At the end of each academic year, we like to reward students who have excelled in different aspects of their schooling and are seeking sponsorship for awards from the community.

In past years, the Council has sponsored our Infants, Stage 2, Stage 3 and High School Sports Award, which incorporates a plaque and a gift voucher that is gifted to the student.

If you are still able to partner with Deniliquin Christian School, in this way, we would appreciate your support.

Sadly, this year's School Presentation evening will be our last, as the school will be closing at the end of the year. As such, I would like to thank you for your support in the past, and hope that you are able to partner with us as we celebrate our student's achievements for one last time.

Many thanks for your consideration of this matter and if there is any further information that would assist you, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jodie Graham', written over a horizontal line.

Jodie Graham
Administrator

For your information our bank details are attached to make a direct deposit into our account.

Account BSB: 032 870
Account Number: 199 080
Account Name: Deniliquin Christian School Incorporated
Reference: MRC Sports Awards

Received 09 NOV 2022

Moama



Invitation to attend

The Deniliquin Christian School would like to invite:

Murray River Council Mayor or a representative

to attend our 2022 Presentation Evening and assist in the presentation of awards

When:

Thursday 8th December 2022 at 7pm

Where:

Deniliquin Baptist Church (Regent Theatre)
33 Edwardes Street, Deniliquin

Hoping you can join us

Jodie Graham
Administrator

RSVP by 24th November 2022 via the slip below, email admin@dcs.nsw.edu.au or phone the office on 5881 5736.

I wish to advise the Deniliquin Christian School that the Murray River Council Mayor or a representative will:

- Not be attending the 2022 Presentation Evening
- Be in attendance at the 2022 Presentation Evening

Signed: _____

Name of Person Attending (Please print) _____

Date: _____



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
f 03 5884 3417
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

8 November 2022

Alicia McCumstie
Director of Political Engagement
Office of the Premier of New South Wales
GPO Box 5341
Sydney NSW 2001

Email: alicia.mccumstie@premier.nsw.gov.au

Dear Alicia

RE: Effects of Flooding Oct/Nov 2022 in Murray River Council LGA

I have outlined some of the most urgent issues that have had the biggest impact within Murray River Council LGA. To enable our community to recover, I ask that these issues are appropriately referred on to ensure that they are addressed.

- **Tourism & Agriculture primary industries –**

Murray River Council's two largest primary industries are tourism and agriculture, both have been devastated by the flooding that is currently affecting much of our local government area along with other neighbouring council areas. Our caravan parks attract hundreds of thousands of tourists during the peak season from September through to April, all of which are either underwater and/or unable to operate. Almost every primary producer has had large areas of crops wiped out and will need to find feed for animals.

This season was looking to be a bumper season and many farmers have 'hedged' their crops (pre-sold). Many will find it extremely difficult to recover because of costs to fulfill their contracts and replace what has been lost.

Moama relies heavily on the Echuca/Moama 'brand' and the tourists it brings. With Echuca having such negative publicity on actions taken (the high-water level and 'the great wall'), it will undoubtedly impact the recovery of Moama and the tourism industry that provides much needed jobs and security for our community members.

- **Picnic Point Telecommunications –**

Picnic Point is located on the confluence of the Murray and Edwards rivers within the Murray Valley National Park (east of Mathoura). The village is a very popular tourist destination and the population swells from 100 + permanent residents to around 4000 during the tourist season. It has only one road in and out connecting it to Mathoura 11Km away. In the event of

an emergency such as floods or bushfires it is almost impossible to raise the alarm as there is little to no telecommunications connectivity.

Council and Telstra applied for funding, through the Federal Government Regional Connectivity Program, to construct telecommunications infrastructure to address this life-threatening situation but were unsuccessful because the NSW government does not contribute to that program. The Disaster Relief Assistance Fund only funds replacement of existing, damaged infrastructure and not new infrastructure to avert a life-threatening situation.

- **Incident Control Centre/Incident Management Team ‘Span of control’ review –**

Wagga Wagga was the Level 3 incident centre location managing the NSW side of the Murray River – Moama incident (additional to the Murrumbidgee and Lachlan River Flood incidents), with SES NSW being the lead agency. Wagga is approx. 4.5 hours away from the Moama area. Murray River Council was one of the support agencies for the incident, which included a Council Liaison Officer presence, along with many other government agency liaison representatives at the Emergency Operations Centre in Deniliquin.

The Murray River Council Moama office is an incident management centre but was not used for the incident in any capacity to manage the incident at place. Additionally, this Council facility and access to the site was never under threat of the flood.

Council feels that the span of control and tyranny of distance for the Wagga Incident control centre to effectively make decisions and direct the Moama site under emergency scenarios was problematic from the outset, which has resulted in a significant drain on Council staff and resources (approx. 180-200 Council staff engaged).

It appeared that the Emergency Operations Centre ran as pseudo level 2 incident management team, via Liaison Officers which lead to a lot of confusion, inefficiencies, and increased costs in managing the incident, as their roles were not defined or authorised as per a structured level 2 incident management team under the Australasian Inter-service Incident Management System (AIIMS).

Council feels that considerations for an incident management team at Moama should have been activated in the early stages of the incident, with lead portfolios consistent with a level 2 incident management team status at a minimum. There were very few (if any) lead agency personnel on the ground from a planning, operations, or logistics perspective to guide and direct the community regarding the priority protection areas for the incident (especially in the first 10 days). The SES and RFS volunteers were the exception.

There was an equivalent public information officer role (Council’s Manager Communications and Engagement) working out of Moama and directing media and communications on the ground via direction from the Public Information section of the Wagga Incident Control Centre, which is an example of the command and control working well. Council requests that post-event, clear triggers and/or decision-making parameters are set up and documented by the NSW government’s Emergency Management department to ensure that a level 2 or 3 Incident Management Team is activated in Moama for any large-scale emergency response.

As the Moama Recreation Reserve Pavilion was being used as a Primary Evacuation Centre, the ground floor office / meeting room areas (and associated toilets and kitchen facilities) of Murray River Council's Moama Office (52 Perricoota Road Moama) **was used as a makeshift Council Flood Operations Centre**. This area of this building was used as a central location to coordinate and facilitate Council flood emergency operations and was used also by NSW RFS members who provided assistance to Council with levee monitoring. The facility was used 24 hours a day 7 days a week during the peak of the flood crisis. The makeshift arrangements are not really fit-for-purpose. It would greatly assist to manage future events, if this building was upgraded to suit.

- **Barham levee banks –**

Barham levee banks are over 14km on length consisting of 'rural type' levees in difficult to access locations. These become complex to do emergency works on, due to recent rain events that made plant access difficult. There is a simple engineering solution to raise a public road that would act as a de facto levee. This is unfunded.

- **Barham Stormwater Network –**

Barham's stormwater network completely failed when the flood waters were high, and the conventional gravity system (water exit) was blocked. This forced Council to depend on a pump network. This had a severely detrimental impact on our sewer network. A holistic engineering study on the stormwater network needs to be completed and solutions built to ensure protection of the environment.

- **Road Damage/Closures –**

Council has 42 road closures currently, mainly due to water over the road. Of these 42, four (4) critical roads - that connect our communities - have impacted freight, health, and most critically emergency service operations. There is an urgent need to reduce this impact into the future.

The quantum of damage far exceeds Council's financial capacity to rectify, even with the likely DRFA funding. The \$50 million 'pothole' fund is a wonderful thought, but grossly inadequate.

- **Moama Water Treatment Plant –**

Moama Water Treatment Plant was unable to maintain the standard for filtered (potable) water as the 'blackwater' and 'turbidity' levels were exaggerated (due to the flood conditions: the Australian Drinking Water Quality Guidelines). Council was forced to issue a 'boil water alert' to the community. Due to the recent growth of Moama, it is critical for an upgrade of this plant to meet future demands and ensure safe secure drinking water.

- **Meninya Street –**

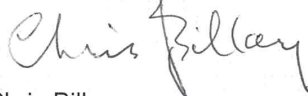
Meninya Street is the main thoroughfare through Moama. Meninya Street Precinct Project is continuing to collaborate with business and the community on the future vision of Moama and

Meninya Street. The Place-Making project which aims to foster economic development, increased visitation and to improve pedestrian and vehicle safety has already seen local businesses adopt the project vision for modern and contemporary developments including shop-top accommodation and multi-use developments. To support further consultation and awareness for the Project, a 'virtual flythrough' is being developed to help market the project and gain further support prior to commencing civil designs. In addition, Meninya Street was recently rezoned from a State Highway to a Local Road allowing Council to continue with designs and proposed changes to reinstate Meninya Street as the Heart of Moama.

Council will be seeking funding to enable the completion of this pivotal project for the future growth and livability of Moama.

Should you require further information, please contact Terry Dodds CEO, on 0417 425 948 or myself on 0439 163 272.

Yours sincerely



Chris Bilkey
Mayor



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
f 03 5884 3417
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

9 November 2022

Federal Member for Farrar
The Hon Sussan Ley MP
PO Box 672
Albury, NSW, 2640

Dear Sussan,

I write to seek urgent support on behalf of community located within the Murray River Council local government area who find themselves, once again, in a perilous situation due to the current flood event.

Due to a lack of resources on the ground in our local area, SES are currently prevented from conducting Rapid Damage Assessments for up to 28 days. Businesses in the southern border regions have and are suffering significant loss and the delay in commencement will ultimately result in bankruptcy for many.

I urgently ask you to assess whether Australian Defence Force personnel are available to assist resourcing on the ground so that SES can immediately commence Rapid Damage Assessments.

Triggers for support by the Federal Government for business and community are reliant upon the damage bill.

Should you require further information, please contact Terry Dodds CEO, on 0417 425 948 or myself on 0439 163 272.

Yours sincerely,

A handwritten signature in black ink that reads "Chris Bilkey".

Councillor Chris Bilkey
Mayor

9.7 SUNDRY DELEGATES REPORT

9.7.1 SUNDRY DELEGATES REPORT

File Number: -
Author: Lindy Leyonhjelm, Executive Assistant
Authoriser: Terry Dodds, Chief Executive Officer

RECOMMENDATION

That the Sundry Delegates Report of the Mayor and Councillors for the period 17 October 2022 through to 21 November 2022 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

DISCUSSION

The **Mayor, Councillor Chris Bilkey** reported on his attendance at the following meetings and functions:

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 18 Oct: LGNSW online forum on IPART review of the rate peg methodology
- 27 Oct: Murray Regional Tourism AGM - online
- 2 Nov: Meeting with RRGCC & Extra Ordinary Council meeting - Moama
- 2 Nov: EMT Annual General Meeting
- 4 Nov: Resilience NSW Briefing: Southern NSW Recovery
- 8 Nov: Monthly Councillor Workshop - Moama
- 9 Nov: Meeting with National Emergency Management Agency
- 10 Nov: Presentation with Western Murray Land Improvement Group - Moama
- 11 Nov: Remembrance Day Service – Moama RSL Sub-Branch
- 11 Nov: Resilience NSW Briefing: Southern NSW Recovery
- 14 Nov: C4EM Understanding how we can support our businesses & community – online
- 17/18 Nov: Sydney – Country Mayors Association meetings

The **Deputy Mayor, Councillor Frank Crawley** reported on his attendance at the following meetings and functions:

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 7 Nov: Land & Buildings services provision for Moama
- 9 Nov: Resilience & Recovery Committee Meeting - Moama

Councillor Nikki Cohen reported on her attendance at the following meetings and functions:

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 2 Nov: Extra Ordinary Council Meeting - Moama
- 11 Nov: Remembrance Day Service - Mathoura

Councillor Ann Crowe did not supply a report on her attendance at meetings and functions.

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 2 Nov: Extra Ordinary Council Meeting – Online
- 3 Nov: Flood Meeting Koraleigh
- 4 Nov: Flood Meeting Murray Downs
- 7 Nov: Land & Building Services Provisions – Moama area
- 8 Nov: Monthly Councillor Workshop – online
- 14 Nov: Mobile Library Bus Location meeting – Murray Downs
- 15 Nov: Land & Building Services Provisions – Greater Murray area
- 21 Nov: Revenue Taskforce - online

Councillor Neil Gorey reported on his attendance at the following meetings and functions:

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 2 Nov: Extra Ordinary Council Meeting – Online
- 7 Nov: Land & Building Services Provisions – Moama area
- 8 Nov: Monthly Councillor Workshop – online
- 21 Nov: Revenue Taskforce - online

Councillor Kron Nicholas reported on his attendance at the following meetings and functions:

- 18 Oct: Council pre-briefing and Council meeting – Moama
- 18 Oct: Rates notice discussion - Moama
- 2 Nov: Extra Ordinary Council Meeting – Online
- 7 Nov: Land & Building Services Provisions – Moama area
- 8 Nov: Monthly Councillor Workshop – Moama
- 10 Nov: Inspection of flooding around LGA
- 15 Nov: Land & Building Services Provisions – Greater Murray area

Councillor Thomas Weyrich did not supply a report on his attendance at meetings and functions.

Councillor Geoff Wise did not supply a report on his attendance at meetings and functions.

Councillor Dennis Gleeson did not supply a report on his attendance at meetings and functions.

ATTACHMENTS

Nil

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

10.1 NOTICE OF RESCISSION - 10.2 MOTION 'THAT INDIVIDUAL COUNCILLORS HAVE THE OPTION TO RECEIVE THEIR MONTHLY BUSINESS PAPERS EITHER IN PRINT FORM OR ELECTRONICALLY' THAT WAS LOST AT THE 27 SEPTEMBER 2022 COUNCIL MEETING BE RESCINDED.

File Number: -

I, Councillor Nikki Cohen, give notice that at the next Ordinary Meeting of Council to be held on 22 November 2022, I intend to move the following rescission motion:-

MOTION

That

1. The resolution 10.2 titled That individual councillors have the option to receive their monthly business papers either in print form or electronically that was lost at the meeting of 27 September 2022 be rescinded.
2. That Councillors consider providing an inclusive work environment by allowing a printed version of the business papers to those Councillors that request it. The printed version should only include the open council papers, confidential papers will be provided electronically only.

RATIONALE

Some current Councillors are having difficulty reading their Council papers online and enabling an inclusive working environment to those Councillors by providing with a printed version of the open papers only. The open papers hold the bulk of the information Councillors are required to read, whereas Confidential papers are much smaller in size and information, while remaining more secure as per the Audit & Risk committee suggestion.

I commend this Notice of Rescission to Council.

ATTACHMENTS

Nil

11 CONFIDENTIAL MATTERS**RECOMMENDATION**

That Council moves out of Open Council into Closed Council at [Enter time](#).

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

11.1 Recommendation to award Contract MRC 2110 - Construction of Cell 5, Leachate Pond and Leachate Management System at the Moama Landfill

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

RECOMMENDATION

That Council moves out of Closed Council into Open Council at [Enter time](#).

RECOMMENDATION

That Council brings forward the resolutions from Closed Council into Open Council and these be read aloud.

12 CONCLUSION OF MEETING