

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 25 MARCH 2025 AT 1:00 PM**

PRESENT: Cr John Harvie (Mayor), Cr Neil Gorey (Deputy Mayor), Cr Joy Allan, Cr Kylie Berryman, Cr Gen Campbell, Cr Dennis Gleeson, Cr Bianca Hurn, Cr Gary Pappin, Cr Geoff Wise

IN ATTENDANCE: Sarah Ryan (Acting Chief Executive Officer), Lindy Leyonhjelm (Executive Assistant), Stephen Fernando (Director Corporate Services), Sandra Gordon (Manager Governance & Risk), Beck Hayward (Acting Director Economic Development & Community Services), Daniel Hughes (Interim Director Infrastructure), Gary Arnold (Interim Director Planning & Environment)

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

Nil

4 CONFIRMATION OF MINUTES

4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 25 FEBRUARY 2025

RESOLUTION 010325

Moved: Cr Dennis Gleeson

Seconded: Cr Joy Allan

That Council:

- Notes the Notice of Rescission report regarding the correction of a procedural error at the Council Meeting on the 25 February 2025 that is reflected in the Minutes.
- Adopts the minutes as a true and accurate record of the meeting.

CARRIED

Questions without notice arising from minutes of previous meeting/s

<Enter time>

5 DISCLOSURES OF INTERESTS

Cr John Harvie declared a Less Than Significant Non-Pecuniary conflict of interest in Item 9.5.2 Community Financial Assistance Program Framework in the Director Community and Economic Development Report and Supplementary Matters report.

Cr Dennis Gleeson declared a Pecuniary conflict of interest in Item 11.1 Recommendation to Endorse Project Option – Barham River Estate in the Confidential Matters report.

DISCLOSURES OF INTEREST

RESOLUTION 020325

Moved: Cr Joy Allan
Seconded: Cr Geoff Wise

That Council approve the presented Disclosures of Interest as listed above.

CARRIED

6 DEPUTATIONS

7 MAYORAL MINUTE(S)

7.1 MAYORAL MINUTE - CONSIDERATION OF MOTIONS TO BE SUBMITTED TO THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY

MOTION

Moved: Cr Dennis Gleeson
Seconded: Cr Gary Pappin

That Council

1. Resolve to submit the following motion to the Australian Local Government Association – National General Assembly

MOTION: That the federal government restore Financial Assistance Grants to 1 percent of Commonwealth taxation revenue by 2030 and to 1.5% of Commonwealth taxation revenue by 2035.

RESOLUTION 030325

Moved: Cr Gary Pappin
Seconded: Cr Kylie Berryman

That the Federal Government restore the Financial Assistance Grants to 1 percent of Commonwealth taxation revenue immediately and to 1.5 percent of Commonwealth taxation revenue by 2030.

THE AMENDED MOTION BECOMES THE MOTION AND RESOLUTION OF COUNCIL

CARRIED

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

9.1.1 COMMUNITY ENGAGEMENT STRATEGY 2024**RESOLUTION 040325**

Moved: Cr Gary Pappin
Seconded: Cr Gen Campbell

That Council endorse the Community Engagement Strategy 2024 for finalisation and publication, subject to minor wording amendments being incorporated to improve the clarity, noting that these amendments will not alter the intent or substance of the strategy.

CARRIED**9.1.2 REVISED PROCUREMENT POLICY - (POL-205)****RESOLUTION 050325**

Moved: Cr Gen Campbell
Seconded: Cr Neil Gorey

That Council consider the detail in this report and:

- a. adopt the DRAFT Procurement Policy V3 attached to this report ('the draft Policy'); and
- b. authorise the placing of the draft Policy on public display.

CARRIED**9.1.3 DELIVERY PROGRAM 2025-29 DRAFT FOR PUBLIC CONSULTATION****RESOLUTION 060325**

Moved: Cr Dennis Gleeson
Seconded: Cr Neil Gorey

That the Officer's report on Delivery Program 2025-29 Draft for Public Consultation as at 25 March 2025, be received and Council endorses the document to go on Public Exhibition for 28-days prior to final adoption.

CARRIED**9.1.4 MONTHLY OPERATIONAL REPORT****RESOLUTION 070325**

Moved: Cr Kylie Berryman
Seconded: Cr Gen Campbell

That the Monthly Operational Report as of February 2025 be received and the information noted by the Council.

CARRIED

9.1.5 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**RESOLUTION 080325**

Moved: Cr Kylie Berryman

Seconded: Cr Bianca Hurn

That the Council resolve to receive and note the status of previous resolutions of Council (in open and closed Council) included the Resolution Tracker Reports.

CARRIED

9.1.6 2025 ANZAC DAY SERVICES**RESOLUTION 090325**

Moved: Cr Gen Campbell

Seconded: Cr Gary Pappin

That the Mayor, or his representative, attends the ANZAC Day Services in the towns of Barham/Koondrook, Mathoura, Moama, Moulamein, Piangil/Tooleybuc, Wakool and Echuca on Friday 25 April 2025, and lay a wreath on behalf of the Murray River Council community.

CARRIED

Councillors have indicated that they will be attending the following Wreath Laying services within Murray River Council.

Moama – Cr Bianca Hurn

Piangil/Tooleybuc – Cr Gary Pappin

Moulamein – Cr John Harvie

Mathoura – Cr Joy Allan

Barham/Koondrook – Cr Neil Gorey

Wakool – Cr Dennis Gleeson

Echuca – no delegate will be in attendance to this service as there has not been a response to the email sent.

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS**9.2.1 POLICY REVIEW - DRAFT CORPORATE CREDIT CARD POLICY****RECOMMENDATION**

That Murray River Council resolve to adopt the Corporate Credit Card Policy V#3, update the Policy Register and rescind any previous policies.

RESOLUTION 100325

Moved: Cr Gen Campbell

Seconded: Cr Bianca Hurn

That this matter be deferred until the April Ordinary Meeting of Council

CARRIED

9.2.2 POLICY REVIEW - DRAFT FRAUD & CORRUPTION CONTROL POLICY V#3

RESOLUTION 110325

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Murray River Council (MRC) resolve to:

1. adopt the DRAFT Fraud and Corruption Control Policy V#3 and place the document on public display: and
2. receive the DRAFT Fraud and Corruption Control Framework V#1

CARRIED

9.2.3 FINANCIAL REPORT - UNAUDITED FY 24/25 PERIOD ENDING 28 FEBRUARY 2025

RESOLUTION 120325

Moved: Cr Gen Campbell

Seconded: Cr Geoff Wise

That Murray River Council (Council) resolve to receive the Unaudited Financial Statements for the period to 28 February 2025 (FY2024/25), noting that reporting of monthly financial statements is not a regulatory requirement but nonetheless is being provided in furtherance of financial transparency and in keeping with financial reporting best practice.

CARRIED

9.2.4 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE (ARIC) MEETING HELD ON THE 3RD MARCH 2025

RESOLUTION 130325

Moved: Cr Neil Gorey

Seconded: Cr Kylie Berryman

That the UNCONFIRMED Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting held on the 3rd March 2025 be received and the information noted by Council.

CARRIED

9.2.5 DRAFT DATA BREACH POLICY V#1

RESOLUTION 140325

Moved: Cr Gary Pappin

Seconded: Cr Neil Gorey

That Murray River Council resolve to adopt the DRAFT Data Breach Policy V#1 and place the document on public display.

CARRIED

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

9.3.1 TOWN LEVEE PROGRAM OF WORKS - INTERNAL FUNDING REALLOCATION

RESOLUTION 150325

Moved: Cr Gen Campbell

Seconded: Cr Gary Pappin

That Council approve the reallocation of \$50,000 from capital to operational expenditure in the 2024/25 financial year for the purpose of town levee operational activities.

In Favour: Crs John Harvie, Neil Gorey, Joy Allan, Dennis Gleeson and Geoff Wise

Against: Crs Kylie Berryman, Gen Campbell, Bianca Hurn and Gary Pappin

CARRIED 5/4**CARRIED**

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

Nil

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 MURRAY RIVER COUNCIL COMMUNITY GRANTS PROGRAM - APPOINTMENT OF ASSESSMENT PANEL, ROUND 2, FY25

RESOLUTION 160325

Moved: Cr Bianca Hurn

Seconded: Cr Neil Gorey

That Council:

1. Appoint three (3) Councillors to the Murray River Council *Community Grants Program Assessment Panel* to assess applications under Round 2, FY25 during the week beginning 14 April 2025.
2. Endorse the Chief Executive Officer, or their delegate, as a member of the Murray River Council *Community Grants Program Assessment Panel*.

CARRIED

Councillors Hurn, Gorey & Berryman have nominated for a position on the assessment panel.

Alternative councillors – Cr Allan and Cr Gleeson

9.5.2 ADOPTION OF MRC'S COMMUNITY FINANCIAL ASSISTANCE PROGRAM FRAMEWORK (FY26)**RESOLUTION 170325**

Moved: Cr Kylie Berryman

Seconded: Cr Joy Allan

That Council adopt the Community Financial Assistance Program Framework (FY26).

CARRIED

9.5.3 MATHOURA RETIREMENT VILLAGE - SIGNED DELEGATION DOCUMENT**RESOLUTION 180325**

Moved: Cr Neil Gorey

Seconded: Cr Bianca Hurn

That Council receive and note the delegation document signed by the Mathoura Retirement Village Committee.

CARRIED

9.5.4 SECTION 355 COMMITTEE MEETING MINUTES AS AT FEBRUARY 2025**RESOLUTION 190325**

Moved: Cr Bianca Hurn

Seconded: Cr Gary Pappin

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

CARRIED

9.5.5 POLICY REVIEW - DRAFT COMMUNITY FINANCIAL ASSISTANCE POLICY V#4**RESOLUTION 200325**

Moved: Cr Neil Gorey

Seconded: Cr Geoff Wise

That Council adopt the DRAFT Community Financial Assistance Policy V#4 and place the document on public display.

CARRIED

9.6 CORRESPONDENCE REPORT**9.6.1 CORRESPONDENCE REPORT****RESOLUTION 210325**

Moved: Cr Geoff Wise

Seconded: Cr Dennis Gleeson

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 220325

Moved: Cr Bianca Hurn

Seconded: Cr Kylie Berryman

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 February 2025 through to 28 February 2025 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

CARRIED

Cr Kylie Berryman reported on her attendance at the following meetings and functions:

17 Feb: Councillor workshop

17 Feb: Botanical Gardens committee meeting morning tea and Mathoura Hall Committee meeting.

18 Feb: Mathoura Retirement Units Committee meeting.

24 Feb: CEO Selection Meeting.

25 Feb: Ordinary Meeting of Council

26 Feb: Council Budget Meeting

Cr Gen Campbell reported on her attendance at the following meetings and functions:

11 Feb: Councillor workshop

17 Feb: Botanical Gardens committee meeting morning

24 Feb: CEO Selection Meeting.

25 Feb: Ordinary Meeting of Council

26 Feb: Council Budget Meeting

At 2:13 pm, Cr Bianca Hurn left the meeting.

At 2:16 pm, Cr Bianca Hurn returned to the meeting.

At 2:20 pm, Cr Dennis Gleeson left the meeting.

At 2:22 pm, Cr Dennis Gleeson returned to the meeting.

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

10.1 NOTICE OF MOTION - STATUS OF COUNCIL'S GRAVEL PITS

RESOLUTION 230325

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Council receive and note the Officers Response to the following question:

1. What is the current status of Council's gravel pits, including details on any pits that have been closed or are in the process of closing, along with the reasons for their closure?

CARRIED

10.2 NOTICE OF MOTION - DEVELOPMENT WITHIN THE SW REZ

RESOLUTION 240325

Moved: Cr Geoff Wise

Seconded: Cr Dennis Gleeson

That Council receive and note the Officers Response to the following questions:

1. Does Council have an adopted policy regarding development within prime, productive agricultural land; and
2. Does the State Environmental Planning Policy (SEPP) Primary Production and Rural Development 2019 allow/enable development associated with the South West Renewable Energy Zone (SW Rez), particularly near Kyalite.

CARRIED

10.3 NOTICE OF RESCISSION - CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 28 JANUARY 2025

RESOLUTION 250325

Moved: Cr Gen Campbell

Seconded: Cr Gary Pappin

That Council resolve to:

1. Rescind Resolution 020225 of the February 2025 Council Meeting which sought to amend the Minutes of the January Meeting;
2. Note that Resolution 180225 can stand; and
3. Amend Item 3 of Resolution 250125 adopted at the Ordinary Meeting of Council held on 28 January 2025 by removing the words 'up to a maximum of' and will read as follows:

Subject to the completion of the public notice period and consideration of any submissions received, Council resolved to reimburse the Preschool for its operational maintenance costs for the year 2024, the amount of \$14,925.05 including GST. This decision is made in good faith and does not alter or cancel any other terms of the lease or contribution agreement between the parties.

CARRIED

11 CONFIDENTIAL MATTERS

RESOLUTION 260325

Moved: Cr Kylie Berryman

Seconded: Cr Gary Pappin

That Council moves out of Open Council into Closed Council at 2:45pm.

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 Recommendation to Endorse Project Option - Barham River Estate Levee

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.

11.2 Credit Against Water Notice

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).

11.3 Contracts for Cloud Infrastructure and Microsoft 365 Licensing

This matter is considered to be confidential under Section 10A(2) - 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.4 Kyalite Road Widening Pavement Material

This matter is considered to be confidential under Section 10A(2) - 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

11.5 Variation Approval - Contract MRC 2104 - Replacement of Four Timber Bridges

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 330325

Moved: Cr Gary Pappin

Seconded: Cr Kylie Berryman

That Council moves out of Closed Council into Open Council at 3:47pm.

CARRIED

RESOLUTION 340325

Moved: Cr Gary Pappin
Seconded: Cr Kylie Berryman

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

CARRIED

At 2:55 pm, Cr Dennis Gleeson left the meeting.

11.1 RECOMMENDATION TO ENDORSE PROJECT OPTION - BARHAM RIVER ESTATE LEVEE**MOTION**

Moved: Cr Kylie Berryman
Seconded: Cr Geoff Wise

That Council:

1. Receive the information contained in this report regarding the Barham River Estate Levee Upgrade Project; and
2. Endorse Option B to undertake the project in a staged approach, with Stage 1 to be completed within the existing approved budget.
3. Approves submission of a grant funding application to the Floodplain Management Program, seeking funding for the remaining works with a 6:1 funding ratio, noting that this will require additional Council funding of up to \$500,000 in a future financial year.

MOTION WAS LOST

RESOLUTION 270325

Moved: Cr Gen Campbell
Seconded: Cr Gary Pappin

That Council:

- a. defer this matter until the Barham flood study is completed and presented to Council
- b. seek legal advice in relation to Councils liability in relation to a potential flood event

CARRIED

At 3:18 pm, Cr Dennis Gleeson returned to the meeting.

At 3:18 pm, Cr Gen Campbell left the meeting.

11.2 CREDIT AGAINST WATER NOTICE**RESOLUTION 280325**

Moved: Cr Kylie Berryman
Seconded: Cr Bianca Hurn

That Murray River Council (Council) resolve to credit \$4,203.10 to the Water Account of the property identified in the report, owned by the person(s) also identified in the report, as the amount

contained in the initial Water Notice for the period July to October 2024 was incorrect due to a meter malfunction.

CARRIED

11.3 CONTRACTS FOR CLOUD INFRASTRUCTURE AND MICROSOFT 365 LICENSING

RESOLUTION 290325

Moved: Cr Kylie Berryman

Seconded: Cr Geoff Wise

That Murray River Council resolve to authorise the Chief Executive Officer (CEO) to enter into and sign the following commercial contracts, ending in April/May 2027.

1. Contract for Infrastructure as a Service (IaaS) with Centorrino Technologies, and a
2. Contract for Microsoft 365 Licensing with Centorrino Technologies.

CARRIED

11.4 KYALITE ROAD WIDENING PAVEMENT MATERIAL

RESOLUTION 300325

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Council:

1. Accepts the quote submitted by Mawsons Concrete & Quarries for the supply of quarry materials to use in the pavement construction of Stage 1 of Kyalite Road between Ch 9.08 – 11.08km for a total cost of \$320,667.38 (inc. GST) for the 2024/25 program.
2. Authorises the CEO to execute the contract and any associated documentation, including approval for a Purchase Order for the Contract value.
3. Delegate authority to the CEO to approve variations to the contract provided such variations (when reviewed on a cumulative basis) are within the allocated project budget.

CARRIED

11.5 VARIATION APPROVAL - CONTRACT MRC 2104 - REPLACEMENT OF FOUR TIMBER BRIDGES

RESOLUTION 310325

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Council receive and note the information contained in this Report; and

1. That Council approve the variation of \$118,600 to Contract MRC 2104 Replacement of Four Timber Bridges in relation to Tooranie Road/Yarrein Creek Bridge; and
2. That Council acknowledge the accumulative expenditure to date under Contract MRC 2104 – Replacement of Four Timber Bridges totalling \$4,449,992.48 excl. GST; and

3. That Council approve the Chief Executive Officer to amend the Contract and Purchase Order amount with Murray Constructions Pty Ltd to \$4,568,592.48 excl. GST and authorise any further contract variations within budget; and
4. Authorise Daniel Hughes, Interim Director – Infrastructure to act as Contract Superintendent for the contract.

CARRIED**11.6 BARHAM MICRO ABATTOIR - RECOVERY OF RECTIFICATION COSTS****RESOLUTION 320325**

Moved: Cr Kylie Berryman

Seconded: Cr Gary Pappin

That Council considers the detail of this report and resolves to delegate authority to the Acting Chief Executive Officer to:

1. instruct external Counsel in accordance with the recommendations made in their letter of advice (as detailed in this report); and
2. negotiate, execute, and sign all necessary documentation, including the Settlement Deed and mortgage documentation, to finalise the settlement on terms consistent with the recommendations.

CARRIED**12 CONCLUSION OF MEETING**

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:54pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 22 April 2025, commencing at 1:00 PM, 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 25 MARCH 2025, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 22 APRIL 2025.

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MAYOR.....
CEO