



**murray river
council**

AGENDA

Ordinary Council Meeting Tuesday, 25 March 2025

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

Date: Tuesday, 25 March 2025

Time: 1:00 PM

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

**Sarah Ryan
Acting Chief Executive Officer**

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1 OPENING MEETING**2 ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge and respect the Traditional Custodians of the Lands where we stand today,
I acknowledge Elders past and present, the pioneers whose toil inspires us still;
And those who gave their lives, that we many now,
On this proud past, a vibrant future build.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Questions without notice arising from minutes of previous meeting:

4 CONFIRMATION OF MINUTES

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

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

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.

DISCUSSION

Murray River Council held its Ordinary Meeting of the Council on Tuesday 25 February 2025, commencing at 1:00pm at 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 minutes Ordinary Meeting of Council held 25 February 2025 [📄](#) 

MURRAY RIVER COUNCIL Ordinary Council Meeting Minutes

25 February 2025

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 25 FEBRUARY 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), Luke Keogh (Acting Director Planning & Environment), Daniel Hughes (Interim Director Infrastructure)

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 28 JANUARY 2025****RESOLUTION 010225**

Moved: Cr Kylie Berryman

Seconded: Cr Neil Gorey

That the minutes of the Ordinary Meeting of Murray River Council held on 28 January 2025 be confirmed as a true and correct record.

CARRIED

Include in item 7.1 Mayoral Minute - Request for Emergency Agistment

Any costs associated with agisting the animals on the land, they should not be at Council cost but rather Elders be liable to cover any costs. Condition of water not being suitable & extremely low. If water has to be trucked in that Elders are liable for those charges and not to be charged back to Council.

Elders have come back to Council and have noted that due to the lack of water the site is not suitable for agisting and therefore will not be progressing forward with the agistment of animals.

RESOLUTION 020225

Moved: Cr Gen Campbell

Seconded: Cr Bianca Hurn

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In the minutes for the 28 January 2025 Council meeting, item 9.5.2 Moama Preschool – Request for Reduction in Rent, resolution number 250125 to have the words 'up to a maximum' removed in the resolution.

CARRIED

Questions without notice arising from minutes of previous meeting/s

<Enter time>

5 DISCLOSURES OF INTERESTS

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

6 DEPUTATIONS**7 MAYORAL MINUTE(S)****7.1 MAYORAL MINUTE - COUNCIL REPRESENTATION ON RAMJO SUB-COMMITTEES****RESOLUTION 030225**

Moved: Cr Gen Campbell

Seconded: Cr Dennis Gleeson

That Council

1. Consider appointing representatives to each of the RAMJO sub-committees and working groups identified in this Mayoral Minute.
2. Council inform the RAMJO executive of its nominees.

CARRIED

Cr Campbell - digital connectivity and digital working group

Cr Gorey – energy security and affordability

Cr Gleeson – Water (Cr Pappin & Cr Campbell substitute delegates)

Cr Allan – Health (currently in hiatus)

Cr Pappin – Transport

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 ADOPTION OF COMMUNITY STRATEGIC PLAN 2025-35****RESOLUTION 040225**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

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That Council adopt the Community Strategic Plan 2025-35 and the information noted by the Council.

CARRIED**9.1.2 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 050225**

Moved: Cr Kylie Berryman
Seconded: Cr Neil Gorey

That the Council resolve to receive and note the status of previous resolutions of Council (in open and closed Council) contained in the Monthly Operation Report including the Resolution Tracker Reports.

CARRIED**9.1.3 MOAMA LIONS COMMUNITY VILLAGE COMMITTEE - REQUEST FOR DELEGATED AUTHORITY****RESOLUTION 060225**

Moved: Cr Geoff Wise
Seconded: Cr Dennis Gleeson

That Council delegate authority to the Moama Lions Community Village Committee of Management (the Committee) to initiate steps towards the construction of new independent living units at 10 & 12 Council Street Moama, subject to the Committee demonstrating to the satisfaction of the CEO their ability to fund ongoing future capital maintenance to avoid unexpected financial pressures on Council.

CARRIED**9.1.4 MONTHLY OPERATIONAL REPORT****RESOLUTION 070225**

Moved: Cr Gen Campbell
Seconded: Cr Bianca Hurn

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

CARRIED**9.1.5 RECOMMENDATION FOR SALE OF LOT 1 DP 1313227 (FORMERLY PART 21 MORAGO STREET, MOULAMEIN) AS PER PREVIOUS RESOLUTION OF COUNCIL 181224****RESOLUTION 080225**

Moved: Cr Neil Gorey

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Seconded: Cr Dennis Gleeson

That, further to previous resolution of Council dated 10 December 2024 (Resolution 181224), Murray River Council (Council) resolve to formally accept the purchase offer received from Edward River Gardens (Moulamein Retirement Village Inc. ABN 63 848 623 948) and authorise the Acting Chief Executive Officer to undertake all necessary activities including signing any documentation and affixing the Council Seal as may be necessary to effect the unconditional sale and transfer of the land identified as Lot 1 DP 1313227 (previously part Lot 1, DP Lot 1 DP 525866), otherwise referred to as Part 21 Morago Street, Moulamein (the Property).

CARRIED

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 FINANCIAL REPORT - UNAUDITED FY 24/25 PERIOD ENDING 31 JANUARY 2025

RESOLUTION 090225

Moved: Cr Gen Campbell
Seconded: Cr Neil Gorey

That Murray River Council (Council) Resolve to receive the Unaudited Financial Statements for the period to 31 January 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

9.2.2 BANK ACCOUNT SIGNATORIES

RESOLUTION 100225

Moved: Cr Dennis Gleeson
Seconded: Cr Geoff Wise

That Murray River Council (Council) resolve to authorise:

- (a) Stephen Fernando in his capacity as Director Corporate Services and Sarah Ryan in her capacity as Acting Chief Executive Officer to act as dual Office Bearers for Council, enabling them to authorise and sign relevant forms relating to changes at Council's financial institutions in the interim until the permanent appointment of a Chief Executive Officer and Directors,

and

- (b) upon permanent appointment of a Chief Executive Officer and Directors, any two (2) such persons to act as Officer Bearers for Council to authorise and sign relevant forms relating to changes of authorised signatories at financial institutions with whom Council undertake business transactions.

CARRIED

9.2.3 QUARTERLY BUDGET REVIEW - PERIOD ENDED 31 DECEMBER 2024

RESOLUTION 110225

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Moved: Cr Geoff Wise

Seconded: Cr Neil Gorey

That Council resolve to:

1. Adopt the budget variations as detailed within the report and any subsequent changes made to those votes, in Council's estimates of income and expenditure for 2024/2025 financial year, which includes changes to the 2024/2025 Capital Listing as updated per Attachment 3 and the following Reserve movements:
 - a. to fund Capital activities:
 - i. \$634,375 to General reserve
 - ii. \$1,851,223 to Water reserve
 - iii. \$123,523 to Sewer reserve
 - iv. \$319,676 to Waste reserve; and
 - b. from Operational activities:
 - i. \$1,496,043 to the General reserve
 - ii. \$52,623 to the Water reserve
 - iii. \$402,386 to the Sewer reserve
 - iv. \$66,423 to the Waste reserve.

CARRIED

9.2.4 FY 2024/25 AUDIT ENGAGEMENT PLAN

RESOLUTION 120225

Moved: Cr Kylie Berryman

Seconded: Cr Dennis Gleeson

That Murray River Council (Council) receive and note the attached Audit Engagement Plan (including the cost estimate) for the FY 2024/25 Audit.

CARRIED

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

Nil

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

9.4.1 REVIEW OF DEVELOPER CONTRIBUTIONS FOR PAN-501667 - 40 PORTER STREET, MOAMA

MOTION

Moved: Cr Geoff Wise

Seconded: Cr Bianca Hurn

That Council apply the total *Section 7.11 Development Contributions and Section 64 Water and Sewer Headworks Charges for Development Application (DA) 10.2024.294.1* of \$15,660.68.

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Note: This report and decision by Council is for the review of developer contributions only. The DA has been determined by Council staff as acceptable under Delegated Authority.

MOTION WAS LOST**RESOLUTION 130225**

Moved: Cr Geoff Wise
Seconded: Cr Bianca Hurn

To waive the total Contribution fees being \$15,660.68 as calculated under Council's adopted Policy, resulting in no fees payable to Council on DA 10.2024.294.1.

CARRIED**9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS****9.5.1 2025 AUSTRALIA DAY REPORT****RESOLUTION 140225**

Moved: Cr Dennis Gleeson
Seconded: Cr Bianca Hurn

That Council:

1. Receive and note the 2025 Australia Day post event report.

CARRIED**9.5.2 AGM MINUTES - MOULAMEIN SOUTH RECREATION RESERVE S355 COMMITTEE****RESOLUTION 150225**

Moved: Cr Dennis Gleeson
Seconded: Cr Gen Campbell

That Council

1. Revoke existing members of the Moulamein South Recreation Reserve Committee of Management and
 - (a) Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the November 2024 AGM

CARRIED**9.5.3 LOCAL GOVERNMENT NSW DESTINATION AND VISITOR ECONOMY CONFERENCE 2025****RESOLUTION 160225**

Moved: Cr Bianca Hurn
Seconded: Cr Gen Campbell

That Council:

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1. Agree to the attendance of interested Councillors at the Local Government NSW Destination and Visitor Economy Conference in Kingscliff from 26 – 28 May 2025.
2. Nominate which Councillor(s) will attend the Local Government NSW Destination and Visitor Economy Conference in Kingscliff from 26 – 28 May 2025.
3. That each attending Councillor provides a report to Council, highlighting key learnings, following attendance at the event.

CARRIED

Council resolved that Cr Hurn attend the conference.

9.5.4 SECTION 355 COMMITTEE MEETING MINUTES AS AT JANUARY 2025**RESOLUTION 170225**

Moved: Cr Geoff Wise

Seconded: Cr Dennis Gleeson

That Council receive and note the January Section 355 Committee Report

CARRIED**9.5.5 MOAMA AND DISTRICT PRESCHOOL - DEED OF VARIATION TO LEASE****RESOLUTION 180225**

Moved: Cr Gen Campbell

Seconded: Cr Bianca Hurn

That Council resolve to amend Item 4 of Resolution No. 250125 adopted at the Ordinary Meeting of Council held on 28 January 2025 to read as "delegate authority to the Acting CEO to execute a deed of variation to the existing lease with Moama and District Preschool, reducing the \$5,000 per annum Crown Land rental component to the annual statutory minimum (currently \$604.00 + GST) to conform to the requirements stipulated in the Crown Lands Management Act 2016.

CARRIED

At 2:01 pm, Cr Bianca Hurn left the meeting.

At 2:04 pm, Cr Bianca Hurn returned to the meeting.

9.6 CORRESPONDENCE REPORT**9.6.1 CORRESPONDENCE REPORT****RESOLUTION 190225**

Moved: Cr Geoff Wise

Seconded: Cr Gen Campbell

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

CARRIED**9.7 SUNDRY DELEGATES REPORT**

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9.7.1 SUNDRY DELEGATES REPORT**RESOLUTION 200225**

Moved: Cr Gen Campbell

Seconded: Cr Gary Pappin

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 January 2025 through to 31 January 2025 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

CARRIED**SUSPENSION OF STANDING ORDERS****RESOLUTION 210225**

Moved: Cr Gen Campbell

Seconded: Cr Bianca Hurn

That the Council suspend standing orders for a presentation to a leaving staff member.

CARRIED**RESUMPTION OF STANDING ORDERS****RESOLUTION 220225**

Moved: Cr Bianca Hurn

Seconded: Cr Kylie Berryman

That the Council resume standing orders.

CARRIED**10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE**

Nil

11 CONFIDENTIAL MATTERS**RESOLUTION 230225**

Moved: Cr Gary Pappin

Seconded: Cr Bianca Hurn

That Council moves out of Open Council into Closed Council at 2:15pm.

CARRIED

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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 Moama WTP Land Purchase

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 Barham Micro Abattoir - Recovery of rectification costs

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

11.3 Southern Cross Care - Offer to Purchase Council Land

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.

11.4 Mayoral Minute - Appointment Of The Chief Executive Officer Of 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).

11.5 Supplementary Information: Review of Developer Contributions for PAN-501667 - 40 Porter Street, Moama

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).

RESOLUTION 290225

Moved: Cr Bianca Hurn

Seconded: Cr Neil Gorey

That Council moves out of Closed Council into Open Council at 3:10pm.

CARRIED

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RESOLUTION 300225

Moved: Cr Kylie Berryman

Seconded: Cr Geoff Wise

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

CARRIED**11.1 MOAMA WTP LAND PURCHASE****MOTION**

MOVED: CR GEOFF WISE

SECONDED: CR NEIL GOREY

THAT SUBJECT TO HUMAN BONE FRAGMENTS BEING REMOVED FROM 74 BOUNDARY ROAD MOAMA AND NO FURTHER POTENTIAL ENCUMBRANCES ON THE LAND BEING IDENTIFIED, COUNCIL RESOLVE TO;

I. AUTHORISE THE CEO TO:

- A) NEGOTIATE THE PURCHASE OF THE LAND AT 74 BOUNDARY ROAD (IDENTIFIED AS LOT 2 DP 875080) FOR A MAXIMUM PRICE OF \$1,050,000 OR WHERE THE NEGOTIATION PROCESS FAILS TO RESULT IN A PURCHASE SETTLEMENT, COMPLETE A COMPULSORY ACQUISITION PROCESS IN ACCORDANCE WITH THE LOCAL GOVERNMENT ACT AND LAND ACQUISITION (JUST TERMS COMPENSATION) ACT;
- B) LEASE/RENT OUT THE DWELLING AT MARKET VALUE THROUGH A REAL ESTATE AGENT PENDING DEVELOPMENT OF THE LAND;
- C) SIGN ANY CONTRACT AND OTHER DOCUMENTS AS REQUIRED TO FACILITATE SETTLEMENT OR COMPLETION OF REGISTRATION OF THE TRANSFER OF LAND AND APPLY THE COUNCIL SEAL WHERE REQUIRED; AND
- D) APPROVE A TOTAL BUDGET FOR THE LAND ACQUISITION OF \$1,100,000; AND CLASSIFY THE LAND AS OPERATIONAL UPON MURRAY RIVER COUNCIL BECOMING THE REGISTERED PROPRIETOR.

MOTION WAS LOST**RESOLUTION 240225**

MOVED: CR GEOFF WISE

SECONDED: CR GARY PAPPIN

THAT THIS MATTER BE HELD OVER UNTIL THE NEXT MEETING, BEING HELD 25 MARCH 2025, WITH FURTHER INFORMATION ON THIS MATTER, INCLUDING COSTS THAT COUNCIL WOULD INCUR.

CARRIED

ACTING CEO TO GET IN TOUCH WITH THE MOAMA ABORIGINAL LAND COUNCIL TO OBTAIN INFORMATION ON WHO IS RESPONSIBLE FOR THE COSTS ASSOCIATED WITH THE REMOVAL AND FURTHER IDENTIFICATION OR FUTURE FINDINGS IF FURTHER BONES WERE FOUND.

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THAT THIS MATTER BE BROUGHT BACK TO THE NEXT COUNCIL MEETING WITH FURTHER INFORMATION AND SCHEDULE OF FEES IF COUNCIL WERE TO MOVE FORWARD WITH THE PURCHASE OF THIS LAND.

11.2 BARHAM MICRO ABATTOIR - RECOVERY OF RECTIFICATION COSTS**RESOLUTION 250225**

MOVED: CR NEIL GOREY

SECONDED: CR DENNIS GLEESON

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 (DETAILED IN THIS REPORT); AND
2. SIGN ANY DOCUMENTATION WHICH MAY BE REQUIRED IN ORDER TO FINALISE THE MATTER.

IN FAVOUR: CRS JOHN HARVIE, NEIL GOREY, JOY ALLAN, DENNIS GLEESON, BIANCA HURN, GARY PAPPIN AND GEOFF WISE

AGAINST: CRS KYLIE BERRYMAN AND GEN CAMPBELL

CARRIED 7/2**CARRIED****11.3 SOUTHERN CROSS CARE - OFFER TO PURCHASE COUNCIL LAND****RESOLUTION 260225**

MOVED: CR KYLIE BERRYMAN

SECONDED: CR GEOFF WISE

THAT COUNCIL RESOLVE TO:

1. NEGOTIATE A SALE OF THE LAND IDENTIFIED AS: LOT 3 OF DEPOSITED PLAN 853861; LOT 2 OF DEPOSITED PLAN 853862, AND LOT 2 OF DEPOSITED PLAN 853863 INCLUDING THE BUILDING (THE PROPERTY), USING AN ALTERNATIVE METHOD OF DISPOSAL AS OUTLINED IN COUNCIL POLICY NO. POL-602 V#1 (LAND ACQUISITION AND DISPOSAL POLICY) TO ACHIEVE A SPECIFIC STRATEGIC POLICY OBJECTIVE—NAMELY, TO SUPPORT THE AVAILABILITY OF AFFORDABLE RETIREMENT HOUSING WITHIN COUNCIL'S JURISDICTION, AS OUTLINED IN THE COMMUNITY STRATEGIC PLAN 2022-2032.
2. ACKNOWLEDGE THAT THE EXISTING INDEPENDENT VALUATION IS MORE THAN SIX MONTHS OLD AND THAT THE OFFER RECEIVED FROM THE PROPONENT IS CONSIDERABLY BELOW THIS VALUATION. AUTHORISE THE CHIEF EXECUTIVE OFFICER (CEO) TO NEGOTIATE WITH THE PROPONENT TO SELL THE PROPERTY AT THE BEST NEGOTIATED PRICE FOR THE INTENDED PURPOSE THAT WAS OUTLINED TO COUNCIL AT THE RECENT COUNCIL MEETING AND NECESSARY DUE DILIGENCE IS UNDERTAKEN IN ACCORDANCE WITH COUNCIL'S LAND ACQUISITION AND DISPOSAL POLICY.

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3. APPOINT AN INDEPENDENT PROBITY OFFICER, AS REQUIRED UNDER THE POLICY, TO OVERSEE THE NEGOTIATION AND DISPOSAL PROCESS (AS APPLICABLE) AND PROVIDE A REPORT FOR FINAL CONSIDERATION BY COUNCIL;

NOTING THAT THE FINAL TERMS OF THE NEGOTIATED ARRANGEMENT WILL BE PUT TO COUNCIL FOR ENDORSEMENT AND DELEGATION OF AUTHORITY TO ENTER ANY FORMAL AGREEMENT AND CARRY OUT ITS TERMS.

CARRIED**11.4 MAYORAL MINUTE - APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER OF MURRAY RIVER COUNCIL****RESOLUTION 270225**

MOVED: CR KYLIE BERRYMAN

SECONDED: CR GEN CAMPBELL

1. THAT THE PERSON IDENTIFIED IN THE CONFIDENTIAL REPORT, BE OFFERED THE POSITION OF CHIEF EXECUTIVE OFFICER OF MURRAY RIVER COUNCIL AND THE MAYOR AND DEPUTY MAYOR, IN CONSULTATION WITH RECRUITMENT CONSULTANT, BE AUTHORISED TO NEGOTIATE AND FINALISE THE APPOINTMENT BASED ON THE FOLLOWING TERMS AND CONDITIONS:
 - (A) A FIVE (5) YEAR PERFORMANCE-BASED CONTRACT COMMENCING ON (TBC);
 - (B) A TOTAL REMUNERATION PACKAGE BE NEGOTIATED UP TO THE IDENTIFIED VALUE IN THE CONFIDENTIAL REPORT, COMPRISING OF SALARY, SUPERANNUATION AND THE PRIVATE USE OF A COUNCIL PROVIDED MOTOR VEHICLE.
 - (C) THE CONTRACT OF EMPLOYMENT BEING IN ACCORDANCE WITH THE STANDARD CONTRACT OF EMPLOYMENT FOR GENERAL MANAGERS OF LOCAL COUNCILS IN NSW AS PRESCRIBED BY THE NSW OFFICE OF LOCAL GOVERNMENT.
2. THAT SHOULD THE PREFERRED CANDIDATE FOR ANY REASON NOT ACCEPT THE OFFER OF APPOINTMENT
 - (A) THE OFFER THEN BE MADE TO THE SECOND PREFERRED CANDIDATE OR
 - (B) THE POSITION BE READVERTISED
3. THAT THE STANDARD CONTRACT OF EMPLOYMENT FOR GENERAL MANAGERS OF LOCAL COUNCILS IN NEW SOUTH WALES BE EXECUTED UNDER THE COMMON SEAL OF THE COUNCIL.
4. THAT THE MAYOR, IN CONSULTATION WITH THE SUCCESSFUL CANDIDATE, ISSUE A MEDIA RELEASE AND INFORM STAFF VIA AN ALL-STAFF EMAIL.

CARRIED**11.5 SUPPLEMENTARY INFORMATION: REVIEW OF DEVELOPER CONTRIBUTIONS FOR PAN-501667 - 40 PORTER STREET, MOAMA****RESOLUTION 280225**

MOVED: CR GEN CAMPBELL

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SECONDED: CR GARY PAPPIN

THAT THE OFFICER'S REPORT ON SUPPLEMENTARY INFORMATION: REVIEW OF DEVELOPER CONTRIBUTIONS FOR PAN-501667 - 40 PORTER STREET, MOAMA BE RECEIVED AND THE INFORMATION NOTED BY THE COUNCIL.

CARRIED

12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:46pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 25 March 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 FEBRUARY 2025, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 25 MARCH 2025.

.....
MAYOR.....
CEO

5 DISCLOSURES OF INTERESTS

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****File Number:** -**Author:** John Harvie, Mayor**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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.

REASONING

The value of Financial Assistance Grants provided to local government has declined over the past three decades from around 1 percent of Commonwealth taxation revenue to around 0.5 percent.

What this means for Murray River Council is a reduction in funding totalling \$10 million each year.

A reduction in funding of this size cannot be recovered from ratepayers alone.

Council has trimmed services and significantly increased productivity over the years but still records an annual deficit of around \$9 million which can only result in a huge underspend on infrastructure upgrades and replacement (Depreciation).

If the situation continues, the shortfall in infrastructure spend will snowball due to inflation and create the need, at some point, for a massive catch up which is the reason for the recommended increase in local governments share of Commonwealth taxation revenue to 1.5% by 2035.

Failure to act now, will place an insurmountable financial burden on our children and future generations.

ATTACHMENTS**Nil**

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

File Number: -

Author: Zoe Croft, Manager Community Engagement

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

That the Community Engagement Strategy 2024 be adopted and placed on Councils website.

DISCUSSION

At the Ordinary Council meeting held on 10 December 2024, the Community Engagement Strategy, containing the Public Participation Plan was endorsed by Council to be placed on public exhibition prior to final adoption.

The Community Engagement Strategy is a requirement of the Integrated Planning and Reporting (IP&R) Framework and is designed to provide a framework for Council to provide information and receive feedback from the community to assist with the delivery of services and plan for the future.

Council is also required to develop a Community Participation Plan, under the *Environmental Planning & Assessment Act 1979* (EP&A Act), which outlines how and when Council will engage with the community across its planning-related functions. The Plan must set out mandatory and nonmandatory requirements for community participation in planning, including minimum exhibition periods.

The Community Engagement Strategy and Community Participation Plan are interlinked and as such Council has joined these documents together, allowing for a coordinated approach to Community Engagement.

Council received no submissions from the either the public or from internal personnel during the public exhibition period.

ATTACHMENTS

1. Community Engagement Strategy 2024 [↓](#) 



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Brandrick Architects

We are Explorers



PART I
**Our Community
Engagement Principles**



Here at Murray River Council, we believe that conversations and interactions with our community will enhance customer services and transform and strengthen the relationship between Council and its residents.

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This Community Engagement Strategy has been prepared as a framework to support the delivery of Council's Community Strategic Plan (CSP) and general operational activities, and has been prepared to satisfy the requirements of a Community Participation Plan being prepared under the provisions of the EP&A Act, which is detailed in Part 4 of this document.

Council needs to provide information to, and receive information back from the community to deliver its services and plan for our future. This means creating an environment where our daily interactions with community members are heard, captured in a measurable way and used to inform decision making.

We believe the key to this approach is the ability to actively listen and develop processes which consider community views and allow the knowledge, experiences and aspirations of our customers to be at the forefront of Council operations.

As such, this strategy looks to lay the foundation work needed to achieve this and to encourage open, transparent and active relationships between Council and the Community.

Implementing this Strategy is the shared responsibility of the entire Murray River Council organisation and applies to Councillors, staff, contractors and consultants. The Strategy recognises that the key to successful community engagement is a productive and collaborative partnership between all stakeholders.

Why we engage

Murray River Council is a business that delivers a range of services and maintains approximately \$1.4 billion worth of assets. Our 13,326 residents value the quality of their towns, facilities and lifestyle and want to be well informed and involved in council's delivery of items that affect the things that are important to them.

Not every decision or project of council requires the same level of engagement, but if we continue to strengthen relationships with communities, engagement activities will become ongoing dialogues rather than isolated actions.

This strategy is therefore based on two key strategic aims:

We want to liaise with the community on relevant projects to ensure all stakeholders are informed, and where appropriate, build meaningful engagement opportunities where community feedback is invited and considered.

We want to increase public awareness of Council's objectives, activities and services and develop an environment of trust, transparency, mutual respect and confidence between the community, stakeholders and Council.

Who we engage with

Broadly, our community includes people who live, work, and access services, participate or contribute to community life in Murray River Council.

Therefore our principle stakeholders in regards to this strategy would include:

- residents and ratepayers;
- local businesses, industry groups and potential investors;
- developers and future residents ;
- service providers;
- community groups, sports, clubs and local organisations;
- those who work and volunteer in our LGA;
- users of particular facilities;
- other levels of government or organisations, including emergency services
- Council staff, councillors and contractors.



Engagement activities can become ongoing dialogues rather than isolated actions.

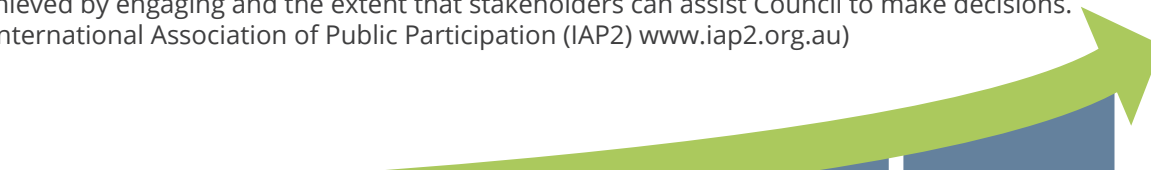


PART 2 Our Community Engagement approach

How we'll engage

Council's overall approach to community engagement has been informed by the International Association of Public Participation (IAP2) spectrum. The IAP2 spectrum is an internationally recognised platform used to provide guidance to the public service, not for profit sector, private industry and communities.

The spectrum identifies that there are different levels of engagement from "Informing" through to "Empowering". No single approach to engagement will serve every project or every stakeholder. The spectrum requires that the level of engagement must be determined by considering the issue, problem or opportunity requiring engagement, the objectives to be achieved by engaging and the extent that stakeholders can assist Council to make decisions. *(International Association of Public Participation (IAP2) www.iap2.org.au)



Increasing level of public impact					
	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions	To work directly with the public throughout the process to ensure public concerns and aspirations are consistently understood and considered	To partner with the public in each aspect of the decision, including the development of alternatives and identification of the preferred solution	To place final decision-making in the hands of the public
Promise to the public	We will keep you informed	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision	We will work with you to ensure your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible	We will implement what you decide
Example	Community updates on maintenance or renewal works	Asking for community views on policies	Developing Council's Strategic Plans	Working with the community to develop plans and ideas for a new community space	Council delegates decision making to a particular group or sector – like Youth Committee for example

The right tools

Community engagement methods will vary depending on the goal of the participation, the impact of the decision, and the audience being engaged and their level of trust in Council, the level of public participation desired, complexity of the issue and the time frames and resources required.

Therefore, a mix of engagement methods is generally required to cater for different stakeholder needs, preferences and the level of participation Council is seeking to achieve. It should be noted that these are often not mutually exclusive and in most cases Council will use a combination of techniques to ensure the engagement process is successful.

Some examples include:

Inform	Consult	Involve	Collaborate	Empower
<ul style="list-style-type: none"> -Fact sheets -Website -Newsletters -Social media -Adverts -Letters -Emails -Media Releases -Presentations 	<ul style="list-style-type: none"> -Surveys -Information sessions -Pop-up stalls -Focus groups -Meetings -Email submissions 	<ul style="list-style-type: none"> -Focus groups -Workshops -Polling -Social media -YourSay online platform 	<ul style="list-style-type: none"> -Stakeholder committees -Participatory decision making 	<ul style="list-style-type: none"> -Citizen jury -Ballots -Delegated decisions

When we engage

In broad terms, and in relation to this strategy, our community engagement will cover the following:

- Council policies, programs and projects that will have significant impacts on local people , community life, sense of place, the environment, business and the economy
- Strategic and corporate plans including the Community Strategic Plan and long-term Resourcing Strategy, 4-year Delivery Program, and annual Operational Plan (including the budget)
- Land-use and development plans, including the Local Strategic Planning Statement, Local Environmental Plan, Development Control Plans and Locality Plans
- All other matters where legislation requires community notification or consultation.

The delivery

The actual delivery of our engagement has been informed by five key elements to ensure we clearly define the scope of the public participation exercise, understand who is affected and how they should be included, and identify the resources, skills and time required for effective public participation. This process is linked to our Project Management Framework.

DEFINE

At this stage we will:

- Assess the level of community impact and interest to determine when/if to engage
- Determine if we are informing the community or asking them to contribute to a decision
- Clearly define the project and the purpose of the engagement.

PLAN

At this stage we will:

- Prepare an engagement plan with clear objectives and stakeholder analysis
- Plan how to raise awareness and encourage participation.

IMPLEMENT

At this stage we will:

- Inform, consult, involve or collaborate with the community/stakeholders, or empower where relevant
- Ensure internal stakeholders are aware of the engagement activities
- Measure quantifiable information including reach, feedback and participation levels.

REPORT BACK

At this stage we will:

- Give consideration to all feedback received unless the activity is for information only
- At agreed points, Council will report back to the community the results and outcomes of engagement and how decisions were influenced.

REVIEW

- In this stage Council will review the engagement process and what has been learnt during the implementation of the Community Engagement Plan.

This engagement process will be further unpacked in our internal toolkit.



We need to understand who is affected and how they should be included.



PART 3
**Our plans for
Community Engagement**

The action plan

This updated Community Engagement Strategy builds on the principles initially adopted in the Community Engagement Strategy when Council was first formed in 2016. It provides greater clarity of our principles and opens up a space for a number of new actions to further develop Council's approach to genuine engagement with our community.

Successful implementation of the Strategy may require professional development opportunities for staff and Councillors to fully understand their role in community engagement. This development will work alongside the implementation of key, top level actions to meet our strategic aims, as listed below.

We want to liaise with the community on relevant projects to ensure all stakeholders are informed, and where appropriate, build meaningful engagement opportunities where community feedback is invited and considered.		
What we have	What we'll do	Where we want to be
Whilst Council does engage, the organisation lacks any formalised Community Engagement Framework.	Develop a Community Engagement Framework-including Strategy (adoption of this document), and investigate the potential for an internal community engagement network to drive our engagement culture.	Council has a revised community Engagement Framework in place that assists Council to execute best practice community engagement whereby staff can identify the best method of engagement for each campaign and project
Council has an interactive online platform that brings all community engagement activities in to one place for the community to review and respond.	Further develop the online platform providing community members with an online location where they can review, consider and respond to community engagement related projects. Ensure the activities in the online platform are able to be replicated in hard copy for additional participation to occur (we note our region still has issues with connectivity).	Council has in place an interactive online platform that provides the community with a clear line of sight to Council's projects. The online platform will be a place where community members can easily review project progress and understand how and when they can participate in the process. Not all Council projects will be noted, only those which require consultation or statutory obligation will be published.
Council's approach to Community Engagement is not consistently embedded in the early stages of project planning.	Develop and roll out a community engagement program that assists staff in understanding how to appropriately determine community engagement requirements on a project by project basis.	Council has embedded a consistent culture of community engagement whereby staff are considering engagement as early as possible in the project's development.

We want to increase public awareness of Council's objectives, activities and services and develop an environment of trust and confidence between the community, stakeholders and Council.		
What we have	What we'll do	Where we want to be
Community has limited knowledge and understanding of Council services.	Implement a marketing campaign to build awareness and exposure to Council services and projects.	Increased community awareness and understanding of Council services.
Council does not currently have an internal process to assist portfolios to effectively promote their projects.	Develop an internal process that facilitates a co-ordinated and proactive approach to informing the community of Council's role.	Council has an embedded PR process that ensures all relevant projects are effectively communicated to the wider community.
Some organisational issues are currently impacting negatively on Community's trust of Council, via disengagement of staff.	Developing internal culture strategies to further strengthen community and Council relationships that seek to increase council and community interaction where appropriate.	Strengthened relationship between council and community whereby community feels a sense of trust in Council through their interactions with staff.
Community and internal stakeholders have limited exposure to our council values.	Continually promote our council values, vision and mission.	Council values are actively put into practice and community is confident that we display them.

What does success look like?

The overall effectiveness of our Community Engagement Strategy is measured by Council decisions and actions that acknowledge and reflect quantifiable and evidence-based community input. This also includes stakeholder understanding of those decisions and actions, even if there is not always a shared agreement regarding the outcome.

In top-level terms, success will mean:

- There is a commitment by Councillors and staff and common understanding of when to engage with the community in a meaningful and appropriate way about decisions that affect them
- We have consistently reached the participation targets in our engagement processes (number of participants/captured views etc)
- Council decisions and advocacy activities are evidenced by community engagement findings
- We have utilised online communication and engagement techniques, complementing traditional engagement methods
- We have provided a consistent and easy-to-understand process to guide staff through the engagement process for services, activities, projects or decisions
- We have met, and in some cases exceeded legislated engagement requirements.



PART 4
Community Participation
in Planning

This section – our Community Participation Plan (CPP) – has been developed to make participation in planning clearer for our community, detailing how and when you can participate in the planning system and the different types of proposals you may come across.

Murray River Council has a responsibility to deliver the objectives of the Environmental Planning and Assessment Act 1979 (EP&A Act), including the promotion of orderly and economic use of land, facilitating ecologically sustainable development and promoting social and economic wellbeing. Community participation is an overarching term covering how we engage the community in our work under the EP&A Act, including strategy development, plan making and making decisions on proposed development.

The level and extent of community participation will vary depending on the community, the scope of the proposal under consideration and the potential impact of the decision. We will however consistently make efforts to define the scope of the public participation exercise and understand who is affected and how they should be included.

As such, this section connects back to Part 2 of our Community Engagement Strategy which outlines our overall engagement approach.

Community Participation Principles

As a planning authority striving for best-practice community participation, Council will have regard to the following, as guided by Section 2.23 (2) of the EP&A Act:

- (a) The community has a right to be informed about planning matters that affect it.
- (b) Planning authorities should encourage effective and on-going partnerships with the community to provide meaningful opportunities for community participation in planning.
- (c) Planning information should be in plain language, easily accessible and in a form that facilitates community participation in planning.
- (d) The community should be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered.
- (e) Community participation should be inclusive and planning authorities should actively seek views that are representative of the community.
- (f) Members of the community who are affected by proposed major development should be consulted by the proponent before an application for planning approval is made.
- (g) Planning decisions should be made in an open and transparent way and the community should be provided with reasons for those decisions (including how community views have been taken into account).
- (h) Community participation methods (and the reasons given for planning decisions) should be appropriate having regard to the significance and likely impact of the proposed development.

Minimum requirements for Community Participation

Schedule 1 of the EP&A Act outlines the minimum requirements for the public exhibition of planning and policy documents and applications submitted to Council for determination. These minimum requirements are listed below:

Mandatory community participation requirements (as per Schedule 1, Part 1, Division 1 of the EP&A Act)	Minimum public exhibition requirement
Draft community participation plans (part four of this Strategy)	28 days
Draft Regional plans	45 days
Draft local strategic planning statements	28 days
Planning proposals for local environmental plans subject to a gateway determination	28 days or: (a) if a different period of public exhibition is specified in the gateway determination for the proposal—the period so specified, or (b) if the gateway determination specifies that no public exhibition is required because of the minor nature of the proposal—no public exhibition
Draft development control plans	28 days
Draft contribution plans	28 days
Application for development consent (other than for complying development certificate, for designated development or for State significant development)	14 days or: (a) if a different period of public exhibition is specified for the application in the relevant community participation plan—the period so specified, or (b) if the relevant community participation plan specifies that no public exhibition is required for the application—no public exhibition
Application for development consent for designated development	28 days
Nominated Integrated Development	28 days
Application for modification of development consent that is required to be publicly exhibited by the regulations	14 days or; The period (if any) determined by the consent authority in accordance with the relevant community participation plan
Environmental impact statement obtained under Division 5.1	28 days
	Exhibition timeframes are in calendar days, include weekends and begin when the information is placed on public exhibition (not directly after a Council meeting).

Non Mandatory exhibition timeframes	
Planning and general strategies	28 days
Masterplan and precinct plans	28 days
Environmental/Park space plans	28 days
	Exhibition timeframes are in calendar days, include weekends and begin when the information is placed on public exhibition (not directly after a Council meeting).

Exclusion of Christmas/New Year period - The period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition, therefore if practicable Council will delay Public Exhibition until after this period or extended the timeframes to include this period.

Consultation on DAs is carried out in accordance with Council's relevant Development Control Plan, and varies according to the nature, scale and likely impact of the proposal or project being considered or assessed. Not all proposals will be on public exhibition.

Typically though, DAs are advertised for at least 14 days and submissions then considered before decisions are made on balance – usually by a senior member of staff acting under delegated authority.

However, for a small percentage of applications the elected Council may require further public consultation and/or call up the matter to a Council meeting in order to make the decision itself, where there are a number of objections or conflicts with planning instruments.

Encouraging engagement

A regular and valuable way for the communities to participate in the planning system is by making a submission on our strategic planning documents during an exhibition. You can also provide us with feedback at any time.

A key technique we use to encourage community participation is formal, public exhibitions. During an exhibition we make available relevant documents that may include a draft of the policy, plan or proposed development that we are seeking community input on.

The public exhibition process includes:

- giving notice to individual landowners/occupiers
- advertising the exhibition notice, including how submissions can be made
- making documents publicly available.

Council will not make any decision relating to a proposal until the submission period has ended.



Residents can provide us with feedback at any time.

The exceptions

In the case of land use planning and development, Council's discretion over types and levels of engagement is sometimes limited:

- Some Development Applications (DAs) or Complying Development Certificates (CDCs) are classified as 'Exempt' or 'Complying' Development, and may be assessed by private Certifiers rather than Council staff. In these cases there can be little or no consultation.
- Proposals for very large and/or costly developments are determined by the State Government. Consultation on these proposals is normally guided by the statutory minimum requirements. In some cases the consultation provisions of Council's Development Control Plan may be applied, but Council still has no authority to make the final decision.

Making a submission

Submissions relating to applications and other exhibited documents must be made in writing and be lodged with Council within the exhibition period specified in the public notice.

A submission must:

- Be in writing via council's Your Say platform
- Clearly explain your view or opinion
- Be submitted by 4pm on the specified closing date
- Clearly reference the application, policy or plan on public exhibition
- Include the author's name, address and daytime telephone number

The submission process

- Submission is made and assigned to the corresponding DA
- Submission author details are recorded and submission is acknowledged
- Submission is considered in assessing the DA
- Author is notified of outcome

We will provide the community with feedback on how we are responding to its input as part of our engagement activities.

We will provide reports to Council on the matter at hand which will include the community's feedback to demonstrate how we have given genuine and proper consideration to their input. In particular, a summary of the input is provided along with a description of how community views were considered in reaching a determination.

Our commitment

We believe all levels of Government have a role in actively involving the community in planning for their home, towns and community. Council will therefore engage communities in relevant planning processes at the earliest possible opportunity to leverage local knowledge, ideas and expertise to ensure the best planning outcomes are reached.



Our vision

Murray River Council has vibrant, diverse and cohesive communities. We are supported by strong local business and primary industries. We value our beautiful waterways and natural surrounds.

Our values

Murray River Council has four core values that drive us in our dealings with the people we serve, our stakeholders and the community. We live these values every day:

Respect

Building trust to foster positive relationships that create an inclusive and supportive workplace and community.

Accountability

Taking responsibility for decisions and actions and being transparent about processes and outcomes.

Integrity

Acting honestly and ethically in all council activities.

Sustainability

We promote sustainability by committing to practices that support the long-term health of the environment, economy and society.

Excellence

We demonstrate excellence by committing to high standards in the delivery of all our services.

.....

Supporting Resources

MRC Community Engagement Framework (internal resource to be developed).

Review

Within 3 months of the local government elections as part of a broader review of the Community Strategic Plan.

References

International Association of Public Participation (IAP2) : www.iap2.org.au

www.communitybuilders.nsw.gov.au

NSW Department of Planning, Industry and Environment "Community Participation Plans - Guidance material to councils"



**murray river
council**

PO Box 906 Moama, 2731
murrayriver.nsw.gov.au
1300 087 004

9.1.2 REVISED PROCUREMENT POLICY - (POL-205)**File Number:** -**Author:** Samantha Rodriguez, Chief Legal Counsel**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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.

BACKGROUND

A recent review of the existing Procurement Policy (adopted in 2021).

The Policy requires review every four (4) years, the next review due in 2025. A number of gaps and opportunities have been identified and are recommended in order to deliver optimal outcomes in all procurement activities and further Council's longer-term strategic objectives.

DISCUSSION

In preparing the revisions to the draft Policy, the Procurement Team considered a number of other Council Procurement Policies for the purpose of benchmarking and ascertaining appropriate spend thresholds to increase efficiency and allow for market competition, as well as relevant legislative requirements, widely accepted probity principles and government guidelines as to proper governance in public sector procurement and best industry practice.

In doing so, a need to balance competing needs was identified. It is evident that Council has a duty to reduce unnecessary expenditure wherever possible, without eroding the overall value to Council of the finished product or asset (on a whole-of-life basis).

It is acknowledged that value for money will be considered by reference to the particular goods, services or works to be procured. In that regard, the price must be considered against the offering to determine the potential for future variation claims, maintenance and other ownership costs and disposal costs.

There is a tension between Council's desire to support its local economy and the need to leverage economies of scale and competitive pricing. With that in mind, a framework for supporting our local suppliers has been incorporated into Appendix B of the draft Policy and will help to strike a healthy balance between Council's social and fiscal responsibilities.

A quadruple bottom line approach is in line with best practice and incorporates environmental, social, civic (governance and leadership) and economic factors in the evaluation of quotations and tenders. The draft Policy encourages purchasing staff to take a strategic approach to procurement activities to generate the outcome that best meets Council's objectives as they relate to the work or services. As such, staff will be guided to consider each situation individually and supply market factors, rather than applying a blanket approach by reference to spend threshold requirements only.

The processes recommended for adoption in the draft Policy align with Council's e-procurement system (due for roll out by end June 2025) and will streamline and encourage staff to seek the correct number of quotes without unnecessary administrative burden. Suppliers will be encouraged to join prequalified Murray River Council supplier lists across a range of categories for goods, services and works to ensure all necessary credentials are kept current and in one place.

With the implementation of the updated Procurement Policy, the Procurement Team (in conjunction with the Projects and Economic Development teams) will schedule supplier 'drop-in' sessions at a number of Council locations to allow suppliers the opportunity to learn about registering to do business with Council, to understand Council's expectations with regard to tendering, to ask questions and provide feedback on working with Council.

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

There are no budgetary implications as a direct result of the adoption of this Policy. All procurement activities undertaken on Council's behalf must have a pre-approved budget for the estimated expenditure.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

Local Government (General) Regulations 2021.

There are a number of requirements set out in the Act and the Regulations and these have been incorporated into the Policy. The categories of exempt purchases at Appendix C reflect the categories set out in the Act as not requiring a tender process.

RISK ANALYSIS

- **What can happen?**

Council does not adopt the proposed Policy, meaning that current legislative requirements are not addressed and there is little detail in the application of probity principles and quadruple bottom line factors.

- **How can it happen?**

By Council not passing the resolution to adopt the policy in the proposed form as drafted, or by requiring material changes to the draft prior to adoption.

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

Moderate

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

Possible

- **Adequacy of existing controls?**

Council's Procurement Team have reviewed the legislative requirements, best practice in local government procurement, general probity governmental and other guidelines and current market and operational factors influencing procurement outcomes and have considered same in the preparation of the draft Policy.

The draft has also been forwarded to the Consultative Committee for review and comment.

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

Thorough discussion of the potential implications for Council of any proposed change to the draft prior to adoption.

CONCLUSION

It is recommended that Council endorse the draft Policy and that it be placed on public display to enable the Procurement Team to embed more efficient, effective procurement processes in line with the Policy at the earliest opportunity.

ATTACHMENTS

1. **DRAFT MRC Policy - Procurement Policy (under separate cover)** 
2. **Supplier Code of Conduct** [↓](#) 



Supplier Code of Conduct

This Supplier Code of Conduct (Code) outlines the expectations and obligations that Murray River Council (Council) requires all its suppliers to comply with when conducting business. It is based on ethical, environmental, and social principles and aims to ensure that suppliers engage in practices that are responsible, fair, and compliant with all laws.

1. Legislative Compliance

Suppliers must comply at all times with all applicable laws, regulations, and standards, including but not limited to:

- Labour laws
- Anti-corruption and bribery laws
- Environmental regulations
- Competition laws and fair trade practices
- Anti-discrimination and harassment laws

2. Human Rights and Modern Slavery

Suppliers must respect human rights and must do all things reasonably necessary to ensure that they do not engage in or benefit from any forms of modern slavery at any stage of the supply chain, including but not limited to:

- Forced labour
- Human trafficking
- Child labour
- Debt bondage

Suppliers must at all times ensure:

- All work is entered into and conducted freely and voluntarily by workers.
- Workers are not required to pay recruitment fees.
- Wages and benefits comply with applicable laws, industry standards and/or awards.
- Working hours comply with applicable laws, awards and/or relevant agreements.
- Vulnerable workers, including migrants, refugees, or those under coercion are not exploited.
- Suppliers provide safe and hygienic working conditions for all workers in accordance with applicable laws and standards.

3. Child Safe Standards

Suppliers must commit to creating child safe environment and comply with relevant legislation and best practices related to child protection.



Suppliers must ensure when working with children, that they, together with all employees and contractors are appropriately screened, including undergoing background checks and adhering to relevant safeguarding policies. Suppliers should have reporting mechanisms in place to address concerns relating to child safety.

4. Ethical Business Practices

Suppliers are expected to operate with integrity and transparency and must avoid:

- Corruption, bribery, or any form of unethical influence.
- Conflicts of interest, (whether potential or actual) of which they become aware during business transactions with Council.
- False or misleading representations or misstatements regarding products, services, or business practices.
- Unethical sourcing of materials and components at any stage in the supply chain.
- Engage in any criminal or dishonourable activity.

5. Anti-Competitive Conduct

Suppliers must not engage in anti-competitive conduct. This includes, but is not limited to:

- Price-fixing, bid-rigging, or market allocation schemes.
- Abuse of market power or practices designed to limit or distort competition.
- Engaging in collusion with other suppliers, competitors, or other parties to manipulate or restrict fair trade.
- Any conduct that violates competition or antitrust laws.

Suppliers must commit to conducting business in a fair and open market, ensuring that all practices promote competition and benefit consumers.

6. Environmental Sustainability

Suppliers must commit to sustainable environmental practices by:

- Complying with all applicable environmental laws and regulations.
- Minimising waste, energy, and resource consumption.
- Using environmentally friendly and sustainable materials wherever possible.
- Managing emissions and pollutants responsibly.
- Promoting the use of renewable energy and reducing greenhouse gas emissions.

7. Health and Safety

Suppliers must ensure a safe and healthy working environment that complies with local laws and international safety standards by:

- Taking measures to prevent workplace hazards.
- Providing appropriate safety training and equipment.



- Ensuring proper incident reporting and management practices.
- Promoting employees well-being through health and safety programs.

8. Diversity and Inclusion

Suppliers are expected to foster an inclusive workplace where:

- Discrimination, harassment, or victimisation based on race, gender, age, disability, religion, or other protected characteristics is prohibited.
- Equal employment opportunities are promoted.
- Fair treatment of all employees, contractors, and partners is guaranteed.

9. Data Protection and Confidentiality

Suppliers must:

- Ensure the confidentiality and security of any data shared by Council.
- Comply with applicable data protection and privacy laws.
- Implement appropriate measures to prevent unauthorised access to or disclosure of confidential information.

10. Monitoring and Compliance

While the Supplier remains listed as a prequalified supplier on Council's vendor management system, Council reserves the right at any time to:

- Request information and documentation from suppliers to verify compliance with this Code.
- Conduct audits or inspections of supplier documentation, systems, processes and practices to ensure adherence.
- Engage in corrective actions or terminate relationships with suppliers who fail to comply. Such actions may include removal of the supplier from Council's vendor management system, tenders being excluded from consideration, matters being referred for investigation and/or termination of any applicable contracts.

11. Reporting Concerns

Suppliers must:

- Report to Council any suspected violations of this Code, including instances of modern slavery, anti-competitive conduct, unethical behaviour, or environmental harm, immediately on becoming aware of the suspected violation.
- Implement and promote whistleblowing procedures that protect employees and other stakeholders who report violations.



Acknowledgement

By conducting business with Murray River Council, suppliers acknowledge their understanding of the provisions of this Code and in doing so, they undertake to comply and ensure that their employees, subcontractors, and suppliers comply with the requirements of this Code.

9.1.3 DELIVERY PROGRAM 2025-29 DRAFT FOR PUBLIC CONSULTATION

File Number: -

Author: Zoe Croft, Manager Community Engagement

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

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.

DISCUSSION

The Delivery Program is a statement of how Council aims to achieve the top-level goals identified in the Community Strategic Plan 2025-35 and should be read in partnership with the latter.

It's life-cycle runs for the current Council term, and is reviewed and reported on at the end of this period in our State of the Region Report.

The Delivery Program is one of several planning documents that support the Integrated Planning and Reporting (IP&R) Framework that underpins Council's operations.

These plans come together to provide the community with a strategy that focuses on how Council can deliver services and projects that are sustainable and within the level of resources available.

The Delivery Program sits between the Community Strategic Plan and the Annual Operational Plan and Budget.

In 2022, Council undertook a large scale engagement program capturing more than 1650 ideas and suggestions from our community. Over the past three years we have tried and tested these ideas and for the most part they remain current and a focal point for our communities. Some ideas captured during the initial consultation have now been completed or embedded into Business-as-Usual processes while others continue to be developed.

The 2025-29 Delivery Program has been developed following on from the 2022-26 Delivery Program and further develops many of the projects or programs of works identified.

To ensure compliance with the IP&R Framework, the Delivery Program must be placed on Public Exhibition for 28-days and public comments are to be considered before final adoption.

ATTACHMENTS

1. Delivery Program 2025-29 Draft (under separate cover) 

9.1.4 MONTHLY OPERATIONAL REPORT**File Number:** -**Author:** Courtney Dean, Coordinator Communications**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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

The details listed below are items of note/interest from several Business Unit reports in the February Monthly Operational Report. **To expand on any details listed here, or to read each report in full, please refer to the Monthly Operational Report document attached to this report.**

Information Management

- Chief Information Officer has spent February fine-tuning budgets with director and preparing for the go-live on the TechnologyOne project.
- Recently approved budget will see us replace aged hardware. We will replace the final 20 problematic computers and start replacing screens that are over 10 years old. We have signed up to a variety of additional hardware vendors on government contract pricing like Dell, HP, JB Hi-Fi and Lenovo to ensure we are getting the best hardware and value across these vendors. We are already trialling a conference monitor from Dell, which has a camera and dock built into it, which will save on cost and managing multiple assets. Developing these vendor relationships will ensure we are getting the best value for every dollar spent.
- We are working on many projects in the cyber security space, securing our WiFi and Water networks currently is our biggest priority. Multi Factor Authentication is almost fully rolled out. Almost all accounts are on increased complexity for their passwords, only 40 remain.
- We have enabled Web Filtering across all council connections, blocking certain websites that are not for work purposes, and put even stricter controls on Public WiFi to ensure safety.
- We have a new ICT assets inventory system deployed (Free & Open Source) to track all our inventory in one location and help with asset management. It is working well, and we are adding all the data to it over March.

Commercial Plant and Property

- Public Hearings completed on 14 November at Barham and 15 November at Moama for reclassification of 22 land parcels from Community to Operational to correct classification for drainage basins. Only one objection submitted during the process and will be considered in making final determination. 1 land parcel has been removed from the process. Council Report submitted in January with resolution obtained to continue with Gateway Determination to reclassify the remaining 21 lots. The final documents have been completed and submitted to NSW Department of Planning, Housing and Infrastructure for processing. Completion date for total reclassification process is to be no later than 1 April 2025, as per Gateway Determination.
- Council resolved in January to proceed with the sale of the MRC-owned residential property at part 21 Morago Street, Moulamein using an Alternative Method of Disposal as identified in Council Policy No. POL-602 V#1. An independent Probity Officer was appointed, and

Edward River Gardens were invited to make an offer for the acquisition of the property. The offer was accepted and the public display of information, as required by the Policy, was completed. The completion of the public display period was 18 February 2025 and there were no objections received. The Subdivision process was also completed in February and Council resolved to sell the property to Edward River Gardens in the February Council Meeting. Contract of sale is currently being exchanged, and settlement is expected by early April 2025.

- Old Moama Preschool building will be offered for auction on March 15th as part of a Multi Auction through the local Real Estate Agent in an attempt to achieve the highest sale price.
- The Moulamein Aerodrome sale is due to settle on 11 March.

Strategic Assets

- Final revaluation of Buildings, Land and Waste assets complete, awaiting review at interim audit.
- The TechOne build of asset details and asset books continues to progress in conjunction with Business as Usual.
- Mapping of buried assets now loaded into Before You Dig (BYD) platform for auto-generation of external service requests, with 313 referrals provided in the month of February.

Legal and Procurement

- Procurement compliance issues are being investigated on an ongoing basis. It is envisaged that with an updated policy and procedures underpinning the policy (through the use of streamlined and centralised systems and documentation), compliance will be increased across the organisation.
- Lease register is still a work in progress. Green Cloud Consulting are working on incorporating it into the Compliance module of Tech One – in the interim, process is all manual (Excel spreadsheet), meaning it is inefficient, may be duplicated and prone to human error.
- Internal Legal request system is working well, providing an ability to track the status of current matters. Staff adoption of the process has been excellent.

Community Services

- Community Services staff and volunteers completed their annual refresher training, as well as their First Aid updates (a requirement for Transport drivers). Training dates were 10th February in Moama and 11th February in Barham.
- During February 2025 the Community Services team delivered the following supports:
 - Social Support – 1251 hours - Social support consists of group activities, respite services, as well as 1:1 supports including wellness checks/phone calls and supported shopping etc.
 - Meals – 341
 - Home Maintenance – 28 hours
 - Home Modifications – \$1584
 - Transport – 951 One-Way trips

Customer Service

- Snap Send Solve customer response project will complete initial rollout in March 2025. This will see all customers who make a report through Snap Send Solve be contacted with updates on their reports.

- Power Apps data tracking project will commence in March 2025. This will provide more accurate data to help inform and better plan for service provision for external agencies, staffing levels, opening hours, and budgeting purposes.
- New office signage is underway, to reflect updated open hours and times at each location.
- Melissa Ferguson (Business Analyst/Software Trainer) and Georgia Lowe (Business Improvement Officer) provided training and a week of on-site support to the Call Centre team in Mathoura, in order to support the roll-out of the Compliance module of TechOne. Customer Service team reported minimal interruptions and adjusted to the new processes with ease.
- Barham Library held an author talk with Robyn Howarth on Friday February 21. 55 people attended for a very engaging event.
- The Customer Service team continue to have significant disruptions due to technology and connection issues. 27 individual issues occurred in January, and 22 in February. The most common issues relate to TechOne, 3CX (our phone system) and Eftpos (likely related to network issues). This presents significant disruptions to the services we provide and has potential reputational damages (especially when phone calls with customers drop out). Details of these have been passed onto CT in the hopes of solving some of the systemic issues.
- Staff have reported that customers are still not used to new opening days and times. Customers are still arriving on days that centres are closed and/or prior to opening.
- 2 compliments received regarding customer service team.

Development Services

- Staff have completed the scope and brief for the Local Housing Strategy Review with intent to produce a clear, practical document that clearly identifies areas for growth including priority areas, relates to other Strategic Plans, is adequately consulted with relevant agencies and clearly outlines the Strategic Planning future for housing at MRC.
- Staff are also working on the Moulamein Master Plan which has evolved from a Main Street Master Plan into a full township Masterplan which recognises the potential opportunities relative to the REZ which are located within the region.

Parks, Gardens, Open Spaces and Biosecurity

Highlights:

- WAP grant 24/25 application submitted by MRC Biosecurity team
- MRC Biosecurity team attended Water Weeds and Prickly Pear training in Albury
- MRC attended the Regional Weeds Committee meeting in Corowa.
- MRC provided updated for the State NSW/VIC cross boarder meeting
- Recruitment- Team Leader position internally filled in Barham. Parks Attendant FTE in Barham advertised to refill and complete team.
- Recruitment- Business Unit Support Officer position filled. Position will provide support to Sport & Recreation services bookings and general administration.
- Recruitment-Parks Apprentice based in Moama re-advertised.
- Wakool Recreation Reserve-First game of AFL between Barham and Moulamein in four years. Evening was well supported by community, thanks to the Parks team for ground preparation.
- Cat D works at Moulamein Court House completed.

Threats:

- Continued dry conditions impacting services due to extended irrigation periods.

- Ongoing vandalism at Moama Wharf and cost of repairs. Police notified.
- Staff leave and recruitment impacting on service delivery.
- Negative feedback in relation to Parks Operational Service Delivery Plan introduction due to some service reductions in accordance with adopted plans.
- Climate- Storm events mainly high winds impacting on urban street trees, parks and natural reserves.

Waste and Compliance

- The Return and Earn facility is starting to attract some volume with over 750,000 containers processed through the facility and the largest volume to date was 29,000 in a day thus far.
- Council has jumped on board with Big Bag Recovery as one of the actionable items from the RAMJO waste group. This is a free service for Council to recover polypropylene bags destined for landfill in the agriculture industry.
- There have been over 80 animals through the Moama and Barham pounds to date this financial year.
- Standard Operating Procedure (SOP) has been developed for the Moama and Barham pounds and will be document controlled pending dissemination.
- Animal Destruction Policy, Compliance and Enforcement Policy, Companion Animal Policy and Firearms Policy all drafted and will be sent out for comment.
- Ongoing TechOne Environmental Health module testing continued during the month.

Buildings and Facilities

- Refurbishment of Mathoura Memorial Park Toilet Block (aging asset) completed and reopened to the public. Refurbishment works included update of fixtures and fittings, replacement of defective components, tiling and painting.

Water Services

- Brian Powell and Chris Flett will be completing Part 1 of Water Chemical Dosing with DCCEEW.
- The team have recently completed interviews for a Water and Sewer Technician and two externally funded trainee positions.

Works

- Heavy patching works completed on Yanga Way for TfNSW successfully. Thank you to the Moama and Mathoura staff members for making the journey to Tooleybuc to complete these works.
- Further heavy patching underway in preparation for reseal works.
- North Barham Road reconstruction works completed ahead of schedule and within budget.
- Attendance at the Small Mines Roadshow.
- Great progress made on Barmah Road works.
- Panel tender documents are progressing for various services (i.e. quarry materials, plant hire, haulage, etc.). Rising material costs impacting project budgets and procurement timelines, requiring ongoing mitigation strategies.
- Continued to deliver routine maintenance and operational activities including the below recordings and accomplishments:
 - Asset inspections – 60 No.
 - Correct surface defect (crack) – 167m².
 - Correct surface shape (shoves) – 211m².
 - Edge break repair – 2,355m.

- Edge drop repair – 472m.
- Gravel patching – 25m².
- Guidepost maintenance – 35 No.
- Heavy patching – 251m².
- Install new signs – 2 No.
- Litter and debris collection – 4m³.
- Repair pothole – 961 No.
- Replace signs – 3 No.

Local Connections (Section 355s)

- Aboriginal Community Connections: Established connections through events at Njernda, Moama and Cummeragunja LALCs, Yorta Yorta Nations Aboriginal Corporation, Victoria and NSW Local Aboriginal Community Liaison Officers and Cummeragunja community members.
- Event Support: Provided funding, planning, and advertising support for community events.
- Initial meeting to form a band of volunteers to periodically open the old Moulamein Courthouse to visitors has been held.
- Youth Engagement: Organised events for local youth, including the Girls on Fire program focused on emergency services training.
- LEMC Connections: Strengthened connections through the Local Emergency Management Committee.
- Grant Writing Workshops: Partnered with the Grants Officer to fund workshops, enhancing community capacity in grant applications.
- Youth Hub Support: Funded activities and projects for the Moulamein Youth drop-in hub.
- Community Recovery Network: Developed a database for community members to provide feedback and consultation during disasters.
- Volunteer Documents: Created a suite of documents in collaboration with the Manager of Risk and WHS Specialist, endorsed by the council.
- Volunteer Connections: Supported Community Recovery Officer in connecting with volunteers from Friends of Moama Botanic Gardens and Moama Cemetery.

Economic Development and Tourism

- Distributed Community, Business, and Visitor Newsletters promoting grants, business resources, local events, and tourism opportunities.
- Supported the planning and delivery of various community and business events, including the Special Olympics "Polar Plunge" fundraiser, Run Echuca-Moama annual fundraiser, NextGen Connect Social Bingo Night (40+ attendees), and the 2025 International Women's Day Long Lunch (80+ attendees).
- Worked with stakeholders on event planning, including Events on the Murray (concert series in Moama & MRC), MLALC & Yorta Yorta CEO (Football Netball Carnival - October 2025), and Sand Sculpting Australia (potential summer activation in Echuca Moama).
- Partnered with Workforce Australia – Local Jobs Program and RDA Riverina-Murray to plan the Murray Workforce Series Skilled Migration Pathways/DAMA Workshop (22 May 2025).
- Launched the Campaspe Murray Business Connect networking event (scheduled 30 April 2025) in partnership with Campaspe Shire Council, with marketing beginning in March.
- Advanced regional marketing initiatives, including Visit River Country and Echuca Moama Official Visitor Guides (McPherson Media), TikTok training to enhance digital engagement, and ongoing participation in the Country Change program to attract new residents.
- Installed Murray Downs town entry sign and continued interpretive walk signage projects for Barham River Walk, Moulamein Big Tree, Horseshoe Lagoon, and Cadell Fault.

- Collaborated with La Trobe University's Neville Rodengren on the development of Cadell Fault interpretive signage.
- Progressed the River Country Art Trail, with installations completed or scheduled:
 - Moama – Seating and bins installed.
 - Barham – Art installation scheduled (3–28 March).
 - Moulamein – Installation moved forward (24 March–18 April).
 - Tooleybuc – Geotechnical and access assessments scheduled; technical drawings expected in May.
 - Continued marketing content development for the River Country Art Trail and installed a new road sign for the Dharnya Centre.

Finance

- The 2025-26 Budget is underway and are currently being completed by budget officers. All operational and capital expenditure is due back to Finance by 14 February 2025.
- The 2024-25 Interim audit being conducted by our external auditors commences 24 March 2025.
- Vacant Finance Officer Position has been advertised and closed on 20 February 2025. This is a critical role that support the Finance Controller to complete reporting, audit and backup to Account Payable/Receivable. Interviews have been completed, and the panel are currently assessing the preferred candidate.

ATTACHMENTS

1. **Monthly Operational Report - February 2025 (under separate cover)** 

9.1.5 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**File Number:** -**Author:** Lindy Leyonhjelm, Executive Assistant**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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.

BACKGROUND

All resolutions of Council in Open and Closed council, including completed actions within the previous 6 weeks, are attached to this report.

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.

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. The minutes are completed and approved as draft minutes by the Mayor prior to being placed on the website and actions are distributed.



- **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 this report.

ATTACHMENTS

1. **Open actions as of 12 March 2025 (under separate cover)** 
2. **Completed action 31 Jan - 12 Mar 2025 (under separate cover)** 

9.1.6 2025 ANZAC DAY SERVICES**File Number:** -**Author:** Lindy Leyonhjelm, Executive Assistant**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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.

BACKGROUND

Anzac Day, 25 April, is one of Australia's most important national occasions. It marks the anniversary of the first major military action fought by Australian and New Zealand forces during the First World War. Australians recognise 25 April as a day of national remembrance, which takes two forms. Commemorative services are held across the nation at dawn – the time of the original landing, while later in the day, former servicemen and servicewomen meet to take part in marches through the country's major cities and in many smaller centres. Commemorative ceremonies are more formal and are held at war memorials around the country. In these ways, Anzac Day is a time at which Australians reflect on the many different meanings of war.

It has been common practice for a Council representative, namely the Mayor and Councillors, to attend each of the local ANZAC Day Services within the Council area and lay a wreath on behalf of the Murray River Council community in memory of returned and fallen servicemen and servicewomen.

DISCUSSION

ANZAC Day falls on Friday 25 April this year. Council has been advised of the following services within the Murray River Council area and surrounds:

MOAMA (organised by Moama RSL Sub Branch):

- Dawn Service (5:55AM) at Moama Cenotaph, Kerrabee Soundshell, followed by a Gunfire Breakfast at Moama RSL
- 8:40am Inaugural ANZAC Day March – march commences at Echuca Street Carpark Moama (back of Moama Post Office). Assemble at 8:15am.
- 9AM Commemorative Service at Moama Cenotaph, Kerrabee Soundshell where a delegate has been requested to lay a wreath on behalf of Murray River Council. Assemble at 8:55am. Council has been invited.

MATHOURA (organised by Mathoura RSL Sub Branch):

- Dawn Service (6am) at the Mathoura Cenotaph, Soldier's Memorial Gardens, followed by followed by the Gunfire Breakfast.
- 11am Commemorative Service at the Shire Hall in Mathoura - afterwards a march to the Soldiers Memorial Gardens for a further short wreath laying ceremony.

WAKOOL:

- 3:00pm Commemorative Service at Wakool Memorial Hall, followed by a march to the Wakool Cenotaph for a short wreath laying ceremony. Extra note for this year's Commemorative Service at Wakool - Wakool began as a Victorian Railways construction camp in 1925. This makes 2025 the centenary of Wakool's founding.

PIANGIL & TOOLEYBUC (organised by Piangil RSL Sub Branch):

- 9:30am Commemorative Service at Piangil Community Hall

BARHAM (organised by Koondrook RSL Sub Branch):

- Dawn Service (6am) at Barham Cenotaph (Cnr Murray & Noorong Sts), followed by a breakfast at cluBarham
- Commemorative Service & march – assembly is at 10:45am at Barham with a short wreath laying service. Leaving Barham at 11am for the march, arriving in Koondrook at 11:45am for a wreath laying service and guest speaker.

Although contacted by Council prior to this report being presented, advice has not been received by the organisers in relation to the ANZAC Day services at Moulamein and Echuca. These details will be provided to Councillors once confirmed by the organisers, but generally are as follows:

MOULAMEIN:

- 9:45am march (drop wreath off at The Triangle first & assemble at Business Centre)
- 10am Commemorative Service at The Triangle Park (Brougham St)

ECHUCA (organised by Echuca RSL Sub-Branch):

- 6am Dawn Service at Echuca War Memorial Cenotaph, Civic Centre Gardens
- 11am Commemorative Service at Echuca War Memorial, Civic Centre Gardens, Hare St – Councillor requested to lay a wreath on behalf of Murray River Council

STRATEGIC IMPLICATIONS

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

4.10 - Support existing and new art projects and diverse community events - Regional Events.

BUDGETARY IMPLICATIONS

- Cost of wreaths x 7 @ approx. \$85 per wreath.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS**RISK ANALYSIS**

- **What can happen?**

No Council representation at ANZAC Day services in the Council area.

- **How can it happen?**

No invitations are received by Council from the organisers of an ANZAC Day service OR Councillors are unable to attend the ANZAC Day services in the Council area.

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

No Council representation at an ANZAC Day service due to Council not formally being advised by the organisers of an ANZAC Day service or Councillors unavailable to attend services.

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

Low

- **Adequacy of existing controls?**

High

- **Treatment options to mitigate the risk?**
- Advise organisers of ANZA Day services in the Council area that Council requires formal advice (through letter or email) of an ANZAC Day service to enable appropriate representation at same.

CONCLUSION

ANZAC Day falls on Friday 25 April this year. There are a number of Dawn and Commemorative Services being held throughout the Murray River Council area. The Mayor, or a representative, have been invited to attend Commemorative Services and lay a wreath on behalf of the citizens of Murray River Council.

ATTACHMENTS

1. **ANZAC Day 2025 - Mathoura & District RSL Sub Branch_Redacted**  
2. **Murray River Council ANZAC Day Invitations 2025 Moama RSL**  

Mathoura RSL Sub-Branch

RETURNED SERVICES LEAGUE OF AUSTRALIA
VICTORIAN BRANCH INC.



MATHOURA SUB-BRANCH.

Lindy Leyonhjelm
Executive Assistant
Murray River Council
[lleyonhjelm@murrayriver.nsw.gov.au]

3rd March 2025

Good morning Lindy,

With ANZAC Day fast approaching the Sub-Branch has a number of requests of Council pertaining to the day. I would be pleased if you would consider the following and respond at your earliest convenience.

We would like the use of the Shire Hall for the Commemorative Service on Friday 25th April 2025..

The Dawn Service will take place at 6am on the 25th April followed by the Gunfire Breakfast. For this we would require the use of the Soldiers' Memorial Gardens & the Soldiers' Memorial Hall. Once the Commemorative Service is completed at the Shire Hall a march will take place along Livingstone St finishing at the Soldiers' Memorial Gardens.

We would be pleased if the Mayor or his representative is in attendance at the Commemorative Service and also to lay a wreath at the Cenotaph on ANZAC Day. ANZAC Day is very well attended in Mathoura and we feel it's important that a representative of Council be in attendance.

On a more basic level I would need the keys to the Shire Hall, the Supper room, the Garden's meter box and the flag poles. We would also need to use the PA System in the Shire Hall. Once approval for the above has been granted I would be grateful if you could let me know. I can be contacted on M: [REDACTED] or [REDACTED].

I look forward to hearing from you in the near future,

Regards,
[REDACTED]
Secretary/Treasurer.



RETURNED AND SERVICES LEAGUE OF AUSTRALIA (NEW SOUTH WALES BRANCH)

Moama RSL sub-Branch, PO Box 862, Moama, NSW 2731.

Phone: 0408 384 670 Email: moamasb@rslnsw.org.au ABN 63 928 048 455

10th March 2025

By Email: lleyonhjelm@murrayriver.nsw.gov.au

Mayor Cr. John Harvie
Murray River Council
MOAMA. NSW. 2731.

Dear Mayor Harvie & Councillors,

Re: ANZAC DAY 2025 : FRIDAY 25TH APRIL 2025

I refer to the above matter and write to you on behalf of the President, Committee and Members of the Moama RSL sub-Branch.

Please accept our invitation to attend our upcoming ANZAC Day Services, details are as follows:-

- **DAWN SERVICE**

Assemble at 0545 hrs at the Moama Cenotaph, Meninya Street, Moama. The Dawn Service will commence at 0555 hrs, immediately followed by a Gunfire Breakfast held at Moama RSL.

- **ANZAC DAY MARCH IN MOAMA**

Assemble at 0815 hrs at Echuca Street, Moama (back of the Moama Post Office). March will depart at 0840 hrs to the Moama Cenotaph.

- **COMMEMORATIVE SERVICE**

Assemble at 0855 hrs at the Moama Cenotaph. The Commemorative Service will commence at 0900 hrs. At this service we invite your organisation to lay a wreath.

If you wish to lay a floral tribute would you please advise Paula Murphy, by email on paula@moamarsl.com.au or by phone on 5482 6677 by no later than Wednesday 23rd April 2025.

We look forward to your attendance.

Yours faithfully,

Ken Jones,
PRESIDENT

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 POLICY REVIEW - DRAFT CORPORATE CREDIT CARD POLICY

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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

BACKGROUND

The Corporate Credit Card Policy was first adopted in December 2017 and reviewed and readopted in November 2020. This Policy is due for review.

DISCUSSION

This Corporate Credit Card Policy (the 'Policy') provides information on the acceptable use of Murray River Council's (the 'Council') corporate credit cards and the responsibilities of card holders.

Corporate credit cards issued to Council employees require a policy that is in alignment with Council's Delegation of Authority (CEO to Staff) Policy (POL107), meets the needs of Council and sets clear parameters for use.

The objectives of this Policy are to ensure that Council has adequate records to:

- ▶ Ensure that Goods and Services Tax (GST) is claimed on purchases;
- ▶ Correctly assign purchases to work orders;
- ▶ Support the expenditure in audit processes;
- ▶ Properly record Fringe Benefits Tax (FBT); and
- ▶ Prevent misuse and possible fraud.

Due to the limited changes to this Policy, Council does not need to put it out on public display, but rather can adopt it and update the Policy Register with V#3 of the Policy.

Recommended changes to the Policy have been marked-up in **RED**.

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**RISK ANALYSIS**

- **What can happen?**
Credit Cards can be misused.
- **How can it happen?**
Not providing supporting documentation for each entry on the statement
- **What are the consequences of the event happening?**
Minor
- **What is the likelihood of the event happening?**
Unlikely
- **Adequacy of existing controls?**
Adequate
- **Treatment options to mitigate the risk?**
As outlined in the Policy

CONCLUSION

This Corporate Credit Card Policy (the 'Policy') provides information on the acceptable use of Murray River Council's (the 'Council') corporate credit cards and the responsibilities of card holders.

ATTACHMENTS

1. **DRAFT Corporate Credit Card Policy V#3** [↓](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

DRAFT
**CORPORATE
CREDIT
CARD
POLICY**

POL-204.V#3





CORPORATE CREDIT CARD POLICY

POL-204

1. INTRODUCTION

This Corporate Credit Card Policy (the 'Policy') provides information on the acceptable use of Murray River Council's (the 'Council') corporate credit cards and the responsibilities of card holders.

Corporate credit cards issued to Council employees require a policy that is in alignment with Council's Delegation of Authority (CEO to Staff) Policy (POL107), meets the needs of Council and sets clear parameters for use.

2. OBJECTIVES

The objectives of this Policy are to ensure that Council has adequate records to:

- ▶ Ensure that Goods and Services Tax (GST) is claimed on purchases;
- ▶ Correctly assign purchases to work orders;
- ▶ Support the expenditure in audit processes;
- ▶ Properly record Fringe Benefits Tax (FBT); and
- ▶ Prevent misuse and possible fraud.

3. SCOPE

This Policy applied to all Council Officials.

4. LEGISLATION

- ▶ Local Government Act, 1993 (NSW)
- ▶ Local Government (General) Regulations, 2021 (NSW)
- ▶ A New Tax System (Goods and Services Tax) Act, 1999
- ▶ Crimes Act, 1900 (NSW)
- ▶ Government Information (Public Access) Act, 2009
- ▶ Independent Commission against Corruption Act, 1988
- ▶ Privacy and Personal Information Protection Act, 1998.
- ▶ Public Interest Disclosures Act, 1994
- ▶ State Records Act, 1998 (NSW)

5. POLICY STATEMENT

5.1 GENERAL INFORMATION

Corporate credit cards will not be issued to any person other than an employee of Council and the Mayor of Council.

Corporate credit cards will only be issued by the approval of the CEO according to the Delegation of Authority (CEO to Staff) Policy (POL-107) limits, while keeping the total limit for all corporate credit cards within the total corporate credit card limit agreed with Council's financial institution.

Upon approval from the CEO, an authorised officer will complete the arrangements to have a corporate credit card issued to them.

Council issued corporate credit cards shall not be used for cash advances or personal purchases.

The preferred transaction method for procurement of goods or a service is a Purchase Order, corporate credit cards should only be used for urgent item of low value. Should there be circumstances that do not



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meet these requirements (such as subscriptions / online purchases) please discuss with Director of Corporate Services or Chief Financial Officer. ~~Corporate credit cards may be used to procure goods or a service if there is an urgent need for an item, otherwise the preferred transaction method is by Purchase Order.~~

Corporate credit cards may be used to purchase meals while on authorised travel, provided no meal allowance has been paid or claimed. Corporate credit cards should not be used by any person other than the cardholder.

5.2 CARDHOLDER RESPONSIBILITIES

5.2.1 Tax Invoice

Holders of Council issued corporate credit cards must ensure that a tax invoice is provided for every purchase. A tax invoice will provide details on the goods or service purchased, price and GST. **An EFTPOS receipt is not a tax invoice and will not be accepted as such.**

An emailed request for goods and services, particularly for conferences or on-line purchases, must have a tax invoice. All suppliers are legally required to provide a tax invoice on request.

Should a tax invoice be misplaced, in extenuating circumstances a Statutory Declaration by the cardholder providing information on the business-related purchase, the reason for the lack of a tax invoice, the amount of the purchase and the transaction vendor, duly signed and witnessed, must be submitted.

5.2.2 Travel expenses

Travel expenses for authorised travel may be paid with a Council issued corporate credit card. Meals purchased whilst travelling should be in alignment with the current Australian Tax Office (ATO) Tax Determination for Meal Allowances.

Purchases of meals and/or entertainment must include the names of the people dining (Council employees and non-employees) and a brief description of the occasion. (eg meeting with Department Premier & Cabinet re discussion on funding). **No alcohol is to be charged to a corporate credit card.** There are FBT implications when food and drink are supplied to Council employees and accurate record keeping will help minimise Council's FBT liability.

If payment for travel expenses is made on behalf of another employee, (i.e. not the cardholder), payments should be made, wherever practical, on the card of the most senior Council officer in that Directorate. Note, Administration support staff are exempt from this when arranging travel for Councillors and Senior Management.

Any travel expenditure incurred via a credit card, need to also adhere to Travel & Accommodation Policy (POL202).

5.2.3 Other

Each cardholder is responsible for all purchases on their Council issued corporate credit card. Card information should not be given to any other person in order for that person to incur purchases, unless there is no other means to pay for items. (eg conference registration, on-line orders), with the exception of certain Administration staff. The cardholder must agree to each use and a tax invoice must be provided to the cardholder.

5.3 RECONCILIATION

Each month a credit card statement will be provided to the relevant Cardholder for transactions for the previous period. The Cardholder is required to, confirm all the transactions on the statement are correct, create a requisition and provide tax invoices for all transactions on their credit card statement.



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All Cardholders must submit their requisition for approval, based on the following authorisations:

- ▶ Officers to their immediate Manager/Supervisor;
- ▶ Managers to their Directors;
- ▶ Directors to the CEO; and
- ▶ the CEO and Mayor to the Director of Corporate Services.

Cardholders must complete the above within two (2) weeks of receiving the monthly credit card statement. If this does not occur, Council will raise a debt against the cardholder for the amount.

Failure to complete monthly corporate credit card reconciliations in a timely manner on a recurring basis, may result in the corporate credit card privileges being withdrawn.

5.4 DISPUTED PURCHASES

Any transactions that appear on the monthly statement that cannot be verified must be reported to the Chief Financial Officer as soon as possible. These might involve duplicated charges, non-receipt of goods ordered, credits not processed as agreed etc.

The cardholder must complete the "Disputed Transactions" form which will be included with the monthly reconciliation for audit purposes. (Appendix 2).

The Chief Financial Officer or their nominated officer will contact the creditor and/or the Bank to work with them to resolve the problem.

5.5 TERMINATING OR CEASING EMPLOYMENT

Cards must be returned as soon as no longer required. When leaving the services of Council, cards should be returned to Finance staff upon notification of resignation (unless agreed to be maintained by the Cardholder until termination by their Director) or when terminated.

5.6 LOST/STOLEN CARDS

If a card is lost or stolen it is the cardholder's responsibility to immediately notify the Chief Financial Officer and/or an authorised finance officer. All cardholders are expected to have the contact number of the financial institution and any other relevant information required to be able to contact the financial institution directly and put a hold on the card if lost or stolen. A replacement card will be arranged and issued upon receipt from the bank.

5.7 MISUSE OF CARDS

If a Corporate Credit Card is misused (i.e. used in a manner otherwise than in accordance with this Policy) the cardholder may be liable for disciplinary action.

Disciplinary actions in relation to the misuse of the card include the cancellation of the card, recoupment of the cost of the disputed transactions from the cardholder, disciplinary action and/or termination of employment.

5.8 PURCHASE OF FUEL

Conditions of use of the Council issued fuel card is covered in the Light Motor Vehicle Policy (POL-302). Use of the Council issued fuel card is the preferred method of purchase, credit cards should only be used if there is no other option to purchase fuel.



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6. EVALUATION AND REVIEW

It is the responsibility of the Chief Financial 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.

4. LEGISLATION, ASSOCIATED DOCUMENTS AND DEFINITION

External:

Nil.

Internal:

- › MRC Policy - Delegation of Authority (Mayor & CEO) Policy (POL-102)
- › MRC Policy - Delegation of Authority (CEO to Staff) Policy (POL-107)
- › MRC Policy – Light Motor Vehicle Policy (POL-302)
- › MRC Policy – Fraud and Corruption Policy (POL-212)
- › MRC Policy - Travel & Accommodation Policy (POL202)
- › MRC Form – Credit Card Acknowledgement Form (Appendix 1)
- › MRC Form – Credit Card Disputed Transactions Form (Appendix 2)
- › MRC Form – Credit Card Lost or Stolen Card Form (Appendix 3)

Definitions:

FBT	Expenses relating to the provision of entertainment must provide details of the total number of staff who attended, and the total number of attendees.
GST	A reference to a price or purchase value is intended to be inclusive of Goods and Services Tax (incl. GST).

5. DOCUMENT CONTROL

Version No:	Details:	Dates:	CM9 Reference:	Resolution No:
1	Initial Issue	11 Dec 2017 to 24 Nov 2020	VF/18/2190	Not App
2	Policy reviewed, updated to reflect changes to the organisational structure.	24 Nov 2020 to DRAFT	VF/18/2190	
3	Policy reviewed, updated to reflect changes to the organisational structure.	DRAFT	VF/18/2190	

Council reserves the right to review, vary or revoke this policy at any time

This Policy is scheduled for review in **February 2029**

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.



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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.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)



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Appendix 1: Credit Card Acknowledgement Form

CREDIT CARD ACKNOWLEDGEMENT FORM

Associated with the Card Credit Policy (POL-204)

CARDHOLDER APPROVAL, GUIDELINES AND ACKNOWLEDGEMENT			
Surname:		Given Names:	
Position:			
Credit Limit (Monthly) \$:		Card Details: (No and Expiry)	
CEO Name:		CEO Signature:	
I CERTIFY THAT I HAVE READ AND ACCEPT THE TERMS LISTED ABOVE FOR THE USE OF CORPORATE CREDIT CARDS.			
Cardholder Signature:		Date:	

ACKNOWLEDGEMENT:
<p>I acknowledge receipt of the Murray River Council Corporate Credit Card and agree that:</p> <ol style="list-style-type: none"> 1. As the cardholder I am responsible for all purchases on my Corporate Credit Card. I will not use the Corporate Credit Card, nor permit it to be used, other than for official Council purposes. I will ensure security of the Corporate Credit Card at all times and will not permit the card to be used by any other person. 2. The Corporate Credit Card will only be used in situations where it is not reasonably possible to go through the Council's normal procedures for the ordering of and/or payment for goods or services. Expenditures which may validly be charged against the Corporate Credit Card include (but are not limited to) such things as travel, accommodation and meal expenses associated with conferences or work related activities of the cardholder, elected members, guests of Council and minor equipment, stationery or business expenses incurred in the course of the employee's duties, or as authorised under any contract of employment. 3. If the Corporate Credit Card is lost or stolen, I will immediately report it missing to the National Australia Bank 13 2265 and will also inform the Chief Finance Officer or Director Corporate Services. 4. If my position with Murray River Council changes or my employment terminates, or I am asked to surrender the card for any other reason, I will immediately return the card. 5. Goods and Services Tax (GST) can be claimed as an input tax credit by Council. For this to happen it is essential that all receipts are "Tax Invoices". I will retain all original supporting documentation that meets the requirements of a Tax Invoice for presentation to the relevant authorising officer. If a receipt or transaction document is for some reason lost, a statutory declaration must be completed. 6. Under no circumstances must personal expenditure be charged against the Corporate Credit Card. 7. Monthly statements will be reconciled and returned to the Finance Department within fourteen days of the statement being issued. The charges must be allocated to the appropriate job number to which the expenditure is to be charged, with an appropriate description of the reason for incurring the charge. 8. I will ensure that all Occupational Health & Safety requirements are complied with for all purchases. 9. If I misuse the Corporate Credit Card (i.e. use it in a manner otherwise than in accordance with the instructions provided) I may be liable for disciplinary action. Actions in relation to the misuse of the card include the cancellation of the card, disciplinary action and/ or termination of employment.



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Appendix 2: Credit Card Disputed Transactions Form



CREDIT CARD DISPUTED TRANSACTIONS FORM

Associated with Corporate Credit Card Policy (POL-204)

Note: This form is to be completed and forwarded to the Finance Department with monthly reconciliation

PERSONAL DETAILS			
Surname:		Given Names:	
Credit Card No:		Position:	
Signature of Cardholder:		Date:	

Transaction Date:	Supplier:	Reason for Dispute:	Amount:



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Appendix 3: Lost or Stolen Card Form



LOST OR STOLEN CARD FORM

Associated with the Corporate Credit Card Policy (POL-204)

Note: This notification is on the loss or theft of Murray River Council Corporate Credit Card. You are requested to telephone the Bank immediately the loss is discovered. The Finance Department should be advised on the first business day and the following information completed.

CARDHOLDER DETAILS			
Surname:		Given Names:	
Card No:		Date of Loss:	
Details of Loss:			
Date Bank Notified:		Date Chief Finance Officer Notified	
Signature of Cardholder:		Date:	

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

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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

BACKGROUND

The Fraud and Corruption Control Policy was first adopted in June 2019 and readopted in January 2021.

Previously, Council has had the one document – the Policy. With this review the Policy was split into a Policy and a Framework.

DISCUSSION

The risk of fraudulent or corrupt activity is ever present in all organisations and in all industries. Local Government is not immune to the possibility of fraud and corrupt activity occurring.

Fraudulent or corrupt activity will not be tolerated at Murray River Council.

The community expects Murray River Council to practice the highest standards of stewardship of public resources and to establish and maintain a sound system of internal control.

It also expects that Council Officers and Officials adopt and practice an outstanding level of ethics in all Council business.

This policy forms part of a suite of documents that draw together the relevant initiatives, strategies and controls for encouraging ethical behaviour and combating fraud and corruption.

Consistent with the Fraud and Corruption Prevention Framework, This policy and the associated documents is based on the Audit Office NSW's best practice Fraud Control Improvement Kit.

The objectives of this Policy are to:

- ▶ affirm that Council does not accept or tolerate any act of fraud or corruption,
- ▶ protect the integrity, security and reputation of the Council and its Council Officers and Officials;
- ▶ promote the awareness of risks relating to fraud and corruption to Council officials employees and third-parties;
- ▶ develop appropriate strategies and internal controls to minimise losses due to fraud, and corruption to Council; and
- ▶ outline Council's approach to fraud and corruption control within the themes of prevention, detection and response.

Murray River Council will achieve fraud and corruption control through the following actions:

- ▶ Creation, maintenance and compliance with an effective system of internal controls;
- ▶ Management reviews to check compliance;
- ▶ Maintenance of an ongoing internal audit function in line with the program approved by the Audit,

Risk and Improvement Committee (ARIC);

- ▶ Regular conduct of fraud risk assessments to identify opportunities for fraud;
- ▶ Implementation of strategies to prevent or minimise the opportunity for fraud and corruption in Council activities;
- ▶ Utilise emerging technologies to reduce the opportunities to commit fraud and corrupt activities
- ▶ Implementation of formal procedures for investigation of allegations of dishonest, corrupt/or fraudulent behaviour;
- ▶ Prompt reporting of any matter to appropriate authorities, if the CEO has a suspicion that there has been fraud and corruption;
- ▶ Commitment to taking action as appropriate and in accordance with the Code of Conduct and this policy;
- ▶ Provision of training to all staff on their obligations under this and associated policies such as the Code of Conduct;
- ▶ Promotion of this and other policies to ensure that Council Officers and Officials are aware of their responsibilities in combating fraud; and
- ▶ Fostering an environment in which fraudulent and corrupt activity is discouraged.

These documents have been reviewed by the Audit, Risk and Improvement Committee (ARIC) at their meeting held on the 3rd March 2025.

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

Local Government Act 1993

Local Government (General) Regulation 2021

RISK ANALYSIS

• What can happen?

Without a clear understanding of what is acceptable and unacceptable behaviours, in all facets of day-to-day Council activities, fraud and corruption can occur.

• How can it happen?

Council Officials, Council Officers, Contractors and other stakeholders can act in a corrupt or fraudulent manner. This will be at the detriment of Council.

• What are the consequences of the event happening?

Major

• What is the likelihood of the event happening?

Likely

- **Adequacy of existing controls?**

Adequate – however Council needs to be ever vigilant and alert to unusual or illegal activities

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

The Policy and Framework outlines how Council will monitor all Council activities with a view to uncover or detect any suspect behaviours/transactions.

CONCLUSION

Reviewing and updating the Fraud and Corruption Control Policy and Framework will strengthen Council ability to detect and reduce fraudulent or corruption activities.

Once adopted, after the period of consultation, Council will develop and deliver a training and awareness program to help Council Officers detect any suspicious behaviours and identify any processes that need strengthening.

ATTACHMENTS

1. **DRAFT Fraud and Corruption Control Policy V#3**  
2. **DRAFT Fraud and Corruption Control Framework V#1 (under separate cover)** 

MURRAY RIVER COUNCIL
COUNCIL POLICY

DRAFT
**FRAUD
AND
CORRUPTION
CONTROL
POLICY**

POL-212.V#3



FRAUD AND CORRUPTION CONTROL POLICY

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1. INTRODUCTION

The risk of fraudulent or corrupt activity is ever present in all organisations and in all industries. Local Government is not immune to the possibility of fraud and corrupt activity occurring.

Fraudulent or corrupt activity will not be tolerated at Murray River Council.

The community expects Murray River Council to practice the highest standards of stewardship of public resources and to establish and maintain a sound system of internal control.

It also expects that Council Officers and Officials adopt and practice an outstanding level of ethics in all Council business.

This policy forms part of a suite of documents that draw together the relevant initiatives, strategies and controls for encouraging ethical behaviour and combating fraud and corruption.

Consistent with the Fraud and Corruption Prevention Framework, This policy and the associated documents is based on the Audit Office NSW's best practice Fraud Control Improvement Kit.

2. OBJECTIVES

The objectives of this Policy are to:

- › affirm that Council does not accept or tolerate any act of fraud or corruption,
- › protect the integrity, security and reputation of the Council and its Council Officers and Officials;
- › promote the awareness of risks relating to fraud and corruption to Council officials employees and third-parties;
- › develop appropriate strategies and internal controls to minimise losses due to fraud, and corruption to Council; and
- › outline Council's approach to fraud and corruption control within the themes of prevention, detection and response.

2. SCOPE

This Policy and its associated documents applies to all:

- › Council Officers;
- › Members of Council Committees (including S355 Committees);
- › Key stakeholders such as suppliers, contractors and consultants;
- › Customers;
- › Members of the community; and
- › Relevant third parties

with regard to functions and operations undertaken for or on behalf of Council.

3. LEGISLATION

- › Local Government Act 1993 (NSW);
- › Government Information (Public Access) Act 2009
- › Independent Commission Against Corruption Act 1988
- › Independent Commission Against Corruption Regulation 2017
- › Public Interest Disclosure Act 2022
- › Privacy & Personal Information Protection Act 1998
- › Health Records & Information Privacy Act 2002



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4. POLICY STATEMENT

Murray River Council will achieve fraud and corruption control through the following actions:

- ▶ Creation, maintenance and compliance with an effective system of internal controls;
- ▶ Management reviews to check compliance;
- ▶ Maintenance of an ongoing internal audit function in line with the program approved by the Audit, Risk and Improvement Committee (ARIC);
- ▶ Regular conduct of fraud risk assessments to identify opportunities for fraud;
- ▶ Implementation of strategies to prevent or minimise the opportunity for fraud and corruption in Council activities;
- ▶ Utilise emerging technologies to reduce the opportunities to commit fraud and corrupt activities
- ▶ Implementation of formal procedures for investigation of allegations of dishonest, corrupt/or fraudulent behaviour;
- ▶ Prompt reporting of any matter to appropriate authorities, if the CEO has a suspicion that there has been fraud and corruption;
- ▶ Commitment to taking action as appropriate and in accordance with the Code of Conduct and this policy;
- ▶ Provision of training to all staff on their obligations under this and associated policies such as the Code of Conduct;
- ▶ Promotion of this and other policies to ensure that Council Officers and Officials are aware of their responsibilities in combating fraud; and
- ▶ Fostering an environment in which fraudulent and corrupt activity is discouraged.

5. ROLES & RESPONSIBILITIES

All Council Officers and Officials have a duty to be aware of the potential for fraud and corruption and to report anything that they feel is not right. There are a range of options available for reporting of any such matters.

Reports can be made internally through Council's Internal Reporting (PID) Policy or to an external agency such as the Independent Commission Against Corruption (ICAC), the NSW Ombudsman's Office, NSW Auditor General, NSW Police or the Office of Local Government (OLG) depending on the nature of the matter.

All Council Officers and Officials have an important role to play in the prevention and control of fraud and corruption.

These roles and responsibilities are outlined below:

Council Officials (Mayor & Councillors)	<ul style="list-style-type: none"> ▶ Ensure that Council's powers, duties and responsibilities are exercised in an open, fair and proper manner to the highest standards of probity; ▶ Provide leadership in actively displaying and promoting ethical behaviour within Murray River Council; and ▶ Ensure communication to the community of Murray River Council's commitment to fraud and corruption prevention.
Audit, Risk & Improvement Committee (ARIC)	<p>Council's ARIC will advise Council of fraud and corruption prevention and control activities at Council. This will be achieved through:</p> <ul style="list-style-type: none"> ▶ Be alert to the possibility of fraud and corruption within Council; ▶ Examine and evaluate the adequacy and effectiveness of internal controls;



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	<ul style="list-style-type: none"> ▶ Review the outcomes of the fraud risk assessments, the results of this will also be integrated into Council's overall <u>Risk Management Framework</u>; ▶ Review and approve appropriate policies/methodologies for the detection and prevention of fraud and corruption; ▶ Review outcomes of applicable fraud and corruption investigations; and ▶ Report to Council of any outcomes as required; and ▶ Their responsibilities in accordance with the ARIC Charter.
Internal Auditors	<ul style="list-style-type: none"> ▶ Internal Auditor will be responsible for reporting to the ARIC / Council any fraud and corruption activities or controls that need strengthening during the undertaking of internal audits.
CEO	<p>The CEO will:</p> <ul style="list-style-type: none"> ▶ Guide the proper management of Council resources and the development / implementation of systems and practices to minimise the risk of fraud and corruption; ▶ Provide leadership in actively displaying and promoting ethical behaviour within Murray River Council; ▶ Ensure that this Policy is actively communicated to all Council Officers, Council Officials and other stakeholders throughout Council and the community; and ▶ Ensure promotion to the community of Council's commitment to fraud and corruption prevention. <p>The CEO also has the responsibility of referring, or notifying, any allegations of fraudulent or corrupt behaviour that have been identified by Murray River Council to the appropriate external agencies (i.e. the Independent Commission Against Corruption) and to report to Council any outcomes as required.</p>
Directors, Managers and Supervisors	<ul style="list-style-type: none"> ▶ Lead Council staff and external service providers in their understanding of and compliance with this Policy and related Council policies; ▶ Ensure there are adequate measures to prevent, detect and respond to fraud and corruption within the respective business areas under their control, in accordance with Council's Fraud and Corruption Control Framework; ▶ Lead team members in their understanding of and compliance with this Policy and related Council policies; ▶ Assess/identify/implement new controls where systems have changed; ▶ Provide input and assistance to the identification and minimisation of fraud and corruption risks; ▶ Provide advice and assistance to Council Officers in relation to this Policy; ▶ Participate in regular fraud and corruption prevention training; ▶ Support the continued operation of Council's Audit, Risk and Improvement Committee (ARIC); and ▶ Foster a work environment free of harassment, discrimination, victimisation, corruption, fraud, maladministration and waste.



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Manager Governance & Risk	<p>The Manager Governance & Risk is responsible for:</p> <ul style="list-style-type: none"> › Maintenance of an ongoing Internal Audit function in line with the program approved by the ARIC; › Audit and monitor compliance with internal controls; › Regularly conducting fraud risk assessments; › Implementation of strategies to prevent or minimise the opportunity for fraud and corruption in Council activities; › Implementation of formal procedures for investigation of allegations of dishonest, corrupt/or fraudulent behaviour; › Prompt reporting of any matter to appropriate authorities, if the General Manager has a suspicion that there has been fraud and corruption; › Commitment to taking action as appropriate and in accordance with the Code of Conduct and this policy and strategy; › Provision of training to all staff on their obligations under this and associated policies such as the Code of Conduct; and › Implementation and management of a complaints handling process that allows whistle-blowers to make complaints anonymously.
External Auditors	<ul style="list-style-type: none"> › Report any matters of concern that they may uncover in the conduct of their external audit.
Council Officers	<ul style="list-style-type: none"> › Read, understand and comply with this and related policies and procedures; › Report known or suspected fraud or corruption as soon as possible after becoming aware of it, in accordance with the processes outlined in the <u>Internal Reporting (PID) Policy</u>; › Ensuring that they do not take part in any activity that could constitute fraud and/or corruption; › Participate in regular fraud and corruption prevention training › Being vigilant to the risks of fraud and corruption; and › Bringing to the attention of Management any inadequacies in the policy, procedures and practices implemented to prevent opportunities for fraud and corrupt behaviours.
Other Interested Parties – Stakeholders, Contractors And Members Of The Public	<p>Other interested parties are encouraged to familiarise themselves with this Policy and to:</p> <ul style="list-style-type: none"> › Refrain from engaging in fraud and corruption behaviours in their dealings with Council; and › Report known or suspected fraud or corruption in accordance with the processes outlined in the <u>Internal Reporting (PID) Policy</u>.

6. EVALUATION AND REVIEW

It is the responsibility of the Director Corporate Service, 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.



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7. BREACHES OF THIS POLICY

Breaches of this Policy may be a contravention of Council's Code of Conduct and may result in disciplinary action.

However, where a Council Officer and/or Official is reasonably suspected of behaving corruptly, as outlined in this Policy and the associated Framework, that conduct will be reported according to the provisions of the Internal Reporting (PID) Policy.

Council Officials	Council Officials they are suspected and/or found to have engaged in corrupt and/or fraudulent activity, Council will take action including referral of the matter to the Office of Local Government in addition to any other in-house sanctions and/or legal action that may be required.
Council Officers	Council Officers who are proven to have engaged in corrupt and/or fraudulent activity may be subject to disciplinary action including in-house sanctions, termination of employment, and/or legal action.
Third-Party Providers, Contractors and Volunteers	Third Party Providers/ Contractors/ Volunteers who are suspected and/or found to have engaged in corrupt and/or fraudulent activity may be subject to action by the Council including legal action.

8. ASSOCIATED DOCUMENTS, ACRONYMS AND DEFINITIONS

External:

- ▶ NSW Audit Office - Fraud Control Improvement Kit – Managing your Fraud Control Obligations - (February 2015)
- ▶ NSW Audit office - 'Better Practice Guide: Fraud Control – Developing an Effective Strategy' (1994 updated June 2012)
- ▶ Audit Office NSW - Fraud controls in local councils (June 2018)
- ▶ ICAC NSW - Corruption and integrity in the NSW public sector: an assessment of current trends and events (December 2018)
- ▶ ICAC NSW - Strengthening Employment Screening Practices in the NSW Public Sector (February 2018)
- ▶ Standards Australia: AS8001-2008 – Fraud and Corruption Control

Internal:

- ▶ MRC Policy – Code of Conduct Policy (POL-100.1, POL100.2 & POL-100.3)
- ▶ MRC Policy – Statement of Business Ethics Policy (POL-201)
- ▶ MRC Policy - Delegations of Authority (Mayor and General Manager) Policy (POL-102)
- ▶ MRC Policy – Delegation of Authority (CEO to Staff) Policy (POL-107)
- ▶ MRC Policy – Internal Reporting (PID) Policy (POL-209)
- ▶ MRC Policy - Related Party Disclosures Policy (POL-110)
- ▶ MRC Policy – Procurement Policy (POL-205)
- ▶ MRC Policy – Pecuniary Interest Guidelines (POL-106)
- ▶ MRC Policy – Risk Management Policy (POL-200)
- ▶ MRC Procedure – Code of Conduct Procedure



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- ▶ MRC Procedure – Gifts & Benefits Procedure
- ▶ MRC Plan – Fraud & Control Framework
- ▶ MRC Plan – Risk Management Framework
- ▶ MRC Plan – ARIC Internal Audit Plan
- ▶ MRC Charter – ARIC Charter
- ▶ MRC Register – Risk Register
- ▶ MRC Register – Fraud & Corruption Control Register

Definitions:

Term	Definition
Bribe	A gift or benefit offered for the purpose of winning favours or to influence the decision or behaviour of a Council official to benefit someone or something.
Corruption	<p>What is corrupt conduct? (ICAC Act 1988, Section 8)</p> <p>1. Corrupt conduct is:</p> <ul style="list-style-type: none"> a) any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or b) any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or c) any conduct of a public official or former public official that constitutes or involves a breach of public trust, or d) any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person. <p>9. Corrupt conduct is also any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the exercise of official functions by any public official, any group or body of public officials or any public authority and which could involve any of the following matters:</p> <ul style="list-style-type: none"> a) Official misconduct (including breach of trust, fraud in office, nonfeasance, misfeasance, malfeasance, oppression, extortion or imposition), b) Bribery, c) blackmail, d) obtaining or offering secret commissions, e) fraud, f) theft, g) perverting the course of justice, h) embezzlement, i) election bribery, j) election funding offences, k) election fraud, l) treating, m) tax evasion,

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	<ul style="list-style-type: none"> n) revenue evasion, o) currency violations, p) illegal drug dealings, q) illegal gambling, r) obtaining financial benefit by vice engaged in by others, s) bankruptcy and company violations, t) harbouring criminals, u) forgery, v) treason or other offences against the Sovereign, w) homicide or violence, x) matters of the same or a similar nature to any listed above, y) misuse of discretions in favour of third parties, z) any conspiracy or attempt in relation to any of the above.
Council Official	<p>A Council Official includes:</p> <ul style="list-style-type: none"> ▸ Councillors / Elected Member, ▸ Employees of Council, ▸ Administrators, ▸ Council committee members, ▸ Conduct reviewers: and ▸ Delegates of Council.
Council Officer (Officer / Employee)	<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
ELT	Executive Leadership Team
External service provider	An entity engaged to deliver a function or service for and on behalf of Council.
Fraud	Fraud is a subset of corruption and is a "dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position."
Gift	An item of value which one person or organisation presents to another (for example, cash, gift voucher, alcohol, products, or tickets to a sporting or entertainment event).
ICAC	Independent Commission Against Corruption
Internal Control	A process, policy or other action that acts to minimise risk and enhance the likelihood that stated objectives and goals will be achieved.



FRAUD AND CORRUPTION CONTROL POLICY

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9. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	25 June 2019 – 19 January 2021	VF/19/527	110619
2	Policy reviewed and updated to reflect changes to the organisational structure.	19 January 2021 to DRAFT	VF/19/527	080121
3	Policy reviewed and updated to incorporate the development of a separate Framework.	DRAFT	VF/19/527	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in before 2029

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.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)



FRAUD AND CORRUPTION CONTROL POLICY

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APPENDIX 1: FACTSHEET:

What is Corruption or Corrupt Conduct?

Corruption is:

“Dishonest activity which is contrary to the interests of an entity and where individuals abuses there position of trust in order to achieve some personal gain or advantage for themselves or another person or entity”

Corrupt conduct is:

- ▶ any conduct of any person (whether or not a public official) that adversely affects, or that could adversely affect, either directly or indirectly, the honest or impartial exercise of official functions by any public official, any group or body of public officials or any public authority, or
- ▶ any conduct of a public official that constitutes or involves the dishonest or partial exercise of any of his or her official functions, or
- ▶ any conduct of a public official or former public official that constitutes or involves a breach of public trust, or
- ▶ any conduct of a public official or former public official that involves the misuse of information or material that he or she has acquired in the course of his or her official functions, whether or not for his or her benefit or for the benefit of any other person.

For example, this could include:

- ▶ the improper use of knowledge, power or position for personal gain or the advantage of others
- ▶ acting dishonestly or unfairly, or breaching public trust
- ▶ a member of the public influencing or trying to influence a public official to use their position in a way that is dishonest, biased or breaches public trust.
- ▶ Payment of bribes in money, benefits or some other value, to a person that is related to a specific action/decision of the person or entity
- ▶ Inappropriate release of confidential information by a person of the entity.
- ▶ A staff member manipulating a tendering or procurement process to achieve a desired outcome.
- ▶ Collusive procurement practices by prospective suppliers/tenderers
- ▶ Conflict of interest involving a staff member acting in his or her own self-interest rather than the interests of the entity.
- ▶ Acting to gain a benefit for another

What is Fraud?

Fraud is a subset of corruption and is

“dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.”



FRAUD AND CORRUPTION CONTROL POLICY

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How Does Fraud and Corruption Occur?

Fraud and corruption can be committed by any person alone or in collusion with others. Perpetrators of fraud and corruption could be:

- ▶ An employee or employees of Council;
- ▶ Councillors;
- ▶ Volunteers;
- ▶ External individuals or companies or
- ▶ External contractors/service providers

What is the Impact of Fraud and Corruption?

The potential impact of fraud and corruption is significant and far-ranging, and could include:

- ▶ financial loss;
- ▶ damage to Murray River Council's reputation and standing within the community;
- ▶ disruption to staff
- ▶ loss of key staff members;
- ▶ diversion of management energy; and
- ▶ reduction in staff morale.

When is Fraud and Corruption more likely to happen?

The risk of fraud and corruption is heightened by the ever evolving environment of Local Government. With changes continuously taking place, management must be particularly alert to the added risk of fraud and corruption. Listed below are some examples of situations and changes when the risk of fraud and corruption is heightened:

- ▶ Structural change
- ▶ Changes to processes
- ▶ Changes to delegations of responsibility
- ▶ Changes brought about by cost-cutting measures
- ▶ Out sourcing of activities
- ▶ Changes in Information Technology
- ▶ Changes in legislation
- ▶ Council Officers and Officials being in their position for a long period.

Behaviours to be aware of

Management, staff and Councillors should be aware of the following:

- ▶ Staff being first to arrive in the morning and/or last to leave at night.
- ▶ Egotistical (e.g. scornful of system controls).
- ▶ A risk taker or rule breaker.
- ▶ Reluctance to take leave
- ▶ Refusal of promotion



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- ▶ Unexplained wealth
- ▶ Sudden change of lifestyle.
- ▶ New staff resigning quickly
- ▶ Cosy relationships with suppliers/contractors
- ▶ Suppliers/contractors who insist on dealing with one particular member of staff
- ▶ Staff who are disgruntled at work - a complainer
- ▶ Staff that are dismissive of ratepayer requests without full & proper consideration.

What does Fraud and Corruption look like?

Assets <ul style="list-style-type: none"> ▶ Repeated and/or unexplained loss of assets – particularly portable and attractive assets such as laptops, mobile phones, digital cameras ▶ Unauthorised disposal of assets
Unauthorised use of assets <ul style="list-style-type: none"> ▶ Use of office equipment for private purposes ▶ Private use of external equipment such as tools, power tools, plant and/or heavy equipment ▶ Use of Council resources such as paper, stationery for private purposes ▶ Unauthorised private use of motor vehicles ▶ Unauthorised private use of fuel
Human Resources <ul style="list-style-type: none"> ▶ Theft of time – persons using work hours to conduct a private business ▶ Excessive and/or unsubstantiated claims for overtime ▶ Fraudulent completion of attendance sheets and/or timesheets “Ghost” employees ▶ Labour charges in excess of expectations ▶ Fraudulent workers compensation claims ▶ Non-compliance to HR policies ▶ Timesheet fraud – claiming hours not worked, misuse of sick or family leave
Finance <ul style="list-style-type: none"> ▶ Theft of cash or petty cash ▶ Using taxi vouchers for private purposes ▶ Use of Council provided credit cards for personal expenses and claiming them as work related
Inventory <ul style="list-style-type: none"> ▶ Unexplained losses/theft of inventory ▶ Unexplained/Unauthorised inventory charges to cost centres



FRAUD AND CORRUPTION CONTROL POLICY

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Information Systems

- ▶ Inappropriate use of computer systems i.e. access to the internet for unreasonable private usage
- ▶ Access to inappropriate sites
- ▶ Access to the system by unauthorised users
- ▶ Access to and provision of confidential information
- ▶ Unauthorised access to EFT processes

Purchasing/Contracts/Procurement

- ▶ Non-Compliance with Council procurement policies including bypass of the correct approval process
- ▶ Undisclosed personal/pecuniary interests of staff involved in a procurement or contract process
- ▶ Collusive practices between suppliers and procurement/purchasing officers
- ▶ Staff obtaining quotes from the same suppliers (to comply with policy) but not effectively market testing.
- ▶ Contract fraud – invalid variations and extensions to work scopes.
- ▶ Receiving 'kickbacks' from a contractor or consultant .
- ▶ Related parties transactions

Planning

- ▶ Development application – not following procedures and process

Governance/Other

- ▶ Obtaining an unjust advantage by misusing information gained during the course of employment with Murray River Council
- ▶ Theft of intellectual property

How can Fraud and Corruption be Reported?

Council's Code of Conduct states that all Council Officers and Officials are required to report any instances of possible fraud, corruption, maladministration or serious and substantial wastage. Council supports and encourages a culture of reporting.

Reporting to someone at Council

When a Council Officer and/or Official of Murray River Council suspects fraud or corruption, the Council Officer and/or Official is required to report it as a Public Interest Disclosure (often referred to as a PID) to one of Council's Disclosures Officers.

A person who makes a report in accordance with Council's Internal Reporting (PID) Policy (POL-212) will be protected under the Public Interest Disclosures Act 1994.

Murray River Council is committed to ensuring that Council Officers and Officials are not victimised as a result of reporting corrupt conduct, maladministration or substantial waste, concealment of pecuniary interests, or misuse of government information.

Any such allegations will be treated in strict confidence and investigated as considered appropriate.

See Council's Internal Reporting (PID) Policy (POL-212) for further details.



FRAUD AND CORRUPTION CONTROL POLICY

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Reporting outside of Council

You can also choose to report suspected corruption to the Independent Commission Against Corruption (ICAC), maladministration to the Ombudsman, or serious and substantial wastage to the Office of Local Government (OLG).

Can I report Fraud and Corruption anonymously?

Staff members may make anonymous allegations concerning fraud and corruption. This is not an encouraged practice, as anonymous allegations are difficult to pursue as generally further information is required.

Murray River Council does recognise that people have many reasons for remaining anonymous, and this should not eliminate these opportunities to prevent and/or detect fraud and corruption.

See Council's Internal Reporting (PID) Policy for further details.

What protections are there if report Fraud and Corruption?

Under the Public Interest Disclosures Act 1994 (NSW) and Council's Internal Reporting (PID) policy, persons making public interest disclosures concerning corrupt conduct, maladministration, or serious or substantial waste of public money are entitled to protection against any reprisals or detrimental action in relation to the making of the protected disclosures.

It should be noted that protection is not available if the disclosure:

- ▶ is made frivolously or vexatiously
- ▶ primarily questions the merits of government policy, or
- ▶ is made in an attempt to avoid dismissal or disciplinary action.

See Council's Internal Reporting (PID) Policy for further details.

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

File Number: -

Author: Nikki Chalmers, Financial Controller

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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.

DISCUSSION



This report provides the unaudited estimated financial performance and position of Murray River Council for the relevant period in the current financial year against the budget for the corresponding period.

This report is not a requirement under the Local Government Act 1993 (the Act) nor the Local Government (General) Regulation 2021 (the Regulation). However, it is provided to as an additional report to complement the existing financial reporting such as the quarterly budget reviews and the investments report.

The Monthly Financial Report (in community reporting format) appears as Attachment 1.

The Monthly Financial Statements (in formal reporting format) appears as Attachment 2.

ATTACHMENTS

1. **Monthly Report - February 2025** [!\[\]\(b35599a13e091eb709563f18ad98fe54_img.jpg\)](#) 
2. **Financial Statements (Unaudited) for period to 28 February 2025** [!\[\]\(e780ef7f8814d2ae10afb8aa078893d0_img.jpg\)](#) 

Monthly Financial Report

Financial Year: 2024-25

Period Ending: 28 February 2025



BACKGROUND

This report provides the unaudited financial performance and position of Murray River Council for the period as at 28 February 2025 against the corresponding Budget for the full financial year.

INCOME & EXPENDITURE

Details what was charged to our ratepayers and customers compared to what was spent in delivering our services.

For the period under review, Council's operating deficit stood at \$(7.3)M after charging depreciation (What We Set-aside for Asset Renewals) of \$13.7M.

Net earnings are \$(4.7)M when Capital Revenue is added to the operating deficit.

Table 1: Income & Expenditure Statement:

	2023/24 Audited	2024/25 Budget	2024/25 YTD Actual	% of Budget Achieved
What We Levied Our Ratepayers	21,554	25,166	16,826	67%
What We Invoiced our Customers	12,940	12,581	6,680	53%
What We Rcvd. as Grants & Subsidies	20,155	22,410	8,894	40%
What We Rcvd. as Interest from Investment	3,026	3,086	1,962	64%
Our Other Revenue	1,965	1,664	1,411	85%
Our Total Recurrent Earnings	59,640	64,907	35,773	55%
What We Spent on Our Staff	21,181	21,435	14,448	67%
What We Spent on Our Suppliers	21,493	29,348	14,865	51%
Our Total Direct Spend	42,674	50,783	29,313	58%
What We Paid Our Bankers	348	34	34	101%
What We Set-aside for Asset Renewals	20,884	20,344	13,733	68%
Our Operating Surplus/(Deficit)	(4,265)	(6,255)	(7,308)	117%
Our Capital Revenue	54,202	13,219	3,450	26%
Our Capital Expenses	9,203	(201)	842	-
Our Capital Surplus/(Deficit)	44,999	13,421	2,608	19%
Our Net Earnings	40,733	7,166	(4,700)	-66%

Monthly Financial Report

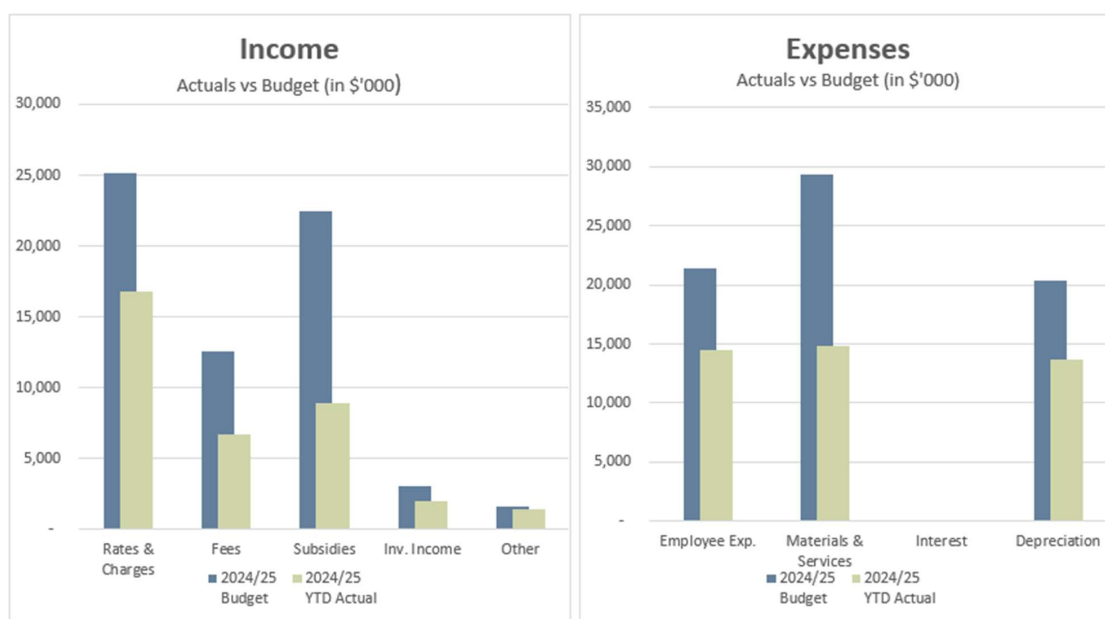
FY 2024-25, to 28 February 2025



Income & Expenditure

- With the Financial Assistance Grant (being the primary source of operational grant revenue) received in late June, the actual v budget is below target.
- We have issued Water Notices for the first 4 months in November 2024, the next Water Notices are due to be issued in March 2025, which is contributing to the lower than expected percentage of budget achieved for What We Invoiced our Customers.
- Majority of the other revenue items have tracked on target or above.
- Expenses paid to our Suppliers are slightly lower than expected.
- The budgeted and actual employee expenses (What we paid our Employees) will need to be reviewed and reconciled in detail to assess the impact of vacancies. This is expected to be carried out in the next 2 months.
- The unfavourable position of the Operating Deficit of \$(7.3)M in comparison to the budget is predominately due to the lower operational grant funding received at the date of the report being compiled.

Details of Revenue and Expenses, compared to the budget are graphically depicted in the two charts below.



Monthly Financial Report

FY 2024-25, to 28 February 2025



COMMUNITY WEALTH

Details the value of resources Council has, to service our community. Net Community wealth at the end of the period stood at \$1.144B.

Table 2 : Statement of Financial Position

	2023/24 Audited	2024/25 Budget	2024/25 YTD Actual
What We Own	1,102,004	1,130,590	1,099,997
Inventory We Hold	3,600	1,810	3,569
What We are Owed	14,995	11,319	8,162
What We Have in Bank	59,611	58,331	59,562
Our Total Assests	1,180,210	1,202,050	1,171,289
What We Owe Our Suppliers	10,168	14,216	5,536
What We Owe Our Lenders	5,753	2,895	6,595
Other Liabilities	14,648	15,089	14,579
Our Total Liabilities	30,569	32,200	26,710
Our Community Wealth	1,149,641	1,169,850	1,144,579

- What We Own relates to our capitalised assets, as is detailed below under 'Capital Delivery' we are appear to be slightly behind on our Capital Program, however it is expected the later end of the financial year will see an increase in works (due to work program schedules). Therefore we expect to see this gap narrow over the coming months.
- The increase of approx. \$3.7m between Budget and Actual for What We Owe our Lenders predominately relates to Contract Liabilities not being budgeted for. Contract Liabilities relates to Grant revenue received yet not able to be recognised as revenue until corresponding works to which the Grant revenue relates is completed.
- Cash balances (what we have in bank) is higher than expected (Budget) due to the Financial Assistance Grant being received in late June 2024. The cash balances remain at satisfactory levels, noting that a sizeable portion of the investments are restricted for specific purposes. (see investments report). Note, this will be expected to drop in the coming months until the June 2025 Financial Assistance Grant is received.

CAPITAL DELIVERY

Council's approved budgeted capital allocation is \$34.75M for 2024/25 after approval of the 2nd quarterly budget review. As at 28 February 2025, Council has spent approx. \$13.07M on its capital program, which is 38% of the annual capital budget excluding commitments for 2024/25, including commitments 54% of the annual capital budget has been expended & committed.

Based on the estimated timing of projects in the capital program, as at 28 February 2025 Council was estimated to have delivered \$18.5M of the capital budget, with current year to date actual expenditure of \$13.07M Council has delivered 71% of its capital budget program.

Monthly Financial Report

FY 2024-25, to 28 February 2025



LIQUID ASSETS & RESERVES

Shown below are the movements in liquid asset balances and investments for the period ending 28 February 2025.

Table 3: Movement of Liquid Assets

DETAILS	DECEMBER 2024	JANUARY 2025	February 2025
Cash Book Balance B/Fwd	\$2,715,185	\$1,592,482	\$624,871
Add income for month	\$7,924,453	\$4,030,220	\$7,160,228
Deduct expenditure for month	\$9,047,156	\$4,997,830	\$5,232,396
CASH AVAILABLE	\$1,592,482	\$624,871	\$2,552,702
Redeem/(Purchase) Investments	(\$0)	(\$0)	(\$750,000)
CASH BOOK BALANCE	\$1,592,482	\$624,871	\$1,802,702
Add on-call account	\$2,721,706	\$2,577,519	\$2,534,566
Add investments - Deposits	\$51,750,000	\$51,750,000	\$52,500,000
Add investments - Shares	\$2,010	\$2,010	\$2,010
CASH POSITION	\$56,066,198	\$54,954,400	\$56,839,278
As per Bank Statements	\$4,314,188	\$3,202,390	\$4,337,268

The breakdown of the reserves by restriction and fund are as below:

Table 4: Breakdown of Reserves

Funds	General	Water	Sewer	Waste	Total
Unrestricted	\$4,046,414	\$386,903	\$225,031	\$13,505	\$4,671,853
Internally Restricted	\$10,087,984	\$1,596,015	\$11,058,085	\$2,468,995	\$25,211,079
Externally Restrictcd	\$17,170,889	\$3,693,523	\$3,746,082	\$2,345,841	\$26,956,335
Total	\$31,305,287	\$5,676,441	\$15,029,198	\$4,828,341	\$56,839,267

Additional details of internally restricted and externally restricted reserves are provided in the following tables.

Monthly Financial Report

FY 2024-25, to 28 February 2025



Table 5: Details of Internally Restricted Reserves

Internal Restricted Assets	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Buildings	\$237,040	-	-	-	\$237,040
Bushfire Services	\$45,278	-	-	-	\$45,278
Caravan Parks	\$242,473	-	-	-	\$242,473
Carryover Works	\$2,156,587	-	-	-	\$2,156,587
Cemeteries	\$80,676	-	-	-	\$80,676
Community Services	\$290,218	-	-	-	\$290,218
Council Contribution - Co Funding Grants	\$200,000	-	-	-	\$200,000
Economic Development	-	-	-	-	-
Employee Leave Entitlements	\$1,510,121	-	-	-	\$1,510,121
Financial Assistance Grants	-	-	-	-	-
Heritage Buildings	\$18,495	-	-	-	\$18,495
Infrastructure Works	\$1,067,972	\$1,596,015	\$11,058,085	-	\$13,722,072
Internal Other	-	-	-	-	-
Levee Bank	\$339,764	-	-	-	\$339,764
Moama Lights	-	-	-	-	-
Office Equipment/ IT	\$178,727	-	-	-	\$178,727
Parks & Recreation	\$180,577	-	-	-	\$180,577
Plant Fund	\$2,924,973	-	-	-	\$2,924,973
Public Halls	\$91,554	-	-	-	\$91,554
Quarries	\$368,866	-	-	-	\$368,866
Risk Management	\$12,500	-	-	-	\$12,500
S355 Committees	\$26,748	-	-	-	\$26,748
Software	\$14,270	-	-	-	\$14,270
Staff Housing	-	-	-	-	-
Stormwater	\$101,145	-	-	-	\$101,145
Waste Management Int	-	-	-	\$2,468,995	\$2,468,995
	\$10,087,984	\$1,596,015	\$11,058,085	\$2,468,995	\$25,211,079

Table 6: Details of Externally Restricted Reserves

External Reserves	General Fund	Water Fund	Sewer Fund	Waste Fund	Total
Unspent Grants	\$12,439,495	\$72,970	\$22,849	\$90,356	\$12,625,670
Unspent Loan Funds	-	-	-	-	-
Section 64/94	\$4,407,849	\$3,392,697	\$3,723,233	\$200,136	\$11,723,915
Community Services Ext	\$124,620	-	-	-	\$124,620
Land Management	\$134,638	-	-	-	\$134,638
Water Purchase	-	\$227,856	-	-	\$227,856
Waste Management Ext	-	-	-	\$2,055,349	\$2,055,349
Other	\$64,287	-	-	-	\$64,287
	\$17,170,889	\$3,693,523	\$3,746,082	\$2,345,841	\$26,956,335

The Council's Bank Overdraft limit is \$400,000 which remains unutilised.

Certification

I hereby certify that the balances of the various funds of Council have been reconciled with the bank statements and investment register as at the end of the reporting period.

Stephen Fernando
Director of Corporate Services

Monthly Financial Report

FY 2024-25, to 28 February 2025



INVESTMENTS

As required by Section 212 of the Local Government (General) Regulations 2021 (the Regulation) and Section 625 of the Act, a summary of Council's surplus funds invested, together with an analysis thereof are detailed below.

Certification

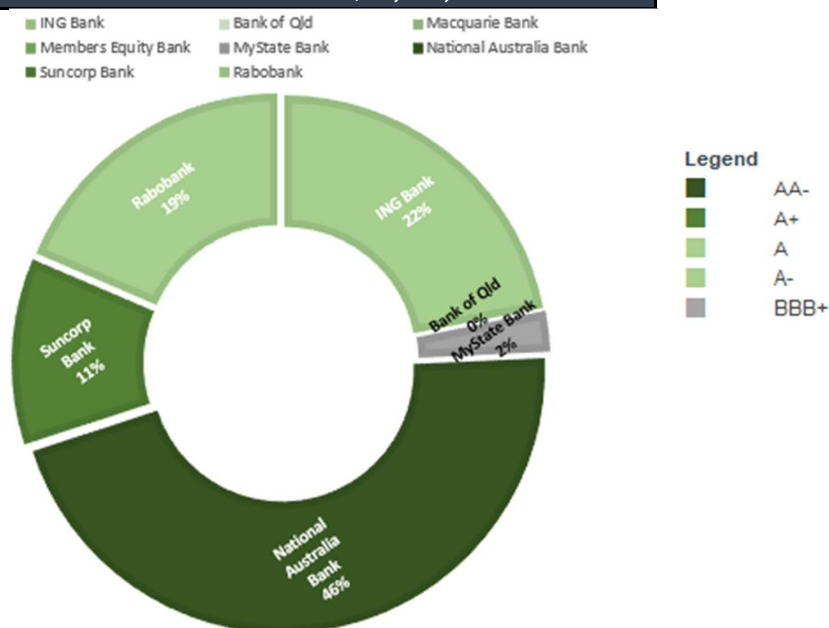
As per the Local Government (General) Regulation 2021 – Reg212(1)(b), all investments have been made in accordance with the Act, applicable Regulations, and council's investment policy.

Stephen Fernando
Director of Corporate Services

Council's investments are spread across several Australian Deposit Taking Institutions (ADIs) as detailed below.

Table 7: Investments by Deposit Taking Institution

Bank / ADI	Amount	%
ING Bank	\$ 11,500,000	21.90%
MyState Bank	\$ 1,250,000	2.38%
National Australia Bank	\$ 24,000,000	45.71%
Suncorp Bank	\$ 6,000,000	11.43%
Rabobank	\$ 9,750,000	18.57%
	\$52,500,000	100.00%



The investment ratings of the investments and the returns thereon are detailed below.

Table 8: Analysis of Risk Ratings and Returns

Monthly Financial Report

FY 2024-25, to 28 February 2025



Interest Rates	AA-	A+	A	A-	BBB	Total
from 4.51% to 4.75%	-	-	\$1,000,000	-	-	\$1,000,000
from 4.76% to 5.00%	\$9,500,000	\$4,000,000	\$7,000,000	-	-	\$20,500,000
from 5.01% to 5.25%	\$7,750,000	\$2,000,000	\$8,500,000	-	\$1,250,000	\$19,500,000
from 5.26% to 5.50%	\$6,750,000	-	\$4,750,000	-	-	\$11,500,000
	\$24,000,000	\$6,000,000	\$21,250,000	\$0	\$1,250,000	\$52,500,000

Please note, the BBB Investments is a carry over Investment and is due to mature in May 2025



Monthly Financial Report

FY 2024-25, to 28 February 2025



The maturity profile of the investments are as follows.

Table 9: Maturity Profile

Maturity Dates	AA-	A+	A	A-	BBB	Total
March 2025	\$2,250,000	\$2,500,000	-	-	-	\$4,750,000
April 2025	\$3,000,000	\$1,000,000	\$1,000,000	-	-	\$5,000,000
May 2025	\$1,250,000	\$2,000,000	-	-	\$1,250,000	\$4,500,000
June 2025	\$3,000,000	\$3,750,000	-	-	-	\$6,750,000
July 2025	\$3,500,000	\$2,000,000	\$1,000,000	-	-	\$6,500,000
August 2025	\$4,000,000	-	-	-	-	\$4,000,000
September 2025	\$3,000,000	\$2,000,000	-	-	-	\$5,000,000
October 2025	\$1,000,000	\$1,000,000	\$1,000,000	-	-	\$3,000,000
November 2025	\$1,000,000	\$2,000,000	-	-	-	\$3,000,000
December 2025	\$1,000,000	\$1,000,000	\$1,000,000	-	-	\$3,000,000
January 2026	-	\$1,000,000	\$2,000,000	-	-	\$3,000,000
February 2026	\$1,000,000	\$3,000,000	-	-	-	\$4,000,000
	\$24,000,000	\$21,250,000	\$6,000,000	\$0	\$1,250,000	\$52,500,000

The portfolio is well invested in reasonable interest rates and the maturity profile varies according to planned cash flow of the Council. The objective is to optimize the cash flow needs and maximize the return on investments while ensuring compliance with the Local Government regulations and Council's Investment Policy.

The current position is to only invest in ADI's that are rated AA- or better as per S&P's long term credit ratings, even though the Investment Policy permits some investments in ADIs with lower ratings.

Murray River Council



Income Statement

for the year ended 30 June 2025

from period 01 July to 28 February 2025

CY Budget	\$'000	Notes	CY Actual YTD	PY Actual Audited
Income from continuing operations				
25,166	Rates and annual charges	B2-1	16,826	21,554
12,581	User charges and fees	B2-2	6,680	12,940
1,078	Other revenue	B2-3	984	1,363
22,410	Grants and contributions provided for operating purposes	B2-4	8,894	20,155
13,219	Grants and contributions provided for capital purposes	B2-4	3,450	54,202
3,086	Interest and investment income	B2-5	1,962	3,026
585	Other income	B2-6	428	602
78,126	Total income from continuing operations		39,223	113,843
Expenses from continuing operations				
21,435	Employee benefits and on-costs	B3-1	14,448	21,181
28,193	Materials and services	B3-2	14,349	20,393
34	Borrowing costs	B3-3	34	348
20,344	Depreciation, amortisation and impairment for non-financial assets	B3-4	13,733	20,884
1,155	Other expenses	B3-5	516	1,100
(201)	Net losses from the disposal of assets	B4-1	842	9,203
70,960	Total expenses from continuing operations		43,923	73,109
7,166	Operating result from continuing operations		(4,700)	40,733
7,166	Net operating result for the year attributable to Council		(4,700)	40,733
(6,053)	Net operating result for the year before grants and contributions provided for capital purposes		(8,150)	(13,469)

Murray River Council

Statement of Financial Position

for the year ended 30 June 2025

from period 01 July to 28 February 2025



CY Budget	\$'000	Notes	CY Actual YTD	PY Actual Audited
ASSETS				
Current assets				
12,203	Cash and cash equivalents	C1-1	5,469	14,862
44,584	Investments	C1-2	52,955	43,205
11,319	Receivables	C1-4	8,162	14,995
497	Inventories	C1-5	466	497
1,313	Current assets classified as held for sale	C1-7	3,103	3,103
1,544	Other	C1-11	1,138	1,544
71,460	Total current assets		71,292	78,206
Non-current assets				
2	Investments	C1-2	2	2
26	Receivables	C1-4	26	26
	Inventories	C1-5		
1,118,464	Infrastructure, property, plant and equipment	C1-8	1,087,880	1,089,886
12,098	Intangible Assets	C1-10	12,089	12,089
	Investments accounted for using the equity method	D2-2		
1,130,590	Total non-current assets		1,099,997	1,102,004
1,202,050	Total assets		1,171,289	1,180,210
LIABILITIES				
Current liabilities				
14,216	Payables	C3-1	5,536	10,168
1,285	Contract liabilities	C3-2	4,460	3,697
180	Lease liabilities	C2-1	324	180
267	Borrowings	C3-3	269	267
2,855	Employee benefit provisions	C3-4	4,413	4,249
1,394	Provisions	C3-5		
20,196	Total current liabilities		15,003	18,560
Non-current liabilities				
8	Lease liabilities	C2-1	254	188
1,155	Borrowings	C3-3	1,287	1,422
372	Employee benefit provisions	C3-4	139	372
10,469	Provisions	C3-5	10,027	10,027
12,004	Total non-current liabilities		11,707	12,009
32,200	Total liabilities		26,710	30,569
1,169,850	Net assets		1,144,579	1,149,641

Murray River Council

Statement of Financial Position

for the year ended 30 June 2025

from period 01 July to 28 February 2025



CY Budget	\$'000	Notes	CY Actual YTD	PY Actual Audited
	EQUITY			
7,166	Current years surplus		(4,700)	40,733
786,468	Accumulated surplus		786,468	745,735
376,216	IPPE revaluation reserve		362,811	363,173
<u>1,169,850</u>	Council equity interest		<u>1,144,579</u>	<u>1,149,641</u>
<u>1,169,850</u>	Total equity		<u>1,144,579</u>	<u>1,149,641</u>

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

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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.

DISCUSSION

The first meeting of the new Audit, Risk & Improvement Committee was held on the 3rd March 2025.

The Chairperson – David Kortum and the Independent Committee Member Jarrah O'Shea have been appointed and were in attendance.

Council is currently recruiting for the remaining Independent Committee Member.

Meetings for 2025 will be held:

- 5th May – for consideration of the budget
- 1st September
- 6th October (if required)
- 3rd November

ATTACHMENTS

1. Minutes of the ARIC Meeting - 3rd March 2025 [↓](#) 

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes****3 March 2025****MINUTES OF MURRAY RIVER COUNCIL
AUDIT RISK & IMPROVEMENT COMMITTEE MEETING
HELD AT THE ADMINISTRATION OFFICES, 52 PERRICOOTA ROAD MOAMA
ON MONDAY, 3 MARCH 2025 AT 4:30 PM****1 OPENING:****2 PRESENT:**

David Kortum - Chairperson, Jarrah O'Shea - Independent Committee Member, Barry Li - Audit Office, Michael Kharzoo – Audit Office, Tyson Holt – RSD External Auditors, Susan Leahy – Centium Internal Auditors, Stephen Fernando – Director Corporate Services, Julie Moller – Chief Finance Officer, Nikki Chalmers, Financial Controller, Sandra Gordon – Manager Governance & Risk.

3 APOLOGIES:

Nick Bell, RSD

4 GENERAL MATTERS**4.3.1 INTRODUCTIONS**

The Director Corporate Services introduced the new ARIC members to all present.

4.3.2 MINUTES OF THE ARIC HELD ON 5 AUGUST 2024**RECOMMENDATION**

That the Minutes of the ARIC meeting held on 5 August 2024 be noted.

As this was the first meeting of the new ARIC there was no one present that could confirm that the Minutes were a true and correct record of events.

5 DISCLOSURE OF INTEREST

Nil

6 STANDARD AGENDA ITEMS**6.1 FINANCIAL MATTERS****6.1.1 2023-2024 AUDIT - MANAGEMENT LETTER****RECOMMENDATION**

That the 2023–2024 Management Letter is noted and the actions placed in the Audit Actions spreadsheet.

NOTE: Checklists in Tech 1 should be implemented to ensure risks are eliminated.

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes****3 March 2025****6.1.2 AUDITED FINANCIAL STATEMENT FOR 30 JUNE 2024****RECOMMENDATION**

That the Audit Committee receive and note the final 30 June 2024 Financial Statements (Audited).

6.1.3 31 JANUARY 2025 FINANCIAL STATEMENT (UNAUDITED)**RECOMMENDATION**

That the Audit Committee receive and note the period ending 31 January 2025 Financial Statements (Unaudited).

NOTE: Overhead allocations are being reviewed / budget comparison to actuals – no significant variations expected

6.1.4 ANNUAL ENGAGEMENT PLAN (AEP) 2025**RECOMMENDATION**

That Audit Committee receive and note the Annual Engagement Plan 2025.

NOTE: Revaluations to undertaken – Operational & Community Land, Buildings, Tips & Quarries
Position Paper on Fair Value to be provided to the ARIC
RSD to review Cyber Security Internal Audits undertaken in 2024.

6.2 INTERNAL AUDITS**6.2.1 INTERNAL AUDIT - SCHEDULE OF FEES****RECOMMENDATION**

That the interim Internal Audit Report on the Schedule of Fees be noted.

NOTE: Final Schedule of Fees Internal Audit Report to be presented to the next meeting.

6.2.2 INTERNAL AUDIT - ACTIONS**RECOMMENDATION**

That the ARIC Audit Actions Tracker be noted.

6.3 GOVERNANCE MATTERS**6.3.1 RECRUITMENT OF THE ARIC INDEPENDENT COMMITTEE MEMBER****RECOMMENDATION**

That this report be received and noted.

**MURRAY RIVER COUNCIL Audit Risk & Improvement Committee
Meeting Minutes****3 March 2025**

NOTE: Applications for the final Independent Committee member close 5 March 2025.

6.3.2 INTERNAL AUDIT TENDER**RECOMMENDATION**

That this report be noted.

6.3.3 ARIC MEETING TIMETABLE AND SCHEDULE FOR 2025**RECOMMENDATION**

That the ARIC Meeting Timetable and Schedule for the 2025 be updated as required.

NOTE: Presentations from risk owners to be included in the Timetable.

6.3.4 REVIEW OF THE CORPORATE CREDIT CARD POLICY**RECOMMENDATION**

That the Committee endorses the recommended changes to the Corporate Credit Card Policy.

6.3.5 REVIEW OF FRAUD & CORRUPTION CONTROL POLICY AND FRAMEWORK**RECOMMENDATION**

That the Fraud and Corruption Control Policy and Framework were noted.

7 OTHER ITEMS

The new CEO to be invited to the next ARIC meeting.

8 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.45 PM

THE NEXT MEETING OF MURRAY RIVER COUNCIL AUDIT RISK & IMPROVEMENT COMMITTEE (ARIC) WILL BE HELD ON **5 MAY 2025** , COMMENCING AT **4.30 PM**.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD FO THE PROCEEDINGS OF THE AUDIT RISK & IMPROVEMENT COMMITTEE (ARIC) OF THE MURRAY RIVER COUNCIL HELD ON MONDAY, 3 MARCH 2025, IN ACCORDANCE WITH A RESOLUTION OF THE COMMITTEE ON

..... CHAIR

9.2.5 DRAFT DATA BREACH POLICY V#1**File Number:** -**Author:** Sandra Gordon, Manager Governance & Risk**Authoriser:** Stephen Fernando, Director Corporate Services**RECOMMENDATION**

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

BACKGROUND

Council does not currently have Data Breach Policy. Significant changes in the IT environment, especially in relation cyber security, has resulted in changes to legislation which places regulatory obligations on Council in the event of a data breach.

DISCUSSION

Murray River Council has mandatory obligations when responding to a breach of Council held data, especially personal information.

Part 6A of the Privacy and Personal Information Protection Act 1998 (PIIP Act) establishes the NSW Mandatory Notification of Data Breach (MNDB) scheme.

The MNDB scheme requires every NSW public sector agency (Councils) bound by the PIIP Act to notify the NSW Privacy Commissioner and affected individuals of eligible data breaches.

Notwithstanding the limited application of the MNDB scheme, Council recognises the value of applying similar controls to other data that it holds and the importance of maintaining Council's reputation for privacy protection and the security of the data Council holds.

It is important to note that the Information and Privacy Commission (IPC) is only concerned with breaches that involve personal information. Data breaches that involve 'protected or confidential information' that is not 'personal information' do not need to be reported to the IPC.

This Data Breach Policy (DBP) outlines Council's overall strategy for managing data breaches from start to finish.

Having a clear and well-defined DBP enables Council to:

- ▶ Prepare for, evaluate, respond to and report on data breaches at the appropriate level and in a timely fashion;
- ▶ Mitigate potential harm to affected individuals and the agency itself; and
- ▶ Meet compliance obligations under the PIIP Act.

The DBP will include the following elements:

- ▶ How the agency has prepared for a data breach;
- ▶ A clear description of what constitutes a breach;
- ▶ Strategy for containing, assessing, and managing eligible data breaches;
- ▶ Roles and responsibilities of Council Officials/Officers;
- ▶ Record keeping requirements; and
- ▶ Post-breach review and evaluation.

This policy has been prepared using the NSW IPC – Mandatory Notification of Data Breach Scheme: Guide to Preparing a Data Breach Policy (May 2023).

This Policy aims to:

- Protect important business assets (data) including personal & health information and Council's reputation;
- Support Council's legal obligations under the Privacy and Personal Information Protection Act 1998, Health Records and Information Privacy Act 2002 (HRIP Act) and requirements governed by the Australian Information Commissioner (OAIC) and the NSW Information and Privacy Commission (IPC) with respect to handling personal and health information;
- Ensure effective breach management, including notification where warranted;
- Assist Council in avoiding or reducing possible harm to both the affected individuals/ organisations and Council and may prevent future breaches; and
- Detail the principles, goals and responsibilities associated with mandatory data breach notification and data response planning.

This Policy sets out how Council will respond to unauthorised access, or a loss of information held by Council.

This Policy details:

- What constitutes an eligible data breach under the PPIP Act and other legislation;
- Roles and responsibilities for reporting, reviewing and managing data breaches; and
- The steps involved in responding to a data breach and reviewing systems, policies to prevent future data breaches.

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 – by adopting this Policy, however, to implement the changes required to protect Council's data is an ongoing and growing cost to Council.

POLICY IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

• What can happen?

Council must do everything possible to protect the personal information that it holds. If Council is not vigilant then breaches will occur.

• How can it happen?

There are various ways that hackers can attempt to breach Council's security system.

• What are the consequences of the event happening?

Major

• What is the likelihood of the event happening?

Likely

- **Adequacy of existing controls?**

Adequate – however this is a constantly changing environment and the latest protections must be implemented to protect Council from a cyber event

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

Monitoring, testing and keeping patches and other protections up to date.

CONCLUSION

Cyber security is a critical part of data protection. Council must develop systems and processes to ensure that their computer systems are not breached and data becomes exposed to hackers.

This Data Breach Policy (DBP) outlines Council's overall strategy for managing data breaches from start to finish.

ATTACHMENTS

1. **DRAFT Data Breach Policy V#1** [!\[\]\(32d9aa095f7649bce6709cf33a613506_img.jpg\)](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

DRAFT
DATA
BREACH
POLICY

POL-219.V#1



1. INTRODUCTION

Murray River Council has mandatory obligations when responding to a breach of Council held data, especially personal information.

Part 6A of the Privacy and Personal Information Protection Act 1998 (PPIP Act) establishes the NSW Mandatory Notification of Data Breach (MNDB) scheme.

The MNDB scheme requires every NSW public sector agency bound by the PPIP Act to notify the NSW Privacy Commissioner and affected individuals of eligible data breaches.

Notwithstanding the limited application of the MNDB scheme, Council recognises the value of applying similar controls to other data that it holds and the importance of maintaining Council's reputation for privacy protection and the security of the data Council holds.

It is important to note that the Information and Privacy Commission (IPC) is only concerned with breaches that involve personal information. Data breaches that involve 'protected or confidential information' that is not 'personal information' do not need to be reported to the IPC.

This Data Breach Policy (DBP) outlines Council's overall strategy for managing data breaches from start to finish.

Having a clear and well-defined DBP enables Council to:

- ▶ Prepare for, evaluate, respond to and report on data breaches at the appropriate level and in a timely fashion;
- ▶ Mitigate potential harm to affected individuals and the agency itself; and
- ▶ Meet compliance obligations under the PPIP Act.

The DBP will include the following elements:

- ▶ How the agency has prepared for a data breach;
- ▶ A clear description of what constitutes a breach;
- ▶ Strategy for containing, assessing, and managing eligible data breaches;
- ▶ Roles and responsibilities of Council Officials/Officers;
- ▶ Record keeping requirements; and
- ▶ Post-breach review and evaluation.

This policy has been prepared using the NSW IPC – Mandatory Notification of Data Breach Scheme: Guide to Preparing a Data Breach Policy (May 2023).

2. OBJECTIVES

This Policy aims to:

- ▶ Protect important business assets (data) including personal & health information and Council's reputation;
- ▶ Support Council's legal obligations under the Privacy and Personal Information Protection Act 1998, Health Records and Information Privacy Act 2002 (HRIP Act) and requirements governed by the Australian Information Commissioner (OAIC) and the NSW Information and Privacy Commission (IPC) with respect to handling personal and health information;
- ▶ Ensure effective breach management, including notification where warranted;
- ▶ Assist Council in avoiding or reducing possible harm to both the affected individuals/ organisations and Council and may prevent future breaches; and
- ▶ Detail the principles, goals and responsibilities associated with mandatory data breach notification and data response planning.

3. SCOPE

This Policy applies to

- ▶ All Council Officials.
- ▶ External organisations and their personnel who have been granted access to Council Information & Technology (I&T) infrastructure, services and data.
- ▶ Third party providers, who hold personal and health information on behalf of Council
- ▶ All Council data held in any format or medium (paper based or electronic) defined as 'personal information' under the PIPP Act Section (4).

The Policy does not apply to information or data that has been classified as public.

4. LEGISLATION

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

- ▶ Local Government Act 1993 (NSW)
- ▶ Local Government (General) Regulation 2021 (NSW)
- ▶ Government Information (Public Access) Act 2009 (NSW)
- ▶ Health Records and Information Act 2002 (NSW)
- ▶ Income Tax Assessment Act 1936 (CTH)
- ▶ Privacy Act 1988 (CTH) (for Tax File Numbers)
- ▶ Privacy and Personal Information Protection Act 1998 (NSW)
- ▶ Health Records and Information Privacy Act 2002 (NSW)
- ▶ Data Sharing (Government Sector) Act 2015 (NSW)
- ▶ Workplace Surveillance Act 2005 (NSW)
- ▶ State Records Act 1998 (NSW)

POLICY STATEMENT

This Policy sets out how Council will respond to unauthorised access, or a loss of information held by Council.

This Policy details:

- ▶ What constitutes an eligible data breach under the PPIP Act and other legislation;
- ▶ Roles and responsibilities for reporting, reviewing and managing data breaches; and
- ▶ The steps involved in responding to a data breach and reviewing systems, policies to prevent future data breaches.

5. PREPARATION FOR DATA BREACHES

Council maintains an effective Risk Management Framework, allocating resources, responsibility and accountability to manage risk across Council in accordance with their Risk Management Policy.

Council also has a range of supporting policies to control and mitigate exposures to breaches of data. This includes a Business Continuity Policy and associated documents, Fraud and Corruption Policy and Code of Conduct policies.

In addition to the policy controls, Council has a comprehensive set of information technology (IT) controls. This includes robust access controls and network & endpoint security measures. An up-to-date inventory

**DATA BREACH POLICY****POL-219.V#1**

of assets is maintained, along with strong patch and vulnerability management measures, to ensure all IT assets are properly secured and monitored.

Regular penetration tests are performed by a third party to identify and remediate any weaknesses in the IT infrastructure.

5.1 TRAINING AND AWARENESS

To mitigate the risk of data breaches, Council has established a comprehensive training program to educate Council Officials/Officers about the risks associated with data breaches and their responsibilities in recognising, responding, reporting and preventing such incidents. Council conducts regular phishing simulation exercises to assess Council Officials/Officers readiness for data breach incidents and raise awareness of the dangers of phishing and social engineering.

Council have also conducted and will continue to provide privacy awareness training to ensure Council Officials/Officers are aware of their obligation when handling and accessing personal information.

5.2 PROCESSES FOR IDENTIFYING AND REPORTING BREACHES

The quicker Council can detect a data breach, the better the chance that it may be contained and potential harms mitigated through prompt action.

Council has the following processes in place to assist in preventing data breaches:

- ▶ All suspicious activities are reported to the Chief Information Officer or the IT helpdesk for investigation.
- ▶ Security information and event management system for log file collection, incident correlation and alerting.
- ▶ Firewall logs are monitored daily for suspicious activity.
- ▶ Microsoft Security/365 monitors for data leakage via email and OneDrive.
- ▶ Ongoing training and cyber security skills development.

5.3 APPROPRIATE PROVISIONS IN CONTRACTS / OTHER COLLABORATIONS

To ensure Council meet their obligations under the PPIP Act, Council will require all contracts with contractors who may be provided with, have access to or hold Council held information, to contain obligations requiring the contractor to report data breaches to Council, take mitigating actions and assist Council in undertaking assessments of the data breach. Contracts will also identify who will notify any affected individuals and provide support in the event of a data breach.

Council's approach to managing these collaborations and the contractual controls in place for ensuring external stakeholders comply with relevant privacy requirements are via contract provisions and not sharing personal information with third parties via email or other unsecured means.

For data breaches that involve other public agencies, the CEO will directly liaise with other affected agencies in respect of any notification requirements for mandatory reporting data breaches.

5.4 SCHEDULE FOR TESTING AND UPDATING THE DBP

A DBP will only be effective if it is current, appropriately targeted and operationalised. As both the external threat environment, and Council's internal makeup and functions, are continuously developing and changing, a DBP should be regularly reviewed to ensure it remains fit for purpose.

Regular testing of the data breach response process is the best way to ensure that all relevant Council Officials/Officers understand their roles and responsibilities and to check that the details of the response process (contact numbers, reporting lines, approval processes, etc.) are up to date. Testing the DBP could involve the development of a hypothetical or test incident and a review of the way agency personnel manage the event.

Council's DBP should be reviewed, tested and updated annually.

**DATA BREACH POLICY****POL-219.V#1****5.5 ALIGNMENT WITH OTHER POLICIES**

This DBP is aligned with existing policies, procedures, and capabilities, including Council's Cyber Security Response Plan and Privacy Management Plan, including cross references where relevant.

Further, Council has developed a Cyber Incident Response Plan (CIRP) that addresses data breaches associated with ICT systems. The CIRP contains response and communication plans around suspected data breaches.

6. WHAT IS AN ELIGIBLE DATA BREACH?

An 'eligible data breach' occurs where:

- ▶ There is an unauthorised access to, or unauthorised disclosure of, personal information held by a public sector agency or there is a loss of personal information held by a public sector agency in circumstances that are likely to result in unauthorised access to, or unauthorised disclosure of, the information, and
- ▶ A reasonable person would conclude that the access or disclosure of the information would be likely to result in serious harm to an individual to whom the information relates.

Breaches can occur between agencies, within an agency and external to an agency.

The MNDB scheme applies to breaches of 'personal information' as defined in section 4 of the PPIP Act, meaning information or an opinion about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

The scheme also applies to 'health information,' defined in Section 6 of the HRIP Act covering personal information about an individual's physical or mental health, disability and information connected to the provision of a health service.

The scheme does not apply to data breaches that do not involve personal information or health information, or to breaches that are not likely to result in serious harm to an individual.

Where the scheme does not apply, agencies are not required to notify individuals or the Commissioner but should still take action to respond to the breach. Agencies may still provide voluntary notification to individuals where appropriate.

A data breach occurs when there is a failure that has caused or has the potential to cause unauthorised access to Council data, such as:

- ▶ Accidental loss or theft of classified material data or equipment on which such data is stored (e.g. loss of paper record, laptop, iPad or USB stick);
- ▶ Unauthorised use, access to or modification of data or information systems (e.g. sharing of user login details (deliberately or accidentally) to gain unauthorised access or making unauthorised changes to data or information systems);
- ▶ Unauthorised disclosure of classified material information (e.g. email sent to an incorrect recipient or document posted to an incorrect address or addressee), or personal information posted onto the website without consent;
- ▶ Compromised user account (e.g. accidental disclosure of user login details through phishing);
- ▶ Failed or successful attempts to gain unauthorised access to Council information or information systems;
- ▶ Equipment failure;
- ▶ Malware infection; and/or
- ▶ Disruption to or denial of IT services.

**DATA BREACH POLICY****POL-219.V#1****7. RESPONDING TO A DATA BREACH**

Council's response to a data breach will be undertaken promptly to enable Council to contain, assess and respond to data breaches efficiently, as well as to help minimise harm to affected individuals.

There are five key steps required in responding to a data breach or suspected data breach:

1. Initial report and triage;
2. Contain the breach
3. Assess and mitigate;
4. Notify; and
5. Review.

The first four steps should be carried out concurrently where possible. The last step provides recommendations for longer-term solutions and prevention strategies.

The Privacy Officer/s must be informed of any data breach or suspected data breach to ensure Council meets its legislative obligations, including notifying the Privacy Commissioner for eligible data breaches and affected individuals and the Office of the Australian Information Commissioner (OAIC) as required.

Where appropriate, the Privacy Officer/s or the Data Breach Response Team (if enacted) will ensure that appropriate advice and information is provided to relevant Council Officials/Officers to assist in responding to any enquiries made by the public, preparing appropriate communications and managing complaints that may be received as a result of the data breach.

Each step is set out in further detail below.

STEP 1: INITIAL REPORT AND TRIAGE

Any Council Official/Officer, contractor or third-party provider who becomes aware of a data breach or becomes aware that are grounds to suspect a data breach is to notify the Privacy Officer/s immediately and provide details of the breach.

The Privacy Officer/s will review the information provided and notify the Chief Executive Officer (CEO) of any eligible data breach.

Council may also convene a Data Breach Response Team where a data breach involves highly sensitive information, has a high risk of harm to individuals and affects more than one individual.

STEP 2: CONTAIN THE BREACH

Containment of the breach is prioritised by Council and all necessary steps possible must be taken to contain the breach and minimising any resulting damage. A Remediation Action Plan is to be developed.

The Remediation Action Plan at a minimum should cover:

- ▶ What actions are required to eradicate/resolve the incident;
 - Recover any records or personal information;
 - Stop any unauthorised practice(s) and suspend the activity that led to the breach;
 - Shut down the system that was breached (if practicable); and/or
 - Revoke or change the account privileges or change access codes or passwords.
- ▶ What resources are required to resolve the incident;
- ▶ Responsibilities of key stakeholders;
- ▶ What systems/services should be prioritised;
- ▶ What is the expected resolution time.



DATA BREACH POLICY

POL-219.V#1

If a third party is in possession of the data and declines to return it, it may be necessary for Council to seek legal or other specialist advice on what action can be taken to recover the data.

At no time will Council agree to pay a ransom to have any data breach incident resolved.

When recovering data, Council will make sure that copies that have not been made by a third party or, if they have, that all copies are recovered. This can include receiving written confirmation from a third party that the copy of the data that they received in error has been permanently deleted.

This obligation is ongoing as the other steps proceed.

STEP 3: ASSESS AND MITIGATE

Council will undertake a preliminary assessment of the type of data involved in the breach, whether the breach is an eligible breach under the MNDB Scheme and the risks and potential for serious harm associated with the breach.

A thorough evaluation of the risks will assist Council in determining the appropriate course of action to take.

The Data Breach Report and Action Plan will be used for reporting on the investigation of the breach and authorising actions in response. The Response Team will prepare a report and provide to the Privacy Officer/s who will review the proposed actions and recommendations of the report prior to the Report being provided to the CEO for approval.

The Privacy Officer/s will be responsible for the implementation of proposed actions and recommendations.

After a suspected data breach is reported to the CEO, an assessment must be carried out within 30 days to determine whether there are reasonable grounds to believe that the suspected data breach is an eligible data breach. This date may be subject to an extension in accordance with the PPIP Act.

The factors that may be considered (but are not limited to) when assessing the breach include:

- ▶ What Council held information has been lost or disclosed??
- ▶ What is the nature of the Council held information that has been lost or disclosed
- ▶ Does the breach relate to casework functions and include case-related material (eg: Community Services Client Files)?
- ▶ What was the cause of the data breach?
- ▶ Who is affected by the data breach?
- ▶ What combination of information was lost? (Certain combinations of personal information can lead to increased risk)
- ▶ What risks are presented by the mode of the breach? (Is it encrypted information or contained in a less secure platform such as emails)
- ▶ How long the information has been accessible? The length of time of unauthorised access to, or unauthorised disclosure will increase risks of harms to individuals.
- ▶ How many individuals were involved? The scale of the data breach will affect the Council's assessment of risks.
- ▶ If the data breach involves TFN information?
- ▶ Was it a one-off incident or does it expose a more systemic vulnerability?
- ▶ What steps have been taken to contain the data breach? Has the Council held information been recovered? Is the Council held information encrypted or otherwise not readily accessible?
- ▶ What is the foreseeable harm to affected individuals/organisations?
- ▶ Who is in receipt of the Council held information? What is the risk of further access, use or disclosure, including via media or online?

- ▶ Are other public agencies involved in the data breach?
- ▶ The persons to whom the unauthorised access to, or unauthorised disclosure of, the personal information involved in the breach was, or could be, made or given;
- ▶ The likelihood of the persons who has received or has access to the personal information has or had the intention of causing harm or could or did circumvent security measures protecting the information;
- ▶ What is the ability of the individual/organisation to take further steps to avoid or remedy harm? (Even if the individual/organisation would not be able to take steps to rectify the situation, is the information that has been compromised sensitive, or likely to cause humiliation or embarrassment for the individual/organisation?)
- ▶ The nature of the harm that has or may occur; and
- ▶ Other matters specified in guidelines issued by the Privacy Commissioner about whether the disclosure is likely to result in serious harm to an individual to whom the personal information relates.

Further actions may include interviews (or further interviews) with the Council Officials involved and/or affected, or the request of further investigation by appropriate Council Officials into system failures or IM&T security issues.

During the assessment, the CEO must make all reasonable attempts to mitigate the harm done by the suspected breach.

To mitigate the breach, Council will consider the following measures:

- ▶ Implementation of additional security measures within Council's own systems and processes to limit the potential for misuse of compromised information;
- ▶ Limiting the dissemination of breached personal information. For example, by scanning the internet to determine whether the lost or stolen information has been published and seeking its immediate removal from public sites; and
- ▶ Engaging with relevant third parties to limit the potential for breached personal information to be misused for identity theft or other purposes, or to streamline the re-issue of compromised identity documents. For example, contacting an identity issuer or financial institution to advise caution when relying on particular identity documents for particular cohorts.

STEP 4: NOTIFY

If an eligible data breach has occurred, the notification process under the MNDB Scheme is triggered.

There are four elements of the notification process:

- ▶ The CEO will immediately notify the Privacy Commissioner after an eligible data breach is identified using the approved form as published on the IPC's website.
- ▶ Determine whether an exemption to notification applies. If one of the six exemptions set out in Division 4 of the MNDB Scheme applies in relation to an eligible data breach, Council may not be required to notify affected individuals.
- ▶ If an exemption does not apply, notify affected individuals or their authorised representatives as soon as practicable; and
- ▶ Provide information to other agencies as required

STEP 5: REVIEW

Council must ensure that the cause of the breach has been fully investigated, and that the appropriate people have been briefed on outcomes and recommendations. This includes investigating the circumstances of data breaches to determine all relevant causes and consider what short or long-term measures can be taken to prevent any reoccurrence.

A post incident review will consider:

- ▶ A cause analysis of the data breach;
- ▶ Review of Council's IT systems and remedial actions to prevent future data breaches;
- ▶ Security audit of both physical, technical, and cyber security controls;
- ▶ Review of Council's risk management and other policies and procedures;
- ▶ Review of Council Officials / Contractor training practices;
- ▶ Review of contractual obligations with contracted service providers;
- ▶ Any other review considerations, recommendations or guidelines published by the IPC or Privacy Commissioner.

Depending on the nature of the breach, this step may be completed as part of the assessment of the first four steps and mitigation of the breach as detailed in step 3 above.

At a minimum, amendments to relevant policies and procedures should be made where necessary and training should be undertaken where deemed appropriate.

A debriefing session should be held with relevant Council Officials/Officers to assess the cause of and response to the breach, and to ensure any necessary recommendations are allocated and actioned appropriately.

Any recommendations to implement the above preventative actions are to be approved by the CEO and documented in Council's electronic record keeping system.

Consideration will be given to reporting relevant matters to Council's Audit, Risk and Improvement Committee and to Council.

7.1 COMMUNICATION STRATEGY

To be effective, the Communication Strategy must be able to be quickly and effectively implemented and actioned.

The Communication Strategy outlines:

- ▶ Responsibilities for implementing the Communication Strategy.
- ▶ How to determine when affected individuals or organisations must be notified.
- ▶ Key contacts for communications.
- ▶ How affected individuals will be contacted and managed.
- ▶ Responsibilities for consulting with external stakeholders.

However, this depends on having Council Officers with the relevant skillsets available to deal with the breach.

In the event of a data breach, Council must ensure that they have access to requisite expertise and resourcing to respond effectively. This may involve engaging (in advance) an outsourced cyber incident response service provider. To make such an escalation decision, Council Officers must be suitably trained to be able to adequately assess the breach and its impact.

Reporting to the Privacy Commissioner

Where it has been determined that an eligible data breach has occurred, or that there is reasonable ground to believe that an eligible data breach has occurred, the Council will immediately notify the NSW Privacy Commissioner.

Such notification will:

- ▶ demonstrate to the affected individuals and broader public that the Council views the protection of personal information as an important and serious matter and may therefore maintain public confidence in the Council; and
- ▶ facilitate full, timely and effective handling of any complaints made to the Privacy Commissioner in regard to the breach and thus assist those whose privacy has been breached.

**DATA BREACH POLICY****POL-219.V#1**

Notification requirements:

- A description of the breach;
- The type of personal information involved in the breach;
- What response Council has made to the breach;
- What assistance has been offered to affected individuals;
- The name and contact details of the appropriate contact person; and
- Whether the breach has been notified to other external contact(s).

Where a data breach is not an eligible data breach, the data breach may still be reported to the NSW Privacy Commissioner.

Reporting to the Australian Privacy Commissioner (Commonwealth Notifiable Data Breach)

Where a data breach is subject to the NDB Scheme (which for Council is currently limited with respect to tax files numbers), the Privacy Act 1998 requires Council to report to the Australian Privacy Commissioner/ OAIC.

The notification must include:

- Information identifying Council and its contact details;
- A description of the data breach;
- The kinds of information concerned; and
- Recommendations about the steps that individuals should take in response to the data breach.

Reporting to the affected individual or organisation

The Response Team will notify each individual or organisation to whom an eligible data breach relates and provide them with information about the eligible data breach in accordance with this Policy and the PIPP Act.

If a data breach is not an eligible data breach under the MNDB Scheme, Council may still consider notifying individuals/organisations of the breach, dependent on the type of information that is involved, the risk of harm, repeated and/or systematic issues and the ability of the individual/organisation to take further steps to avoid or remedy harm.

Council will publish, on Council's website, a public notification of the data breach if it is not reasonably practicable to inform each individual or organisation or if the Council otherwise deems it appropriate.

The method of notifying affected individuals/organisations will depend in large part on the type and scale of the breach, as well as immediately practical issues such as having contact details for the affected individuals/organisations.

Considerations include the following:

When to notify

Notification should be done promptly to help to avoid or lessen the damage by enabling the individual/organisation to take steps to protect themselves.

Individuals/organisations affected by a data breach will be notified as soon as reasonably practicable. While this Policy sets a target of 5 days; practical factors are also recognised. Where all individuals affected by an eligible data breach cannot be notified, Council will consider issuing a public notification on its website.

**DATA BREACH POLICY****POL-219.V#1****How to notify**

Notification should be direct either by phone, letter, email or in person to the affected individuals/organisations.

Indirect notification, such as information posted on Council's website, posted notices or media releases should only occur where direct notification could cause further harm, is cost prohibitive or the contact information for affected individuals/organisations is unknown. The CEO can also determine to issue a public notification if it is appropriate.

A record of any public notification of a data breach will be published on Council's website and recorded on the Public Notification Register for a period of 12 months.

What to say

The following information must, if reasonably practicable, be included in a notification to an affected individual of a data breach:

- ▶ The date the breach occurred;
- ▶ A description of the breach;
- ▶ How the breach occurred;
- ▶ The type of breach that occurred;
- ▶ The personal information included in the breach;
- ▶ The amount of time the personal information was disclosed for;
- ▶ Actions that have been taken or are planned to secure the information, or to control and mitigate the harm;
- ▶ Recommendations about the steps an individual should take in response to the breach;
- ▶ Information about complaints and reviews of agency conduct;
- ▶ The name of the agency or agencies that were subject to the breach;
- ▶ Contact details for the agency subject to the breach or the nominated person to contact about the breach.

Other obligations including external engagement or reporting

Council will also consider whether notification is required by contract or by other laws or administrative arrangements to take specific steps in response to a data breach. These may include taking specific containment or remediation steps or engaging with or notifying external stakeholders (in addition to the Privacy Commissioner) where a data breach occurs.

Depending on the circumstances of a data breach, such as an intentional or suspected serious data breach and the categories of data involved, it may be appropriate to notify other agencies/third parties, such as:

- ▶ The NSW Police Force and/or Australian Federal Police, where Council suspects a data breach is a result of criminal activity;
- ▶ Department of Customer Service;
- ▶ Cyber Security NSW, where a data breach is a result of a cyber security incident;
- ▶ The Australian Cyber Security Centre, where a data breach involves malicious activity from a person or organisation based outside Australia;
- ▶ The Australian Taxation Office
- ▶ The Australian Digital Health Authority
- ▶ The Department of Health

- ▶ The Office of the Government Chief Information Security Officer
- ▶ Any third-party organisations or agencies whose data may be affected
- ▶ Council's insurance providers;
- ▶ Credit card companies, financial institutions/services providers;
- ▶ Professional associations, regulatory bodies or insurers, where a data breach involves malicious activity from a person or organisation outside Australia; and/or
- ▶ Other internal or external parties who have not already been notified.

Council may become subject to other legislation relevant to data breaches impacting on other agencies. For example, under the Data Sharing (Government Sector) Act 2015:

- ▶ If Council is the recipient of data from another NSW Government agency that contains personal information or health information, and
- ▶ Council becomes aware that the PIPP Act or the HRIP Act has been or is likely to be contravened in relation to that information while in Council's control

In such instances, Council must inform the other agency and the NSW Privacy Commissioner of the contravention as soon as practicable after becoming aware of it.

8. ROLES AND RESPONSIBILITIES

Position	Responsibility
CEO	<ul style="list-style-type: none"> ▶ Is responsible for notifying the Privacy Commissioner after an eligible data breach is identified. ▶ Will determine the method and oversee the notification of any affected individuals of a data breach, including eligible data breaches under the MNDB Scheme. ▶ Ensure Council has systems in place to comply with the MNDB scheme. ▶ Review and approve actions and recommendations in data breach reports. ▶ Demonstrate to the affected individuals and broader public that Council views the protection of personal information as an important and serious matter.
Privacy Officer/s (Director Corporate Services & Manager Governance & Risk)	<p>The Privacy Officer/s are responsible for:</p> <ul style="list-style-type: none"> ▶ Implementing this Policy, immediately reporting data breaches to the CEO and all notifications and actions for eligible data breaches. ▶ Notify Council's insurers as required ▶ Assemble the Data Breach Response Team ▶ Establish roles within the team based on subject matter expertise (could include legal, communications, cybersecurity, human resources, key operational Officers). ▶ • Delineation of responsibilities for dealing with relevant elements of a breach within the team. ▶ Determine whether Council's <u>Business Continuity Policy</u> needs to be invoked, particularly if IT systems have to be shut down. ▶ Monitoring and reviewing the type of data breaches (including those under the MNDB Scheme) to identify trends and areas of concern where Officials / Officers may require additional training and systems and processes need to

DATA BREACH POLICY**POL-219.V#1**

	<p>be remediated to prevent future incidents.</p> <ul style="list-style-type: none"> ▶ Preparing an annual report to Council's Executive Leadership Team on the number and nature of data breaches incidents within Council
Data Breach Response Team (Response Team)	<p>The Response Team:</p> <ul style="list-style-type: none"> ▶ Is responsible for investigating data breaches, preparing the <u>Data Breach Report and Action Plan</u> and maintaining the internal and public registers for data breaches. ▶ Prepare a Data Breach Review Report for each separate data breach incident ▶ Consult with internal and external stakeholders as required ▶ Will provide advice on the community strategy and messaging to affected individuals and external reporting agencies.
Chief Information Officer	<ul style="list-style-type: none"> ▶ Take immediate and any longer-term steps to contain and respond to security threat to Council's IT systems and infrastructure ▶ Ensure Council has systems in place to comply with the MNDB scheme. ▶ Review and approve actions and recommendations in data breach reports. ▶ Demonstrate to the affected individuals and broader public that Council views the protection of personal information as an important and serious matter.
Council Officials/Officers	<ul style="list-style-type: none"> ▶ Council Officials/Officers have a responsibility for immediately reporting a suspected data breach in accordance with this Policy.

9. REPORTING

Council will report all eligible data breaches in accordance with the MNDB Scheme and the PIPP Act.

An annual report will be provided to Council's Executive Leadership Team and the Audit, Risk and Improvement Committee (ARIC) outlining the number and nature of data breach incidents within Council.

10. RECORDS MANAGEMENT

Appropriate records must be maintained to provide evidence of how suspected breaches are managed, including those not escalated to the Response Team or notified to the Privacy Commissioner. Tracking data breaches allows us to monitor, analyse and review the type and severity of suspected breaches along with the effectiveness of the response methods.

This may help to identify and remedy weaknesses in security or processes that are prone to error.

Council will meet its record keeping obligations under the PPIP Act to:

- ▶ Maintain and publish on Council's website, a Public Notification Register for any notifications given under Section 59N and 59P.
- ▶ Establish and maintain an internal register, to be known as the Data Breach Incident Register, for eligible data breaches given under Section 59ZE of the PIPP Act.
- ▶ Publishing Council's Privacy Management Plan and this Policy on its website and
- ▶ Maintain all relevant records, including Data Breach Reports and Action Plans, in accordance with Council's Information and Records Management Policy.

Data Breach Incident Register

Council will maintain an internal Data Breach Incident Register which details:

- ▶ Who was notified of the data breach.
- ▶ When the data breach was notified.
- ▶ The type of data breach.
- ▶ The steps taken by Council to mitigate the harm done by the data breach.
- ▶ Details of the actions taken to prevent future data breaches.
- ▶ The estimated cost of the data breach.

Public Notification Register

Council will keep a public notification register that is available on its website. The public notification register will contain details of the data breaches that have been notified to the public, including all information provided to an individual or organisation when they are notified of a data breach.

Personal Information or information that could prejudice Council's functions will not be published on the public notification register.

Data breaches published on the public notification register will remain on the register for at least 12 months.

11. EVALUATION AND REVIEW

It is the responsibility of the Manager - Governance & Risk 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.

12. NON-COMPLIANCE

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

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

13. ASSOCIATED DOCUMENTS, DEFINITIONS & ACRONYMS**External:**

- ▶ Office of the Australian Information Commissioner (OAIC)– Data breach preparation and response guide – A guide to managing data breaches in accordance with the Privacy Act 1988 (Cth)
- ▶ Information and Privacy Commission (IPC) – Fact Sheet – NSW Public Sector Agencies and Notifiable Data Breaches
- ▶ Information and Privacy Commission (IPC) – Mandatory Notification of Data Breach Scheme: Guide of Preparing a Data Breach Policy

Internal:

- ▶ MRC Policy – Business Continuity Policy
- ▶ MRC Policy - Code of Conduct Policies
- ▶ MRC Policy – Fraud and Corruption Policy
- ▶ MRC Policy - Information and Records Management Policy.

- ▶ MRC Policy - Risk Management Policy
- ▶ MRC Plan – Communication Strategy
- ▶ MRC Plan - Cyber Incident Response Plan
- ▶ MRC Plan - Cyber Security Response Plan
- ▶ MRC Plan - Privacy Management Plan
- ▶ MRC Plan – Risk Management Framework
- ▶ MRC Plan - Remediation Action Plan
- ▶ MRC Register - Data Breach Incident Register
- ▶ MRC Register - Public Notification Register
- ▶ MRC Report – Data Breach Report and Action Plan

(or any amended or replacement Policy).

Definitions:

Term	Definition
Affected individual	means an “affected individual” as defined in the PPIP Act.
Commonwealth notifiable data breach	means an “eligible data breach” as defined in the Privacy Act.
Confidential Information	Means information and data (including metadata) including personal information, health information, information protected under legal professional privilege, information covered by secrecy provisions under any legislation, commercial-in-confidence provisions, floor plans of significant buildings, security classified information and information related to Murray River Council's IT/cyber security systems.
Council held information	means any personal information in whatever form (including hard copy, and electronically held information), which is held by Council or is otherwise in the possession or control of Council.
Council Official	A Council Official is defined as being one of the following: <ul style="list-style-type: none"> ▶ Councillors; or ▶ Employees of Council / Council Officers; or ▶ Administrators; or ▶ Council Committee Members; or ▶ Conduct Reviewers; or ▶ Delegates of Council.
Council Officer	An officer is defined as being one of the following: <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

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Customers	<p>Individuals and organisations to which Council provides service. Customers include</p> <ul style="list-style-type: none"> ▸ ratepayers, ▸ residents, ▸ asset users, ▸ consultants, ▸ developers, ▸ government departments and ▸ visitors to the Murray River Council local government area. <p>Internal customers include other Council departments and Council Officers.</p>
Data Breach	means the unauthorised access to, or inadvertent disclosure, access, modification, misuse, or loss of, or interference with personal information, and in this policy includes a potential data breach.
Data Breach Response Team (Response Team)	means the team established for the purposes of responding to a data breach that includes the CEO, Director Corporate Services, Manager Governance & Risk, Chief Information Officer, Manager Customer Service as a minimum.
Eligible data breach	means an “eligible data breach” as defined in s59D of the PPIP Act.
High risk data breach	It is reasonably believed that the data breach is likely to result in serious harm to one or more of the individuals to whom the information relates (e.g. external hackers breach Council’s firewall and copy valuable customer data).
HRIP Act	means the Health Records Information and Privacy Act 2002 (NSW).
IPC	means the Information and Privacy Commission of NSW.
Low risk data breach	A loss or exposure of aggregated data only, or of individual level data in circumstances where it is reasonably believed that no harm could occur (e.g. paper files are left behind in a meeting but quickly retrieved).
Mandatory reporting data breach	means an eligible data breach or a Commonwealth notifiable data breach.
Medium risk data breach	A loss or exposure of personal information where it is reasonably believed that the third-party recipient does not have a malicious intent, and that the data is somewhat protected (e.g. laptop with encrypted data left on a bus).
MNDB Scheme	means Mandatory Notification of Data Breach scheme in NSW
OAIC	means the Office of the Australian Information Commissioner.
Non-eligible data breach	means any data breach that is not a mandatory reporting data breach.
personal information	means any information defined as “personal information” under the Privacy Act, PPIP Act, or “health information” under the HRIP Act.
PPIP Act	means the Privacy and Personal Information Protection Act 1988 (NSW).
Privacy Act	means the Privacy Act 1988 (Cth).

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Serious data breach	<p>means a data breach that is likely to result in serious harm to any individual or organisation, which may include, but is not necessarily limited to, serious financial, physical, psychological, emotional or reputational harm. Examples of serious harm include:</p> <ul style="list-style-type: none"> ▸ Financial fraud including unauthorised credit card transactions or credit fraud; ▸ Identity theft causing financial loss or emotional and psychological harm; ▸ Family violence; ▸ Physical harm or intimidation; ▸ Significant commercial or reputational damage due to release of commercially sensitive information.
TFN	means a tax file number as defined in Part VA of the Income Tax Assessment Act 1936 (CTH).

14. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	DRAFT	VF/24/2577	TBA

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review in before 2028

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.

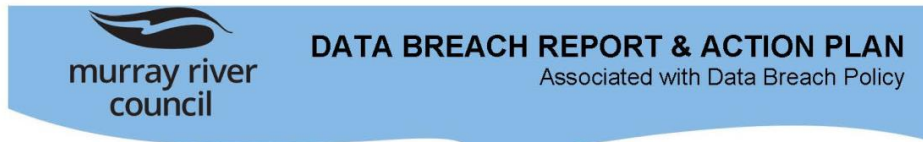
DISCLAIMER:

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.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)

**DATA BREACH POLICY**

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Appendix 1: Data Breach Report and Action Plan

Description of Data Breach	When?	
	What?	
	How?	
Action taken	Notification	
	Containment	
Description of risks	Risk?	
	Harm?	
	Affecting?	
Description of causes	How?	
	Why?	
	Is this a systemic issue?	
Action Proposed	Change?	
	Train?	
	Remind?	
	Stop?	
	Media?	
	Remedy?	
	Other matters?	

**DATA BREACH POLICY****POL-219.V#1****DATA BREACH REPORT & ACTION PLAN**

Notification to Privacy Commissioner?					
Data Breach Handling Officer		Action		Date	
Privacy Officer		Action		Date	
Privacy Officer		Action		Date	
CEO		Action		Date	


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Appendix 2: Data Breach Incident Register


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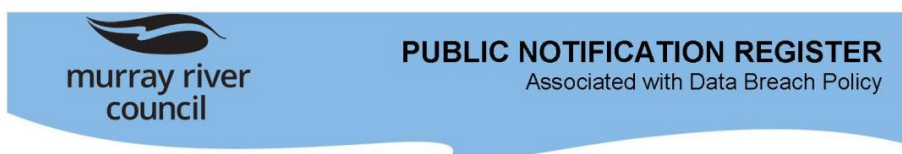
DATA BREACH INCIDENT REGISTER
Linked to Data Breach Policy

Breach Notified Date	Who was Notified	Type of Breach	Details of Steps Taken to Mitigate the Breach	Details of Actions to prevent Future Breaches	Estimated Cost of Breach	Severity	CM9 reference

DRAFT

**DATA BREACH POLICY**

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Appendix 3: Public Notification Register

Date the breach occurred	
Description of the breach	(what happened - details of how the breach occurred eg accidentally posted information to the website)
How the breach occurred	(could be a software error or human error)
Type of breach that occurred	(this could be unauthorised disclosure)
Personal information that was the subject of the breach	(what information was part of the breach eg: email address/ mobile number/ residential address)
Number of People Potentially affected	
Amount of time the personal information was disclosed for	(dates to and from)
Actions that have been taken or are planned to ensure the personal information is secure, or to control or mitigate the harm done to the individual	(this could be as simple as – removed the information from the website but could be a lot more complex and detailed)
Recommendations about the steps the individual should take in response to the eligible data breach	(Could be recommending the individuals monitor their emails closely for any suspicious links and to contact us if concerned / If concerned about identity theft, contact IDCARE, the National Identity and Cyber Support Service /if requiring further information, contact the nominated Council officer using the supplied contact details)
Contact for further information	

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS**9.3.1 TOWN LEVEE PROGRAM OF WORKS - INTERNAL FUNDING REALLOCATION****File Number:** -**Author:** Matthew Sherman, Acting Manager - Project Management Office**Authoriser:** Daniel Hughes, Interim Director Infrastructure**RECOMMENDATION**

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.

BACKGROUND

Murray River Council manages and maintains over 28km of levee systems across the local government area. Levees consist of earthen structures, concrete structures and temporary structures to protect townships and properties from flood water inundation. In the 2024/25 budget, Council committed \$532,000 of general funds into the capital budget for a levee program of works. This program was developed following a levee condition assessment completed after the 2022 floods which identified defects and issues to be addressed under capital expenditure. As this project is currently funded from the capital budget, it cannot be used for operational activities.

DISCUSSION

Council has identified \$50,000 of operational activities required on town levee systems that could be completed in the 2024/25 financial year. To complete these activities, it is requested that \$50,000 of capital funds be reallocated to the operational budget for the purpose of:

- Levee Owner's Manual Updates
- Operational activities including testing of flood infrastructure and flood training
- Flood gate installation and tests
- Capturing of evidence and updating relevant flood manuals and procedures to prepare Council for future emergency events.

If approved, \$50,000 of unspent capital funds will be allocated to operational. This is 100% Council contribution and has no impact to external funding sources and does not require any additional funds.

STRATEGIC IMPLICATIONS

3. Strategic Theme 3: A place of Liveable Communities

3.11 - Strategic planning which produces consistent, strategic, transparent outcomes - Town Planning / Land Use Strategies

BUDGETARY IMPLICATIONS

The existing 2024/25 capital budget for the LGA Levee Program of Works is \$532,000.

The request is to reallocate \$50,000 from the above program into the Operational Budget resulting in the following;

- New 2024/25 capital budget for LGA Levee Program of Works of \$482,000
- New operational levee project: \$50,000.

Note: This does not require any additional financial commitment from Council.

POLICY IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

RISK ANALYSIS

- **What can happen?**

Council cannot undertake the operational works without an allocated budget. Updating the Levee Owner's Manual to include items such as the Tindarra Levee is critical for town planning and flood mitigation activities. Funding will also enable other documentation to be updated and operational activities such as flood training to occur in 2024/25.

- **How can it happen?**

These activities cannot proceed without an operational budget allocated.

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

Flood preparedness may be impacted as critical documentation cannot be updated.

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

Likely.

- **Adequacy of existing controls?**

Relocation of existing capital funds to operational.

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

Recommended Option: Reallocate \$50,000 of Capital Budget to Operational Budget.

CONCLUSION

Management and maintenance of town levee systems is critical to Council and the communities that can be impacted by flood water inundation during high river level events. The request to reallocate capital expenditure into operational expenditure will enable officers to undertake crucial activities to better prepare for future flooding by completing Levee Owner's Manual updates and completing necessary checks and investigations into flood infrastructure. The reallocation of funds has no overall impact to Council as no additional funding is required. It is recommended that Council approve the reallocation of \$50,000 from the capital to the operational budget.

ATTACHMENTS

Nil

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

File Number: -

Author: Tiana Cronin, Grant Officer

Authoriser: Beck Hayward, Acting Director Community & Economic Development

RECOMMENDATION

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*.

BACKGROUND

Council runs two rounds of the Community Grants Program each financial year, allocating \$30,000 to each round. It offers financial support to not-for-profit community organisations and groups for projects, equipment, events, exhibitions, or performances which contribute positively to the Murray River Council community.

The Community Grants Program aims to:

- Be responsive to emerging themes, issues, and trends.
- Support not-for-profit community groups to provide a range of opportunities for residents;
- Provide equitable opportunity for the community to seek funding assistance from council;
- Strengthen communities with local responses to identified community needs;
- Facilitate support for initiatives that strengthen the community through opportunities for participation, development, inclusion, and sustainability;
- Foster support across a range of pursuits and interest areas including health and welfare, education, arts and culture, sports and recreation, youth, ageing, environment and access and equity; and
- Assist council to deliver identified objectives, priorities and strategies that align with the Community Strategic Plan.

Round 2 of the 2024-25 Murray River Council Community Grants Program opened on 2 December 2024. The timeline for this round (see table below) will require the Assessment Panel to be available to assess applications both online and via a meeting to be set for the week beginning 14 April 2025.

2 December 2024	Applications opened
4pm, 7 April 2025	Applications close
W/b 14 April 2025	Assessment Panel meets to assess applications
27 May 2025	Council to approve funding for recommended projects
Late May 2025	Applicants notified of outcome

By 20 June 2025	Successful applicants to submit invoice for payment
June 2026	Projects completed and funding acquittal submitted

DISCUSSION

Council's Grants Officer, Tiana Christie, manages the grant program and will advise the panel on the process once eligible applications have been confirmed.

The grants are competitive in nature as Council may receive applications with a total value more than the \$30,000 allocated for the round. Therefore, it is necessary that Council form an assessment panel to review the grant applications and make recommendations in relation to which applications should be funded and to what amount. Should Council receive applications totalling under the \$30,000 that are deemed eligible and appropriate to fund, panel members will be notified via email (as occurred in FY24 Rd 2), providing an option to streamline the assessment process and approve applications via email.

Round 1 of the FY25 Community Grants Panel consisted of:

- Cr. Pappin,
- Cr. Allan,
- Cr. Hurn (who was an apology – Mayor Harvie attended in Cr Hurn's place)

STRATEGIC IMPLICATIONS

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

4.10 - Support existing and new art projects and diverse community events - Regional Events.

BUDGETARY IMPLICATIONS

Council has allocated \$30,000 per round for each of the two community grant rounds per year, (as per 27 November 2018 resolution of Council).

POLICY IMPLICATIONS

The Community Grants program sits within Council's Financial Assistance Policy (and Framework), adopted July 2018.

LEGISLATIVE IMPLICATIONS

Council can financially assist others under s356 of the Local Government Act 1993 (LGA), for the purpose of exercising its functions.

RISK ANALYSIS

• What can happen?

If the assessment panel is not appointed in a timely manner, the program timelines can be pushed back and funding not distributed this financial year.

• How can it happen?

Council not appointing panel members at the March Council meeting.

• What are the consequences of the event happening?

Program timelines are pushed back and there is a risk of not distributing the funds in this financial year.

• What is the likelihood of the event happening?

Possible

- **Adequacy of existing controls?**

Adequate

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

Ensure Council understands the need to appoint panel members at its March meeting.

CONCLUSION

Council needs to appoint Councillors to the Murray River Council Community Grants Program Assessment Panel who will be available the week beginning 14 April 2025, to enable the assessment process to proceed smoothly and on time.

ATTACHMENTS

Nil

9.5.2 ADOPTION OF MRC'S COMMUNITY FINANCIAL ASSISTANCE PROGRAM FRAMEWORK (FY26)**File Number:** -**Author:** Tiana Cronin, Grant Officer**Authoriser:** Beck Hayward, Acting Director Community & Economic Development**RECOMMENDATION**

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

BACKGROUND

Murray River Council's Community Financial Assistance Policy (POL-601.V#3), along with the Community Financial Assistance Program (CFAP) Framework, ensures that financial assistance aligns with the community needs identified in Council's Community Strategic Plan (CSP).

The Community Financial Assistance Program (the Program) distributes funding through five defined financial support categories:

1. Murray River Council Annual Allocations
2. Murray River Council Community Grants Program
3. Murray River Council Quick Response Grants Program
4. Murray River Council Local Heritage Fund
5. Murray River Council Disability, Access, and Participation Grant Program

These funding streams provide financial and in-kind support to local projects, events, and services that enhance the quality of life for Murray River Council residents. The Annual Allocations category includes Council's financial contributions to annual celebrations, events, and community-strengthening programs, as well as support for swimming pools and in-kind fee waivers for services (e.g., sewerage, filtered water, and waste charges).

To streamline the administration of these programs, Council has developed the Community Financial Assistance Program Framework (FY26). This framework provides clear eligibility criteria, assessment processes, and funding requirements, enabling the seamless distribution of financial assistance upon receipt of invoices. By adopting this framework, Council ensures a transparent, structured approach to financial assistance while reducing the need for case-by-case approvals.

Additionally, the Murray River Council Disability, Access, and Participation Grant Program (DAPP, Program 5) has been created as an initiative under the Disability Inclusion Action Plan (DIAP) 2022–2026, adopted by Council on December 13, 2022. This grant program removes financial barriers and expands opportunities for people with disabilities to engage in sport, arts, and cultural activities. The Guidelines for this new Program are attached.

The program offers two (2) grants:

1. Sport Participation Grant
This grant supports individuals with disabilities to actively participate in sports. Grant funding of up to \$1000 is available to assist in supporting individuals pursue their passions and aspirations in this field.
2. Art & Culture Participation Grant
This grant supports individuals in advancing their artistic interests or participation in cultural life. Grant funding of up to \$1000 is available to assist in supporting individuals pursue their passions and aspirations in this field.

The DAPP program objectives are to:

- Increase participation in sport, arts, and culture for people with disabilities.
- Support skill development, personal aspirations, and community engagement.
- Promote inclusive and accessible opportunities across the region.
- Reduce financial barriers that limit access to recreational, artistic, and cultural pursuits.

Applications are assessed by the Access, Inclusion Advisory Committee, which then makes recommendations to Council for consideration and endorsement.

A copy of the recommended CFAP FY26 document, which includes a list of proposed 'annual allocation' recipients, is attached for council's consideration. The document provides detail on the different programs under which the community can receive financial assistance from Council and an overview on the application, assessment and acquittal requirements.

DISCUSSION

Council plays a critical role in ensuring equal access to opportunities through the implementation of DIAP initiatives. The introduction of the Disability, Access, and Participation Grant Program is a key step toward fostering a more inclusive and engaged community. By supporting participation in sport, arts, and cultural activities, this program directly aligns with the CSP's vision of creating a place of liveable communities.

The Community Financial Assistance Policy and Framework further strengthens Council's ability to support local organisations in delivering projects, events, and initiatives that enhance the social, cultural, and economic fabric of the community. By adopting the CFAP FY26, Council ensures a structured, transparent, and equitable process for financial assistance allocation.

Benefits of Endorsing the Framework:

- **Efficiency and Governance:** The framework reduces the administrative burden by allowing pre-approved funding recipients to receive funds without requiring separate Council approvals for each request.
- **Accountability and Oversight:** The structured approach ensures strong governance while maintaining financial transparency.
- **Community Impact:** By supporting a range of funding streams, the framework enables greater community participation, accessibility, and cultural development.

The structured funding programs enable oversight and governance, while also enabling flexibility to ensure the community can be supported in an efficient manner.

STRATEGIC IMPLICATIONS

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

4.4 - Develop community led strategy with a focus on social connections / social fabric and a sense of belonging - Provide programs for targeted community demographics.

BUDGETARY IMPLICATIONS

The funds required to deliver the Financial Assistance Framework (FY26) are included in the draft FY26 operating budget.

POLICY IMPLICATIONS

Murray River Council Community Financial Assistance Policy (POL109).

LEGISLATIVE IMPLICATIONS

LOCAL GOVERNMENT ACT 1993 - SECT 356 (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

RISK ANALYSIS

- **What can happen?**

Some annual events and community activities may not take place due to circumstances outside of their control. Therefore, there is potential not all annual allocations will be exhausted.

- **How can it happen?**

- Organisations may no longer require the financial assistance allocated to them.

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

- Council may resolve to reallocate the funding to another group or retain the unspent allocation in the general account.

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

Medium

- **Adequacy of existing controls?**

Adequate

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

Be flexible in how we deliver support and help community groups to be flexible in running their events and activities.

CONCLUSION

By adopting this framework for FY26, Council strengthens its commitment to supporting community-driven initiatives and enhancing the liveability of the Murray River region. The Community Financial Assistance Policy and Framework enables many community groups, events, initiatives and services to undertake activities that otherwise would not be able to be delivered. Adopting this version of the Framework removes the need to present an individual report to Council every time Council is approached for financial assistance and improves overall efficiencies.

ATTACHMENTS

1. **FY26 Community Financial Assistance Program Framework** [!\[\]\(70411a9f35452baadb8db643cc79dc5c_img.jpg\)](#) 
2. **Disability, Access and Participation Program Guidelines** [!\[\]\(ed664200df1c6912d0ce3118de41ff8b_img.jpg\)](#) 



Community Financial Assistance Program Framework

Author: Grants Officer, Tiana Christie

This version presented to the Ordinary Meeting of Murray River Council of 25 March 2025

Previous version adopted at the Ordinary Meeting of Murray River Council of 28 May 2024

Murray River Council
PO Box 21, Mathoura NSW 2710
p 1300 087 004
f 03 5884 3417
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

Community Financial Assistance Program Framework



Introduction

The Community Financial Assistance Program Framework (the 'Framework') follows best practice and integrates Murray River Council's (the 'Council') financial assistance activities so that they strategically align with community needs identified in Council's Community Strategic Plan (CSP).

Financial assistance is distributed by the Community Financial Assistance Program (the 'Program') via defined categories, in accordance with Council's CSP objectives and community priorities.

This document should be read in conjunction with the Murray River Council Community Financial Assistance Policy (POL601 V#3).

Categories

Financial assistance is distributed through five (5) funding categories that support current community needs and Council's priorities.

These categories may be reviewed and amended as necessary to maintain alignment with any future changes to Council's vision, CSP or emerging community priorities identified through community consultation and Council strategic planning processes.

The financial assistance categories are:

1. **Murray River Council Annual Allocations**
2. **Murray River Council Community Grants Program**
3. **Murray River Council Quick Response Grants Program**
4. **Murray River Council Local Heritage Fund**
5. **Murray River Council Disability, Access and Participation Grant Program**

All programs must be applied for via Council's SmartyGrants portal. For more information on how to apply or to review individual program guidelines, visit the [Grants and funding Murray River Council](#) section on Murray River Council's website.

SUMMARY	FY26
1. ANNUAL ALLOCATIONS	\$ 93,140.00
(AA) SWIMMING POOLS	\$ 45,000.00
(AA) IN-KIND, SERVICE FEES AND CHARGES	\$ 33,615.00
2. COMMUNITY GRANTS PROGRAM	\$ 60,000.00
3. QUICK RESPONSE GRANT PROGRAM	\$ 10,000.00
4. LOCAL HERITAGE FUND	\$ 6,250.00
5. DISABILITY, ACCESS AND PARTICIPATION GRANT PROGRAM	\$ 2,000.00
TOTAL	\$ 250,005.00

Community Financial Assistance Program Framework



1. Annual Allocations

The Annual Allocations category includes Council's financial contributions to annual celebrations, events, and programs that strengthen the community or enhance the quality of life for Murray River residents. It also covers support for swimming pools and in-kind assistance, such as fee waivers for services and charges (e.g., sewerage, filtered water, and waste charges).

Annual Allocations are not provided for private, individual, or political celebrations or events.

Funding is allocated through Council's annual budget and awarded to applications approved under this framework. Once the framework is adopted, the listed recipients are deemed eligible for funding and must submit an invoice for payment.

- Annual celebrations, events, programs and pools apply via the Financial Year's *Annual Allocation Application Form* (via Smartygrants).
- In-kind assistance and fee waivers are assessed on a case-by-case basis and apply via the *Services and Charges Assistance Application Form* (via Smartygrants), based on financial position and demonstrated need.

Annual Allocations for FY26 are included in the table below:

ANNUAL ALLOCATIONS - DONATIONS		FY26
Barham Koondrook Lions Club - Barham	Australia Day Activities - Barham	\$ 1,100.00
Australia Day Committee - Koraleigh	Australia Day Activities - Koraleigh	\$ 1,100.00
Community Group - Mathoura	Australia Day Activities - Mathoura	\$ 2,000.00
Rural Fire Service - Moulamein	Australia Day Activities - Moulamein	\$ 900.00
Tooleybuc Piangil District Action Group - Tooleybuc	Australia Day Activities - Tooleybuc	\$ 900.00
Wakool Community Progress Association	Australia Day Activities - Wakool	\$ 900.00
Barham Deb Ball	Barham Deb Ball	\$ 500.00
Border Flywheelers Club Inc.	Barham Flywheelers Museum	\$ 2,000.00
Barham Koondrook & District Show Association	Barham Koondrook Show	\$ 1,000.00
Barham Koondrook Consolidated	River Daze, Barham	\$ 5,000.00
Beacon Foundation (Echuca Moama)	Real Futures Program	\$ 1,760.00
Caldwell Hall Management Committee	Festival of Small Halls	\$ 2,000.00
Community Living Respite Services	Opening Doors Project	\$ 3,000.00
Clean Up Australia Day	Clean Up Australia Day - Murray Downs	\$ 100.00
Darts Australia	Championships @ Rich River Golf Club	\$ 4,000.00
Echuca Moama District Agricultural and Pastoral Society	EM Annual Show	\$ 1,000.00
Echuca Moama Events	Perricoota Pop & Pour	\$ 4,000.00
Echuca Moama Steam Rally Inc	Steam Revival Event	\$ 5,000.00
Echuca Winter Blues	Echuca Moama Winter Blues Festival	\$ 5,000.00
Goodnight Christmas Tree	Christmas Tree Celebration	\$ 1,000.00
Koori Kids	NAIDOC Week (All) Schools Initiative	\$ 550.00
<u>All Local Schools</u>	End of year presentations	\$ 1,400.00
Mathoura Events Committee	Mathoura Easter Fair	\$ 2,500.00
Mathoura Events Committee	Christmas Carols Event	\$ 1,500.00
Mathoura RSL sub-branch	Anzac Day & Remembrance Day	\$ 1,000.00
Mathoura Speed Shear Committee	Mathoura Speed Shear	\$ 2,000.00

Community Financial Assistance Program Framework



ANNUAL ALLOCATIONS - DONATIONS		FY26
Moama Lions Club	Carols by Candlelight	\$ 1,500.00
Moama RSL sub-branch	Anzac Day & Remembrance Day	\$ 2,000.00
Moama Water Sports Club	Barry Beehag Ski Race	\$ 3,000.00
Moama Water Sports Club	Southern 80 Water Ski Race	\$ 15,000.00
Moulamein Angling Club	Annual Duck Race	\$ 100.00
Moulamein Pre-School	Yabby Races	\$ 330.00
Moulamein Racing Club	Racing Cup	\$ 1,500.00
Moulamein Retirement Village - Edward Rivers Gardens	Reimbursement for Doctors Travel	\$ 1,500.00
Moulamein WSDC	Moulamein Sheep Dog Trials	\$ 500.00
Murray Downs Golf Club	Bowls Tournament	\$ 1,500.00
Swan Hill Field & Game	Annual shoot	\$ 2,000.00
Wakool Show Society	Wakool Annual Show	\$ 1,000.00
Wakool Progress Association	Town Christmas Party	\$ 1,000.00
Wakool Progress Association	Wakool Sheep Races	\$ 1,000.00
Western Murray Land Improvement Group	Economic and Community Project Costs	\$ 10,000.00
TOTAL		\$ 93,140.00

SWIMMING POOLS		FY26
Koondrook Swimming Pool Committee		\$ 25,000.00
Moulamein Swimming Pool Committee	Council expenditure + balance paid at EOY	\$ 16,500.00
Nyah & District Swimming Pool Committee		\$ 3,500.00
TOTAL		\$ 45,000.00

IN-KIND, SERVICE FEES AND CHARGES		FY26
Provision of In-Kind Services:	At cost each year based on approved applications detailing financial position and demonstration of need for assistance.	
Waste Removal Fees		
Traffic Management Charges		
Provision Rubbish Bins		
Healthy Harold		
Water Usage Charges		
Booking Fee Waiver		
TOTAL		\$ 33,615.00

Community Financial Assistance Program Framework



2. Community Grants Program

Council's **Community Grants Program** offers financial support to not-for-profit community organisations and groups for projects, equipment, events, exhibitions, or performances that contribute positively to the Murray River community. Two rounds are offered each financial year, with \$30,000 available in each round.

The Community Grants Program objectives are to:

- Be responsive to emerging themes, issues, and trends;
- Support not-for-profit community groups to provide a range of opportunities for residents;
- Provide equitable opportunity for the community to seek funding assistance from Council;
- Strengthen communities with local responses to identified community needs;
- Facilitate support for initiatives that strengthen the community through opportunities for participation, development, inclusion, and sustainability;
- Foster support across a range of pursuits and interest areas including health and welfare, education, arts and culture, sports and recreation, youth, ageing, environment and access and equity; and
- Assist Council to deliver identified objectives, priorities and strategies and align with the CSP.

Applications are assessed by a panel, inclusive of three Councillors (alternating Council representation each round), the CEO (or their delegate) and Council's Grants Officer then provides a report to Council with recommendations to Council for consideration and endorsement.

COMMUNITY GRANTS PROGRAM - <i>payment made upon receipt of invoice</i>		FY26
Community Grants Program	Round 1	\$ 30,000.00
Community Grants Program	Round 2	\$ 30,000.00
TOTAL		\$ 60,000.00

3. Quick Response Grant Program

Council's **Quick Response Grant Program** provides Council with the ability to fund worthy and extraordinary opportunities that did not fall into the timing of the rounds for the Community Grants Program or are required 'quickly'.

The purpose of the Program is to offer financial support to not-for-profit community organisations and groups for extraordinary and worthy projects, equipment, events, exhibitions, or performances that contribute positively to the Murray River community.

The Quick Response Grant Program objectives are to:

- Enable Council to fund projects that have not previously been considered for funding.
- Enable Council to support opportunities that are one-off, or which have arisen outside of application periods for other Council financial assistance.
- Assist Council to deliver identified objectives, priorities and strategies that align with the CSP.

Applications assessed on behalf of Council by the Mayor and CEO.

QUICK RESPONSE GRANTS PROGRAM - <i>payment made upon receipt of invoice</i>		FY26
Provided throughout the year		\$ 10,000.00
TOTAL		\$ 10,000.00

Community Financial Assistance Program Framework



4. Local Heritage Fund

The NSW Heritage Office partners with Council to co-fund Council's annual **Local Heritage Fund** (LHF) program.

The LHF Program objectives are to:

- Provide funding for conservation projects (e.g. repair of original features and painting in period colours) for heritage items and items of heritage significance within Murray River Council.

These applications are assessed by the Heritage Advisory Committee, which then makes recommendations to Council for consideration and endorsement. Note: This program has been in recess since FY24 while a Heritage Study is being completed.

LOCAL HERITAGE FUND PROGRAM - <i>if successful application</i>	
TOTAL	\$ 6,250.00

5. Disability, Access and Participation Grant Program

The **Disability, Access and Participation Grant Program** (DAPP) aims to remove financial barriers and enhance opportunities for individuals with disabilities to participate in sport, arts, and culture within the Murray River Council area. This program reflects Council's commitment to fostering an inclusive and accessible community, as outlined in its Disability Inclusion Action Plan (DIAP).

The program offers two streams:

- Sport Participation Grant – Funding of up to \$1,000 to support individuals with disabilities in actively participating in sporting activities, including competition fees, equipment, transport costs, and support worker assistance.
- Art & Culture Participation Grant – Funding of up to \$1,000 to assist individuals with disabilities in advancing their artistic interests or participating in cultural activities, such as workshops, exhibitions, training programs, or mentorship opportunities.

The DAPP program objectives are to:

- Increase participation in sport, arts, and culture for people with disabilities.
- Support skill development, personal aspirations, and community engagement.
- Promote inclusive and accessible opportunities across the region.
- Reduce financial barriers that limit access to recreational, artistic, and cultural pursuits.

Applications are assessed by the Access, Inclusion Advisory Committee, which then makes recommendations to Council for consideration and endorsement.

DISABILITY, ACCESS AND PARTICIPATION GRANTS PROGRAM	FY26
Provided throughout the year	\$ 2,000.00
TOTAL	\$ 2,000.00

Community Financial Assistance Program Framework



General conditions for all financial assistance provided by Council

The following conditions apply to all financial assistance provided by Council:

1. Council will only enter into a grant agreement with an organisation/group whose reputation and image is consistent with the values, objectives and policies of the Council.
2. Financial assistance will only be granted by Council in accordance with s356 of the *Local Government Act 1993* for the purpose of exercising Council's functions.
3. Grant applications will be accepted only during the advertised application period for the relevant grant category or stream.
4. If applications for other financial assistance for matters of merit arise outside a specific grant program category or application window, Council may resolve to fund the application through the Quick Response Grants.
5. Grant approval will be limited to the defined funding period. Approved applications will not automatically apply to subsequent years.
6. Applications in competitive categories will be assessed on merit using the assessment matrix.
7. Council may assess and approve applications based on the total financial assistance funding the applicant has been granted, across all program categories.
8. All grantees are required to publicly recognise Council's contribution.

Eligibility

To be eligible for funding through the Community Financial Assistance Program, applicants must:

1. Submit a complete application via the correct form within the specified deadline.
2. Demonstrate clear community benefits aligned with Council's Community Strategic Plan (CSP).
3. Meet all program-specific eligibility requirements outlined in the relevant funding category.
4. Be submitted by a section 355 committee, community organisation, group, or association.
5. Provide direct benefits to residents within the Murray River Council (MRC) local government area.
6. Demonstrate financial viability and sound project planning.
7. Have no outstanding debts or overdue acquittals with Council.
8. Hold adequate public liability insurance and, where applicable, comply with child safety and workplace health and safety regulations.
9. Demonstrate a financial or in-kind contribution to the project.
10. Submit only one application per funding round (unless otherwise stated in program guidelines).

Exclusions - What will **not** be funded?

The following will not be considered for funding:

1. Applicants with outstanding grant acquittals or unpaid debts to Council.
2. Projects or activities that have already commenced (i.e., no retrospective funding).
3. Ongoing operational or administrative costs, including salaries and recurrent expenses.
4. Maintenance, repairs, or upgrades for facilities managed by a Section 355 committee unless specifically approved.
5. Activities that fall outside the delegated authority of a Section 355 committee.
6. Events or projects that may be considered offensive or exclude certain community groups.
7. Insurance costs, including public liability insurance.
8. Social excursions, such as bus trips or recreational outings.
9. Applications seeking funding for the same project from multiple Council funding streams.
10. Late or incomplete applications (excluding applications submitted under the Quick Response Grants Program).

Community Financial Assistance Program Framework



Funding principles

Priority will be given to applications that respond to identified community needs and align with Council's Community Strategic Plan.

The Community Financial Assistance Program will prioritise support where:

- Applicants are based in the Murray River Council (MRC) local government area, or the project must provide significant benefit for MRC residents;
- The applicant is not already in receipt of substantial funding/in-kind support from MRC;
- The proposed activity or project is innovative or unique for the MRC local government area;
- The proposed activity incorporates collaboration/partnerships with other groups;
- The proposed activity maximises community benefit;
- The proposed activity or project meets the priorities of the program;
- The proposed activity demonstrates sustainability; and
- The proposed activity enables access and inclusion in accordance with Council's 'Disability Inclusion Action Plan'.

How much can I apply for?

The various funding Programs have differing maximum amounts that can be applied for. Please refer to the guidelines for each program, for the specific amounts available.

Other important information

- Applications submitted will be acknowledged via a confirmation email.
- Successful applicants will need to accept the funding under the conditions that the grant will be made available. Council may make funding conditional and subject to specific conditions being met.
- Successful applicants will be required to acknowledge Council's support, the specific details will depend upon which program the funding has been received. For example, an official Murray River Council logo (and specific wording) must be used on any promotional material or at any official events associated with the activity and on any produced literature.
- Funding is not automatic on application. All requests are subject to consideration on their individual merits each year.

Funding Acquittals

All recipients of Council funding must complete a funding acquittal through the SmartyGrants system within six weeks of project completion. The acquittal must include receipts as proof of expenditure and evidence that the project was delivered as outlined in the approved application. Any changes to the project, including time extensions, require prior written approval from the Grants Officer.

Failure to submit an acquittal on time, unspent funds or any funds used outside the approved purpose, must be returned to Council who will issue an invoice for repayment.

Further information

Applicants should visit Council's Website for information and guidelines or contact Council's Grants Officer to discuss their project.

Tiana Christie, Grants Officer

Murray River Council,

Email: grants@murrayriver.nsw.gov.au



Disability, Access and Participation Grant Program Guidelines

Tiana Christie

4.10.24
Document ID

Murray River Council
PO Box 906, Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

Disability, Access and Participation Grant Program Guidelines



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By offering these grants, Murray River Council reaffirms its commitment to supporting equitable opportunities for all community members and supporting individuals with disabilities in realising their full potential in sport, art, and culture.

Disability, Access and Participation Grant Program Guidelines



Overview:

Murray River Council is proud to offer a **Disability, Access, and Participation Grants Program** to provide financial assistance to help break down barriers to participation in sport, art, and culture ensuring that individuals with a disability have the opportunity to actively pursue their ambitions.

The program offers two (2) grants:

1. Sport Participation Grant

This grant supports individuals with disabilities to actively participate in sports.

Grant funding of up to \$1000 is available to assist in supporting individuals pursue their passions and aspirations in this field.

2. Art & Culture Participation Grant

This grant supports individuals in advancing their artistic interests or participation in cultural life. *Grant funding of up to \$1000* is available to assist in supporting individuals pursue their passions and aspirations in this field.

Objectives:

- Increase participation in sports, arts, and culture for people with disabilities.
- Promote inclusive, safe, and sustainable practices within the community.
- Provide opportunities for individuals with disabilities to develop their skills, pursue personal goals, and contribute to their communities.
- Foster an inclusive community environment by reducing financial barriers.

Eligibility Criteria:

- Applicant must be a resident within the Murray River Council area.
- Eligible individuals are those who identify as having a disability and require financial support to participate in sports, arts, or cultural activities.
- Use of the funds must directly result in improved access to participation, address barriers related to disability and support the program objectives.
- Maximum of one application per applicant.

Examples of eligible expenses include:

Sport-related expenses such as: Entry fees for competitions or events. Equipment necessary for participation. Transport costs to attend local, regional or state sporting events. Costs associated with support workers needed to facilitate participation in sports activities.

Artistic or cultural development opportunities such as: Attendance at relevant conferences, workshops, or training courses. Participation in mentorship programs to enhance artistic or cultural skills. Costs associated with presenting work, performing or participating in exhibitions. Support worker costs to assist with participation in events, exhibitions, or artistic development opportunities.



Disability, Access and Participation Grant Program Guidelines



Application Process:

Applications must be submitted via the SmartyGrants portal, accessible through the Murray River Council website. Applications will be assessed against the criteria listed below by the Access and Inclusion Advisory Committee, who will provide recommendations on successful funding applications to the Council for resolution. The Committee reserves the right to recommend more than one successful applicant in a category if no eligible applications are received in another category.

All applications must include:

- A description of the intended project or activity.
- A detailed budget outlining how the funds will be used.
- A brief statement on how the project will enhance participation or support personal development.
- Address how the project or activity aligns with the objectives of the program.
- Applications must be received by Council by the stated deadline (dates available on the Council website).

Assessment Criteria:

Applications will be assessed based on the following criteria:

- The project's relevance in enhancing participation in a sport or contributing to artistic/cultural development.
- The extent to which the project addresses specific barriers to participation for individuals with disabilities.
- The clarity and feasibility of the proposed budget and activities.
- The alignment of the project or activity with the objectives of the program.

Funding Conditions:

- The grant funds must be used within 12 months of receiving the grant.
- Successful applicants will be required to provide an acquittal report upon completion of the project detailing how the funds were used and the outcomes achieved.
- Any unspent funds must be returned to the Council, receipts of expenditure will be required to successfully acquit the funding.

Important Key Dates:

Applications Open: [Date]

Applications Close: [Date]

Notification of Outcome: [Date]

Project Completion Deadline: [12 months from date of grant approval]

For further details and assistance:

Please contact Murray River Council's Grants Officer:
Tiana Christie, grants@murrayriver.nsw.gov.au

9.5.3 MATHOURA RETIREMENT VILLAGE - SIGNED DELEGATION DOCUMENT

File Number: -

Author: Karen Buckley, Manager of Local Connections

Authoriser: Beck Hayward, Acting Director Community & Economic Development

RECOMMENDATION

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

BACKGROUND

Committees have often operated without a full understanding of their roles and responsibilities, particularly in areas such as Work Health and Safety, operational protocols, procurement, financial management (in accordance with the Local Government Act), and reporting. Council faces significant pressure to meet its obligations in overseeing and managing Section 355 Committees under the Local Government Act and other relevant legislation.

The lack of adequate resources has hindered Council's ability to provide the necessary support and guidance, affecting the committees' comprehension of their responsibilities and their ability to fulfil obligations effectively.

Furthermore, there has been ambiguity around the division of management tasks between the committees and Council, leading to uncertainty and potential risks to governance, risk management, and the long-term sustainability of the committees.

To address this, a (Committee specific) delegation document has been developed in consultation with each committee to clarify the division of tasks and responsibilities. After each Section 355 Committee's Annual General Meeting (AGM), the document will be reviewed and provided to the incoming committee for signing, confirming their understanding of their roles and responsibilities.

DISCUSSION

The Mathoura Retirement Village Committee is a Section 355 committee of Council, tasked with managing the Mathoura Retirement Village.

The Mathoura Retirement Village consists of 9 units designed to accommodate older residents of Mathoura. It is officially registered with Fair Trading NSW as a Retirement Village.

The signed Mathoura Retirement Village delegation document, which acknowledges the Committee's understanding of their roles and responsibilities, is attached for Council's information.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.8 - Achieve community driven results through collaboration and engagement (community and stakeholders) - Community and Council collaboration.

BUDGETARY IMPLICATIONS

Mathoura Retirement Village is currently self-sustaining so has low Budgetary implications.

POLICY IMPLICATIONS

Murray River Council Asset Management Policy (POL305).

Murray River Council Section 355 Committee Policy (POL119)

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

RISK ANALYSIS

- **What can happen?**
- Committee and Council fail to meet their obligations
- **How can it happen?**
- There has been a lack of clarity regarding the division of management tasks between committees and the council, leading to uncertainty and posing risks to governance, risk management, and the long-term viability of these committees.
- **What are the consequences of the event happening?**
- Council faces significant pressure to meet demanding obligations regarding the oversight and management of Section 355 Committees under the Local Government Act (and other relevant legislation). Council will not meet its obligations under the Act.
- **What is the likelihood of the event happening?**
Likely
- **Adequacy of existing controls?**
Moderate
- **Treatment options to mitigate the risk?**
A Management Agreement will provide clarity to both committee and council regarding roles, and responsibilities.

CONCLUSION

Negotiations with Mathoura Retirement Village has resulted in a signed delegation document, acknowledging the Committee's understanding of their roles and responsibilities. This document will guide the committee and council and will be reviewed in 12 months' time, as a part of the delegation review process.

ATTACHMENTS

1. **Mathoura Retirement Village - Management Agreement** [!\[\]\(7b94d08dc50db5c0d153ce82d285f7ca_img.jpg\) !\[\]\(b54254c09e31599e553474089f59dd35_img.jpg\)](#)



Mathoura Retirement Village Section 355 Committee

Management Agreement

Version #1

Section 355 Committee Management Agreement



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Section 355 Committee Management Agreement



1. INTRODUCTION

Pursuant to the provisions of Section 355 of the Local Government Act 1993 (the Act), Murray River Council shall create a Section 355 Committee (the Committee) by way of a resolution to provide community input and guidance into the Mathoura Retirement Village

The Mathoura Retirement Village is located in Mathoura at (address or streets that surround the facility).

The purpose of the Mathoura Retirement Village is undertake the following functions as delegated by Council:

- ▶ To provide input into the management of the Mathoura Retirement Village units to Murray River Council that reflect local views and issues of the user groups.
- ▶ To provide recommendations to Council on future plans
- ▶ To provide support for agreed activities, (as per schedule A attached to this document).
- ▶ To ensure that all operations at the Mathoura Retirement Village comply with relevant legislation.

2. ROLE OF THE COMMITTEE

Membership of the Committee is open to any member of the local community who reside in the Murray River Council local government area.

Committee members will contribute to both local and technical knowledge about issues that are relevant to the Mathoura Retirement Village and provide representation for the different stakeholder's who may have an interest in the project.

Specifically, the Committee will:

- ▶ Focus on its purpose for being established
- ▶ Provide input, advice and recommendations to Council.
- ▶ Review and comment on all documents associated with the Mathoura Retirement Village.
- ▶ Ensure that the views and interests of the local community are represented and that relevant stakeholders are engaged.
- ▶ Provide an active and positive contribution to the Mathoura Retirement Village and
- ▶ Adhere to Council's Section 355 Committee Guidelines.

Limitations on the Committee and its members:

- ▶ they have no delegated authority to make decisions on behalf of Council, they can only refer matters or make recommendations to Council for its consideration.
- ▶ they must not directly approve expenditure over financial delegation (as per Schedule A attached to this document) of money, purport to employ or direct Council Officers, communicate on behalf of Council or purport to issue any policy on behalf of Council.
- ▶ they do not have approval to authorise or run events on behalf of Council, without prior approval and coordination with Council staff (all events must comply with Council's Event Management Application process); and
- ▶ they must at all times adhere to all relevant Council policies and procedures in carrying out its approved functions and activities.

The Committee does have a bank account. This arrangement is to be reviewed by Council annually following the Committee's AGM, or at any time in the discretion of Council, to ensure the Committee is able to function efficiently and to comply with Council's financial and procurement standards and processes.

The Committee may be dissolved at any time by a resolution of the Council.

Section 355 Committee Management Agreement



3. SCOPE

Council authorises the Committee, within the scope of its role and responsibilities to:

- ▶ Make recommendations to Council on the overall concept/masterplan of the Mathoura Retirement Village.
- ▶ Request any information it needs, through the nominated Council Officer or external party that will assist in their assessment and analysis of project documents.
- ▶ Request the attendance, through the nominated Council Officer of any other Council Official or external party to a Committee meeting, and
- ▶ Recommend obtaining external legal or other professional advice considered necessary to meet its responsibilities.
- ▶ Recommend upgrades or improvements.
- ▶ Follow intake procedure to select eligible new tenants and recommend to Council

4. COMPOSITION OF COMMITTEE

The Committee will consist of:

4.1 Members (voting)

The Committee primarily comprises of the following:

- ▶ No less than six and not more than twelve members;
- ▶ A maximum of one tenant representative with one vote on decisions being made.
- ▶ Representatives from different interest groups and technical knowledge from the local community, local businesses and others that have knowledge and experience that can assist the Committee.

Each member is entitled to one vote.

4.2 Invitees as advisers (non-voting)

The Committee maybe assisted by:

- ▶ A Delegated Councillor or their alternative.
- ▶ A nominated Council Officer

4.3 Invitees for specific agenda items (non-voting)

The Committee has the authority to co-opt/invite other persons that can provide assistance or technical support to the Mathoura Retirement Village.

These invitees may include but are not limited to the following:

- ▶ Representatives of any external contractors;
- ▶ Representatives of Government departments; and/or
- ▶ Other Council Officers.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Mathoura Retirement Village.

Members of the Committee will be endorsed at an ordinary meeting of the Council on inception.

Section 355 Committee Management Agreement

**5. ROLE AND RESPONSIBILITIES**

The Committee has no executive powers, except those expressly provided by Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of the Mathoura Retirement Village rests with Council and the CEO.

The responsibilities of the Committee may be revised or expanded by Council from time to time. The Committee's responsibilities are to review:

- ▶ whether the Committee has considered all the current benefits and projected risks involved at the Mathoura Retirement Village;

Members of the Committee are expected to:

- ▶ Contribute the time needed to participate fully in the management of the facility;
- ▶ Apply good analytical skills, objectivity and good judgement;
- ▶ Focus on the Committee's purpose for being established.
- ▶ Keep Council informed of Committee activities.
- ▶ Express opinions, frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry; and
- ▶ Understand or acknowledge the relevant legislative and regulatory requirements appropriate to the Mathoura Retirement Village.

Note: The list below is a standard list of responsibilities for committees.

Responsibilities	Council	Committee
Governance / Safety / Risk		
Attend most Committee meetings	✓	✓
Participate in meetings – this involves reading all agenda papers; being on time; sticking to the agenda; contributing to the discussion where appropriate; being objective, listening to others' views; volunteering to do some of the necessary tasks required.	✓	✓
Support the office bearers in carrying out their roles.	✓	✓
Assist in organising the Annual General Meeting.	✓	✓
Ensure the safety of the patrons, contractors and volunteers.	✓	✓
Supervise volunteers and keep a volunteer register.	✓	✓
Comply with Council policies and all relevant legislation.	✓	✓
Provide input into the overall management of the facility / committee function.	✓	✓
Comply with Council's adopted fees and charges, Work, Health and Safety and other legislation relevant to the operations of the facility.	✓	✓
Facilitate and convey effective communications between all user groups together with the involvement of all user groups in the on-going management processes.	✓	✓
Capital Works / Major Improvements		

Section 355 Committee Management Agreement



Provide recommendations to Council for improvements and/or upgrades to the facilities for council to consider in accordance with the Project Management Framework.	✓	✓
Assist with the implementation of development plans and any associated capital projects.	✓	✓
Event Management / Promotion / Fundraising		
Plan and undertake approved fund-raising activities as required and in accordance with Council's event management policies.	✓	
Identify relevant grant funding opportunities for Council's consideration.	✓	✓
Day to Day Facilities Management / Minor Maintenance Refer Schedule A		

6. ADMINISTRATIVE ARRANGEMENTS**6.1 Term**

The term of office for office bearers will be 1 year, any of whom who can be re-elected for a further twelve (12) month term at the next Annual General Meeting.

An office bearer shall not be reappointed to a sixth successive term unless no eligible alternate Committee member accepts a nomination for that office.

6.2 Meetings

The Committee will meet at least four (4) times per year for the duration of the Mathoura retirement Village.

The Committee shall schedule its ordinary meetings, including its next AGM, immediately following each AGM, and propose these dates to Council.

The Chairperson, in consultation with the Mathoura Retirement Village members, can amend the date of a scheduled meeting or call for any additional meetings, where necessary, and must notify all Committee members with at least two (2) weeks notice.

At any time, an individual Committee member may request a meeting with the Chairperson of the Committee.

An Extraordinary Meeting may be called by two (2) members of the Committee, by notice to the Secretary, to discuss urgent business and matters outside the scope of an Ordinary Meeting.

The Secretary must call an Extraordinary Meeting when notified in accordance with the proceeding paragraph and must give at least two (2) weeks notice to each Committee member with the Extraordinary Meeting Agenda.

Only items on the Extraordinary Meeting Agenda are to be discussed at the Extraordinary Meeting.

6.3 Venue

The location and time of the meetings will be determined by the Committee and notified to each member by the Secretary with at least two (2) weeks notice.

6.4 Election of Officer Bearers

The Committee members must elect from their members the following positions (as a minimum) :

- ▶ Chairperson;

Section 355 Committee Management Agreement



- ▶ Secretary; and
- ▶ Treasurer
- ▶ Office Bearers will serve for a term of twelve (12) months and elections for these positions will be held annually at the Annual General Meeting. There is no restriction on the number of terms that can be served either concurrently or separately.

Chairperson

A Chairperson will be appointed at the first meeting of the Committee and will be responsible for ensuring the Committee operates efficiently, effectively and according to this Terms of Reference.

The Chairperson is responsible for chairing meetings and representing/advocating on behalf of the Committee and its work.

The Chairperson will act to ensure that all members are given equal opportunity to contribute.

In the event of the absence of the Chairperson from a meeting, members present have the authority to nominate one of their members to act as Chair.

Secretary

The Secretary will be nominated by the Committee.

The Secretary will assist the Chairperson with the preparation and circulation of the agenda for each meeting and supporting papers and will with take the minutes of each meeting.

Treasurer (if the Committee is handling funds)

The Treasurer will be nominated by the Committee.

The Treasurer is responsible for establishing and maintaining an effective financial system for the Committee.

The Treasurer will present a financial report to each meeting and send quarterly and annual reports to Council.

The Treasurer may be required to make payments in accordance with financial delegations.

6.5 Annual General Meeting

An Annual General Meeting must be held every twelve (12) months at a date set by the Committee.

The Committee will report on its activities for the preceding twelve (12) month period and the report will be made available to the public.

This will include the Audited Financial report.

6.6 Attendance at meetings and quorums

A quorum, will consist of half of the elected members of the Committee plus one. Should a quorum of members not be in attendance 30 minutes after the notified starting time, the meeting must be adjourned and rescheduled for a later date.

Meetings can be held in person, by telephone or by video conference.

Any member of the public is entitled to attend a committee meeting of the (name of the Committee). However, they will have no voting rights.

Members of the public must issue a request to the Chairperson in advance if they wish to address the meeting. The Chair's decision is final on whether an address is able to be scheduled for the meeting.

The Committee may limit the length of any address by a member of the public, however, must not limit an address to less than five (5) minutes.

Section 355 Committee Management Agreement**6.7 Agenda**

The Secretary, together with the Chairperson, are responsible for preparation and circulation of meeting agendas and attachments.

The agenda and attachments will be distributed by the Secretary at least five (5) working days prior to the next scheduled meeting.

Agendas will be approved by the Chairperson prior to release.

6.8 Minutes

Minutes of meetings will be recorded and prepared and circulated to all parties – voting and non-voting members of the Committee. The minutes will be circulated as a draft seeking comment / amendments within ten (10) business days following the meeting.

Requested amendments will be incorporated into the final minutes for circulation. Minutes will be accepted at the beginning of the subsequent meeting.

6.9 Decision making

Members must follow Council's Code of Conduct policy in their decision-making, including but not limited to, provisions concerning conflict of interests, gifts and benefits and general conduct.

The Committee will strive for decisions based on agreement.

When agreement cannot be reached, a decision will be made by a majority vote. Where the vote is equal, the Chairperson will have the deciding vote. A decision supported by a majority of the votes at a meeting with a quorum of members, is a decision of the Committee.

The Committee may elect to vote by either a show of hands or by secret ballot (depending on the issue being discussed).

6.10 Nominations

On the retirement, resignation or removal of a member of the Committee, Committee will call for expression of interests to fill positions within one (1) month of the event.

A nomination and/or resignation must be recorded in the meeting minutes for any changes to the Committee.

6.11 Vacancies

Vacancies may arise during the term of the Mathoura Retirement Village. If a vacancy does occur, the Committee may invite an individual to join the Committee that has expressed an interest previously or seek new expressions of interest to fill the vacancy.

A person shall cease to be a member of the Committee if the:

- ▶ Committee is dissolved by Council;
- ▶ A member resigns from office by notification in writing to the Committee.
- ▶ A member is absent without leave from 3 consecutive meetings of the Committee;
- ▶ Council passes a resolution to remove the person from the Committee.
- ▶ Council may remove a person from the Committee due to a breach of Council's Code of Conduct Policy.
- ▶ Member is convicted of a criminal offence under the Crimes Act 1900 (NSW); and/or

Section 355 Committee Management Agreement



- ▶ Member is prohibited from managing a corporation under Companies Act 1981 (Cth).

6.12 Dissolution of the Committee

Council may dissolve the Committee at any time in its absolute discretion.

Council will dissolve the Committee where:

- ▶ the function/purpose of the Committee, as set out above, are completed; and/or
- ▶ If in the opinion of Council, the Committee is not fulfilling the role and purpose for which it was established; and/or
- ▶ 75% of the members entitled to vote at an Extraordinary Meeting of the Committee convened to consider dissolution vote in favor of dissolution; or
- ▶ the Committee membership is reduced to less than four (4) persons (unless Council specifically resolves otherwise).

If the Committee is dissolved, all records (minutes, correspondence, financial records) must be returned to the Council immediately following the dissolution.

6.13 Financial Management

The Mathoura Retirement Village does hold or manage funds on behalf of Council.

The Committee must elect a Treasurer and manage any funds in line with Council's guidelines.

A report must be presented, on the financial position of the Committee, to each meeting. Substantiating records must be retained, and all moneys received receipted.

The Chairperson and at least one other Committee member must be signatory to any accounts, with the provision that two (2) signatories must sign at all times.

Council will provide an officer who will also be a signatory on any bank accounts held by the committee.

Council will audit the Committee's books as at the 30 June annually.

6.14 Insurance

As members of a Committee of Council, all members when acting in their role as a member of the Mathoura Retirement Village Committee will be covered by Council's insurance cover.

This cover only applies to recognised and endorsed activities – eg Committee meetings and other approved volunteer activities (as per Schedule A attached to this document).

6.15 Work Health and Safety

Council has an obligation under the Work Health and Safety Act 2011 (Cth & NSW) and the Regulations 2017 (NSW) to ensure that all personnel working for Council (in a paid or voluntary capacity) are safe whilst undertaking their duties.

Council will endeavour to meet these obligations at all times, which includes providing an environment free from unreasonable behaviours such as bullying and harassment.

6.16 Conflict of interests

Committee members, invitees and advisors must comply with the applicable provisions of Council's Code of Conduct Policy (POL-100) in carrying out the functions as Council Officials. It is the personal responsibility of Council Officials to comply with the standards in the Code of Conduct Policy (POL-100) and regularly review their personal circumstances with this in mind.

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Each member of a Committee will be provided with a copy of the Code of Conduct Policy (POL-100) and will be required to sign an acknowledgement form indicating their acceptance of such.

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflict of interests should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chairperson of the Committee.

Council may revoke Committee membership if a member fails to disclose any conflict of Interest in any matter with which the Committee is concerned and takes part in the consideration, discussion or votes on any question relating to the matter.

6.17 Grievance Procedures

If a Committee member has a grievance about any aspect of their tasks, other volunteers or Council staff, the procedure outlined in the S355 Committee Guidelines should be followed

6.18 Confidentiality

Members of the Committee are required to maintain the integrity and security of confidential information in their possession or for which they are responsible.

6.19 Use of Information

It is important that the community has confidence that any information gathered by Council and its Committee members is used only for Council purposes and for the purposes for which it was collected.

Privacy Statement: The privacy of your information that you have provided to Council is vitally important to us. Please refer to our Privacy Statement by clicking on www.murrayriver.nsw.gov.au/privacy-statement

7. REPORTING

Minutes of Committee meetings will be provided to Council, after clearance by the Chairperson, and within 10 days following each committee meeting.

Recommendations for Council approval are to be separate recommendations in the covering Council report on the draft minutes of the Committee.

Recommendations of the Committee that are considered to have significant bearing on the general management of the facility will be reported to Council.

Council will acknowledge receipt of correspondence within 10 business days.

8. PRECEDENCE

This Agreement shall take precedence over any other instrument, agreement, or other document relating to the management and/or activities of the Section 355 Committee, including but not limited to any memoranda of understanding, constitution, terms of reference, minutes and/or or other records ('prior instrument'), notwithstanding any effect the prior instrument may previously have had.

Section 355 Committee Management Agreement

**9. LEGISLATION, ASSOCIATED DOCUMENTS AND DEFINITIONS**Legislation:

- Local Government Act 1993 (NSW)
- Local Government Regulations 2000 (NSW)
- Companies Act 1981 (Cth).
- Crimes Act 1900 (NSW)
- Public Interest Disclosures Act 1994 (NSW)
- Work Health & Safety Act 2011 (Cth & NSW)
- Work Health & Safety Regulations 2017 (NSW)

Associated Documents:

- MRC Policy – Code of Conduct Policy (POL-100)
- MRC Policy – Code of Meeting Practice Policy (POL-101)
- MRC Policy – Section 355 Committee Policy (POL-119)
- MRC Guidelines – S355 Committee Guidelines

Definitions:

Term:	Definition:
Project Team	Council Officers involved in the project
Project Manager	Council Officer in charge of delivering the Project

10. DOCUMENT CONTROL

Version No.	Details	Dates	Council Resolution	CM9 Reference
1	Initial Issue	DRAFT		

Section 355 Committee Management Agreement



Acknowledgement:

I acknowledge that the committee has properly considered and understood the above terms and its members agree to act at all times in accordance with the provisions herein.

IAN FISHER

PRESIDENT

[enter name]

[enter position] on behalf of

Mathoura Retirement Village Committee

Signature:

Date

18/3/2025

Ian Fisher

Section 355 Committee Management Agreement



Schedule A

ITEM	MANAGEMENT ENTITY RESPONSIBILITY	COUNCIL RESPONSIBILITY
This schedule is as an example and should be completed in negotiation with the Management Committee		
Mathoura Retirement Village Committee:		
Administration Responsibilities		
1. Advertising & Marketing	Input to Council on requirements	All advertising and marketing, including unit vacancies
2. New Tenants	Maintain a wait list. Make recommendations to council following Intake Procedure	Consult with committee and arrange intake following the Intake Procedure. Council to sign Lease agreement.
3. Tenancy Agreements	Fees are in accordance with Councils Fees and Charges as set by council annually. Committee will provide input to council during the Fees and Charges review.	All Tenancy Agreements are managed by Council. As the Legal owner of the units all Tenancy Agreements must be signed by Council. Set fees and charges annually.
4. Retirement Village Act	Ensure all administration including agreements & intake are in line with the Retirement Village Act	Ensure all administration including agreements & intake are in line with the Retirement Village Act
5. Collection of Fees, including cleaning fees and bonds	Fees are collected by Management Committee as per Councils fees and charges schedule. Bonds are returned to Hirer after satisfactory inspection is completed by Committee. Fees collected are deposited into Committees' bank account within 7 days.	No responsibility
6. Payment of Electricity,	Tenants to pay utilities as per Tenancy Agreement	No responsibility
7. Financial Delegation	\$5,000	Council to set financial delegation and review annually.
8. Management Agreement	Meet with Council officer to undertake annual review of agreement.	Review agreement annually in consultation of the Committee.
Maintenance responsibilities		
9. HVAC - (Heating/Ventilation/Air conditioning/Cooling (including hot water service))	Servicing and arrange repair when required.	Annual inspection, Replacement when item reaches end of life.
10. Building Alterations and Additions	Must seek prior approval from Council. Must fund installation, ongoing maintenance and removal (if required). Obtain relevant permits and pay related costs and fees. All relevant documentation forwarded to council for record.	For assessing all requests submitted and if approved by Council, ensuing satisfactory completion of work by the responsible parties. Final sign off and official acceptance of works and verification of compliance and quality.
11. Curtains and Blinds	Repair and replacement if damaged. As per Tenancy Agreement	No responsibility
12. Ceilings	Advise council if repairs required.	Major repair and/or replacement due to structural faults
13. Doors (including cupboard doors and door fittings).	Repair of all doors due to incidental damage or misuse. As per Tenancy Agreement	Replacement due to structural fault.

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14. Electrical wiring and fittings in building.	Repair and replacement due to misuse.	No responsibility
15. Additional Fittings, furniture and equipment	Service repair and replacement all fittings, fixtures, furniture and appliances installed by the Committee.	No responsibility. Will remove any unsafe or unapproved items, cost will be charged to the Management Entity.
16. Floor surfaces and coverings.	Regular cleaning & maintenance, as per Tenancy Agreement	Replacement when flooring reaches end of life
17. Glass	Replace all internal and external breakages in accordance with building regulations.	Claims made through Council's insurance where applicable.
18. Flyscreens	Supply, and replace when required.	No responsibility.
19. Vandalism	Repair/replace minor damage caused by vandalism.	Repair major structural defects as determined by Council.
20. Keys, Locks	Maintaining a key register include any Master Keys issued. Include Master Keys issued to emergency services. Ensure ALL units have a locked box for spare key. Provide Council with a Master Key.	Responsible for locking system. Keys issued by Council.
21. Security	Responsible for the security of the building at all times. If a system change (reissue of keys) is considered necessary by the Committee, they will meet the cost and advise Council who will make change.	Responsible for locking systems. Keys issued by Council.
22. Security System	Recommendations to Council.	Purchase, installation, service and maintenance. At Council's discretion.
23. Light Globes and Fittings Internal/External	Replacement of blown globes.	No responsibility
24. Plumbing and Fixtures	Cost of repairs due to misuse, vandalism. Replacement of tap washers, leaks, other minor plumbing requirements. As per Tenancy Agreement	Replacement at end of life
25. Service pipes, plumbing waste pipes and drains.	Report potential and actual maintenance problems to Council.	Repairs due to blockages.
26. Other Permanent Fixtures	Regular cleaning of all fixtures and repair/or replace if due to misuse, as per Tenancy Agreement.	Replacement or repair due to structural/mechanical fault.
27. Pest Control	Regular observation and report any signs of pest activity to Council.	Annual pest inspection Eradication and removal of any major infestation of pests. Repair of any damage resulting from pest infestation.

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28. Painting	Refinish all internal surfaces & external painting damaged through general wear and tear.	Paint at end of life
29. Roofs	Report potential and actual maintenance problems to Council.	All maintenance and repair as required.
30. Gutters	No responsibility	Clean and maintain gutters
31. Skylights	Report potential and actual maintenance problems to Council.	All maintenance and repair as required.
32. Walls	Repair if damaged through general wear and tear and/or misuse of internal walls. As per Tenancy Agreement.	Structural maintenance only.
33. Signage	Installation of, maintenance and replacement of facility/business identification signage approved by Council	Replace Council signage at end of life
34. Gardens and surrounds	Keep entry/exit areas clear, as per Tenancy Agreement. Maintain grounds by cutting grasses, pruning, weeding, replacing trees, bushes, grassed areas, flowers and paths as required. Remove any graffiti. Provision repair and replacement of sand, mulch and stone as required. Remove dead foliage. Cost and maintenance of hoses, sprinklers/systems if applicable. Repair all fences (except boundary). Any additions/alterations to be documented and make submission to Council. Obtain permits and pay any related costs and fees.	As Negotiated
35. Smoke Alarms and other firefighting equipment	Replace batteries in smoke alarms according to manufacturer's specifications when required	Annual inspection, maintenance and replacement as required. Regular essential safety measures testing in accordance with Australian Standards.
36. End of Tenure	Inspect unit and arrange required repairs, painting and replacement of curtains, blinds and fixtures in consultation with council.	Consult with committee in regard to upgrade or repairs required at end of tenure.

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Regular User Groups of Facility		
Name of Group	User group agreement completed	Public Liability Insurance requirements met

9.5.4 SECTION 355 COMMITTEE MEETING MINUTES AS AT FEBRUARY 2025

File Number: -

Author: Karen Buckley, Manager of Local Connections

Authoriser: Beck Hayward, Acting Director Community & Economic Development

RECOMMENDATION

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

BACKGROUND

Council has 19 x Section 355 committees, which are delegated the responsibility of managing the day-to-day operations of Council-owned facilities and providing advice on these facilities. These committees consist of community volunteers who generously contribute their time and effort to support Council operations.

To ensure Council remains informed of their activities, Section 355 committees are required to submit minutes from each meeting.

DISCUSSION

It is essential to provide comprehensive support and management for volunteers, from recruitment through to the execution of their delegated responsibilities. Council's Manager Local Connections plays a key role in working collaboratively with committees to help them fulfil their obligations under Section 355 of the Local Government Act 1993, while also enhancing governance and mitigating risks.

The meeting minutes from the committees are attached to this report for Council's information.

STRATEGIC IMPLICATIONS

2. Strategic Theme 2: A Place of Progressive Leadership

2.5 - Continue to be a trusted and ethical leader that leads by example - Leadership that is trusted, capable and collaborative.

BUDGETARY IMPLICATIONS

Scope of Committees financial transactions vary

POLICY IMPLICATIONS

Murray River Council Asset Management Policy (POL305).

Murray River Council Section 355 Committee Policy (POL119)

LEGISLATIVE IMPLICATIONS

Local Government Act 1993.

RISK ANALYSIS

- **What can happen?**
Council and Committees fail to meet their obligations.
- **How can it happen?**

Committees are sometimes unaware of the full extent of their roles and responsibilities particularly in relation to Work Health and Safety, operational procedures and systems, procurement, and financial reporting.

Council has a responsibility to provide requisite support and guidance to committees to ensure they understand their responsibilities and have necessary skills and capacity to fulfill obligations.

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

Volunteers are a vital part of Councils operations and contribute immensely to Councils resources.

Several Section 355 committees are very fragile and their medium to longer term viability is questionable.

Council is under considerable pressure to comply with onerous obligations relating to the support and management of section 355 committees under the Local Government Act

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

Likely

- **Adequacy of existing controls?**

Moderate

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

Council needs to carefully consider the structure required to best support committees.

The role of Manager Local Connections was created to work collaboratively with committees of Council to assist them to meet their obligations as required by S355 of the Local Government Act 1993 and to improve governance and risk mitigation.

Steps will be taken to optimise the viability of committees where appropriate; consider the scope of support council will provide to support committees; determine the criteria that will trigger council's intervention in the operations of Section 355 committees, and what the intervention will be; plan for contingency management options and fully recognise the cost of this in council's long term financial plans.

CONCLUSION

Through the Manager of Local Connections, Council should continue to support these committees and note the minutes of meetings attached.

ATTACHMENTS

1. **Meeting Minutes - Barham School of Arts Hall** [↓](#) 
2. **Meeting Minutes - Caldwell Hall** [↓](#) 
3. **Meeting Minutes - Moama Lions Community Village** [↓](#) 

SECTION 355 LGA SCHOOL OF ARTS HALL REPORT 10th FEBRUARY 2025.

Held in conjunction with Barham-Koondrook Lions Club Monthly Business Meeting.

Commenced: About 8-15pm.

Chair: R Daws.

G Barker, G Webster, C Webster, B Campbell, P Williamson, J Boyd, G Cook, J Carney, B Rash,
A Mathers, J Whelan, D Agelakis, G Minnis.

Apologies: R Millar, A Millar, M Hatty, T Barker, S Carney, R Dooley (late apology).

Council Representatives: None in attendance.

J Boyd* Bookings gradually returning to normal but only a few so far for the next few weeks.

Yoga- A new regular early morning booking but due to the hot weather is currently being held in the Park but as the mornings cool they will come into the Reception Room/Hall.

Aging Persons Expo Day 6th March- Lions will set up the Hall/Reception Room.

Dance Group- Not sure of its future in the Hall.

Carpet Replacement- Waiting for Council to advise Lions when its been approved.

Financial Report- Attached.

Meeting Closed- About 8-25pm.

Minutes of the Caldwell Hall Management Committee Meeting Held on the 12.02.2025 4pm**Present:**

- Barb Goudie, Jamie McKindlay, David Martin, Don Hearn, Penni Douglas-Garden, Tim Garden, Geoff Wise & Jo Hearn.

Apologies:

- Karen Buckley, Ellie Brain

Minutes of the Previous Meeting:

- Minutes of the previous meeting were read and accepted by Penni and Jo CRD

Inward Correspondence:**Outward Correspondence****Financial Report:**

- Balance of account is \$8019.00 income and expenditure as attached
- \$3519 is our money, \$3000 is Audio Grant and \$1500 is FoSH Grant
- Geoff Wise suggested we get some Funding to Hold our event to help cover ticket prices so we don't have to raise the ticket price at the last meeting and we did secure \$1500, next Grant has been submitted for the 2026 event.
- FoSH- 21.3.2025 tickets \$25.00
- Karen Buckley sent an email saying we are getting a \$1000, for general running costs Barb to send an invoice.
- Moved Barb Seconded Tim. CRD

General Business:

- Discussion on the CCC money, to align the signatories to be that of the Hall Account people. Moved Tim Seconded David CRD
- Tom Laughlin has been out again to assess our needs around audio, and has suggested we buy the biggest tv and put it on a movable stand. This will help with presenters and their presentations and eliminates the need for cords, only use a HDMI cord which is standard. Then we submit another one for wireless Microphones and to repair the speakers, two do not work and reconnect the TV antenna to get reception.
- Geoff Wise gave a run down on Murray River Council matters. Says we should get our air conditioners serviced. It was a hot day.
- 67 tickets to FoSH sold to date
- We need about 100 green chairs to be available for people to sit on when eating their food. Working-be to be held the day before. To put a polish on the hall 9am. Tim and Penni will bring their pressure washer down and try to remove the bird poo. Catherine is volunteering to do the catering, a steak sandwich type meal with chips. Barb and Vernice to help. A slice

and cake, will be available in the hall kitchen with a gold coin donation along with tea and coffee. Guild ladies to do the baking.

- Meeting also agreed as a raffle prize this year, we would purchase a beef and wine package from Jungle Lane Beef and Restdown Wines to the value of \$200, to be paid by the hall Committee from our funds, Tim and Barb to sell tickets at the door.
- Barb to move Fire trucks from the shed on the day, people are asked to bring their green bins, if possible, for the rubbish. Barb will pick up table cloths and return, when event is over, Don will order. Elle Brain will pay for the cost out of the Council Recovery money.
- Penni will check toilet paper, etc before the night.
- Penni to find her bunting. David Martin to source a bell. Committee to put up advertising where possible. Don is using social media to advertise event. Geoff to approach Courtney Dehne to see what PR the council can help with.
- Next meeting will be in June after the 6th.
- Barb suggested we have a tree in the Hall Yard that would be suitable for "The Blue Tree project", Jo will look into and we will organise a Yoga event around the painting of the tree??
- Nibbles were supplied by Elle, from the Recovery Team at Council

Meeting Finished 5.03pm

MOAMA LIONS COMMUNITY VILLAGE COMMITTEEAgenda for meeting to be held on Tuesday 11th March 2025

At The Moama RSL

1. Chairperson to open meeting
2. Apologies (to be accepted)
3. Minutes of the previous meeting (to be confirmed)
4. Business Arising:
5. Correspondence, both Inwards & Outwards

Inwards:

Emails – Karen Buckley

Letter – Karen Buckley

Edna Grimison re Unit

Outwards:

Emails – Karen Buckley

Letter to all Rental Units re Increase

6. Secretary/Treasurer's Report

Bank Balance - \$26,781.62

Accounts to be passed for Payment: -

MRC – Rates - \$7560.00

7. General Business

8. Next Meeting will be held on Tuesday 8th April 2025 at the Moama RSL

MOAMA LIONS' COMMUNITY VILLAGE COMMITTEE

Minutes of Meeting held 11th February 2025

At the Moama RSL

Meeting opened at 5.30pm

Present: B Hardwick (Chairperson), I Jenkins, J Jenkins, R Rigoni, Cr Bianca Hurn, A Hardwick

Apologies: K Buckley, R Hosking C Hosking

Absent: Nil

In Attendance: Nil

Minutes:

Moved G Johnson, seconded by R Rigoni, that the minutes of the previous meeting held on Tuesday 9th December 2024 be confirmed.

Business Arising:

1. Insurance still has not been addressed by Council.
2. We still do not have a copy of the Tenants Agreements

Correspondence Inwards:

As per agenda

Correspondence Outwards:

As per agenda

Correspondence was accepted by G Johnson, seconded by I Jenkins.

Secretary/Treasurers Report:

Report was accepted by J Jenkins, seconded by G Johnson that accounts be passed for payment. June & Ian Jenkins declared an interest.

General Business:

1. Rental Increases – letters to go out ASP.
This will take place on the first full Pension at the end of March/early April.
2. More help is required for some of the little jobs at the Units.
Graham is happy to do any small jobs that are required.
3. There is a small leak at Berry Street, Ian will check it out.
4. Bob has a contact phone number for Barb Coombs sister in Ballarat.
5. Ian read out a letter to Council regarding the Loan refund.
6. Moved B Hardwick, seconded I Jenkins that we only pay the 1 Rate Notice that we have received. For 2 years or more we have been chasing Rate & Water Notices. The meeting instructed J Jenkins not to chase them, its up to Council to make sure they are sent out.
It was asked who pays the Rates & Water on other Council owned property.

MAINTENANCE REPORT

See attached.

Resolved that the next meeting will be held on Tuesday 11th March 2025 at 5.30pm, at the Moama RSL. There being no further business the meeting closed at 6.28pm

9.5.5 POLICY REVIEW - DRAFT COMMUNITY FINANCIAL ASSISTANCE POLICY V#4

File Number: -

Author: Sandra Gordon, Manager Governance & Risk

Authoriser: Stephen Fernando, Director Corporate Services

RECOMMENDATION

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

BACKGROUND

The Community Financial Assistance Policy was first adopted by Council in August 2018, reviewed and readopted in October 2019 and again in August 2024.

DISCUSSION

Murray River Council (Council) recognises the value and importance of the role that community groups and organisations play in building vibrant, inclusive and healthy communities.

Council further acknowledges that local organisations and groups may from time to time, in the absence of alternative funding sources, require financial assistance to help meet a demonstrated need within the community.

Council is accountable to the community for the management and disbursement of its funds that must be undertaken in a manner that maximises the benefits of the community and is seen to be fair and equitable. It also recognises that organisations and groups in receipt of Council funds have a responsibility to use those funds for the purposes for which they were given and that those purposes are of benefit to the community.

This Policy assist those community groups that are applying for Grants understand how the program works and their obligations.

Council is endeavouring to further clarified the Acquittals section of this Policy and include information on the Disability Access and Participation Grants that is a new grant area for Council.

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**RISK ANALYSIS**

- What can happen?

Community groups applying for and receiving grant funding are unsure of their obligations.

- **How can it happen?**

Lack of clarity in the information provided to the community groups

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

Minor

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

Unlikely

- **Adequacy of existing controls?**

Adequate

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

Review and update the Policy and other documentation to give clear instruction on what is required

CONCLUSION

This Policy has been reviewed and updated to further clarify the community groups requirements when acquitting any grant, from Council, that they have received.

Additionally, information has been included on the Disability Access and Participation Grants.

ATTACHMENTS

1. **DRAFT Community Financial Assistance Policy V#4** [!\[\]\(10e29c40eda2f57802f66b79981c23ac_img.jpg\)](#) 

MURRAY RIVER COUNCIL
COUNCIL POLICY

DRAFT
**COMMUNITY
FINANCIAL
ASSISTANCE
POLICY**

POL-601.V#4





COMMUNITY FINANCIAL ASSISTANCE POLICY

POL-601

1. INTRODUCTION

Murray River Council (Council) recognises the value and importance of the role that community groups and organisations play in building vibrant, inclusive and healthy communities.

Council further acknowledges that local organisations and groups may from time to time, in the absence of alternative funding sources, require financial assistance to help meet a demonstrated need within the community.

Council is accountable to the community for the management and disbursement of its funds that must be undertaken in a manner that maximises the benefits of the community and is seen to be fair and equitable. It also recognises that organisations and groups in receipt of Council funds have a responsibility to use those funds for the purposes for which they were given and that those purposes are of benefit to the community.

2. OBJECTIVE

This Community Financial Assistance Policy (Policy), together with Council's Community Financial Assistance Program Framework (Framework) sets out Council's framework for considering the provision of grant funding, donations, rates and charges to all of Murray River Council community.

Council commits to:

- ▶ Inform the community and Council's employees of its guiding principles and objectives of the administration of the Community Financial Assistance Program;
- ▶ Provide a fair, equitable, transparent and consistent method for providing financial assistance to community organisations and groups in accordance with the terms of Section 356 of the Local Government Act 1993 (the Act), ensuring agreed outcomes are delivered;
- ▶ Provide funds each year for the purpose of providing assistance to eligible community groups and organisations and groups in accordance with the terms of Section 356 of the Act ensuring agreed outcomes are delivered.
- ▶ Provide funds each year for the purpose of providing assistance to eligible community groups and organisations, bearing in mind that the Council is trustee and custodian of public assets and is bound by its charter to effectively account for and manage those assets;
- ▶ Funding applications are submitted and considered by Council, within the constraints of Council budgeted funds, adhere to Policy guidelines, build capacity and provide benefit to the community.
- ▶ Make decisions on the granting of assistance based upon need, value to the community and conformity with Council's Community Strategic Plan and annual operational plan.

3. SCOPE

This Policy applies to all forms of financial assistance (inclusive of donations, sponsorships, service fees and charges) provided to community groups and organisations by Council and for Council assets.

4. LEGISLATION

- ▶ Local Government Act 1993 (NSW) – specifically Section 356 and Section 377 1 (A) of the Act.

5. POLICY STATEMENT

This Policy addresses financial assistance provided by Murray River Council to "not for profit" community groups, organisations businesses and individuals providing services or programs to residents within the Murray River Local Government Area through a competitive grants process.

Council recognises and values the strengths of the Murray River community, including the strong sense of belonging, demonstrated through participation in a range of community and cultural activities. Council



COMMUNITY FINANCIAL ASSISTANCE POLICY

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aims to draw on these strengths and provide support to assist them to continue to grow. Council acknowledges the important role of community organisations in developing projects and coordinating and managing funded activities which help to further develop these strengths in the community.

The funding and support are also mechanisms for Council to further the aims identified in Council's strategic, social, cultural, economic and environmental plans and policies.

The values incorporated in the Community Financial Assistance Program are:

Measurable community outcomes	Grants must demonstrate that Murray River Council residents and community members directly benefit from the financial assistance awarded.
Bridging gaps in service delivery	Identified community needs are met by services, organisations and groups through funded projects, programs and events
Value for money	Council ensures that a broad range of programs, projects and events represent the best value for money for grant recipients across diverse groups and services.
Capacity building	Opportunities are provided to build skills, develop projects and services that will deliver strong outcomes for community benefit.
Transparency	Framework is transparent and equitable in line with Council's Code of Conduct. All decisions are published and feedback provided to applicants.
Equitability	Council provides equal opportunities for residents and groups to apply for all programs within grant guidelines
Merit based	Applications for financial assistance or sponsorship shall be considered on their merits, taking into account the policy, the circumstances of each case, the availability of funds in Council's budget and the relevant provisions of the <u>Local Government Act</u> as well as guidance from the <u>ICAC publication Sponsorship in the Public Sector 2006..</u>

5.1 GENERAL CONDITIONS

The following conditions apply to all applications for financial assistance from Council:

1. Council will only enter into a grant agreement with an organisation/group whose reputation and image is consistent with the values, objectives and policies of the Council. Applications will not be accepted from political parties or groups.
2. Financial assistance will only be granted by Council in accordance with Section 356 of the Local Government Act 1993 for the purpose of exercising Council's functions.
3. Grant applications will be accepted only during the advertised application period for the relevant grant category or stream.
4. If applications for other financial assistance for matters of merit arise outside a specific grant program category or application window, Council may resolve to fund the application through the Quick Response Grants.
5. Grant approval will be limited to the defined funding period. Approved applications will not automatically apply to subsequent years.
6. Applications in competitive categories will be assessed on merit using the assessment matrix.
7. Council may assess and approve applications based on the total financial assistance funding the applicant has been granted, across all program categories.
8. All grantees are required to publicly recognise Council's contribution.



COMMUNITY FINANCIAL ASSISTANCE POLICY

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5.2 CONFLICTS OF INTEREST

- ▶ No Councillor or employee of Council may seek to receive a personal benefit or be perceived to receive any personal benefit, as a result of sponsorship allocation from Council.
- ▶ Applicants must identify and declare any actual, potential or perceived conflict of interest (if applicable) in accordance with Council's Code of Conduct Policy available on Council's website.

5.3 LOBBYING

- ▶ Applicant with a submission for funding under consideration may not lobby Council employees or Councillors to provide funding for their submission either verbally or in writing. Any applicant who does so will have their submission withdrawn from consideration for that round of funding with immediate effect.

5.4 AQUITTALS

- ▶ Recipients shall supply Council, if requested, with an audited balance sheet indicating gross receipts and disbursements. Proof of purchase in the form of receipts must also be provided.
- ▶ All recipients of financial assistance from Council must submit an end of project report (acquittal) via Council's Smartygrants system, within six weeks of the project's completion.
- ▶ Failure to provide satisfactory acquittal evidence or complete the acquittal on time, may disqualify the group or organisation from future allocation of funds and result in Council issuing an invoice for repayment.
- ▶ Any unspent funds or funds used outside of the approved application must be returned to Council who will issue an invoice for repayment.
- ▶ All recipients must successfully acquit any prior grants before applying for any further grants and have no outstanding debts to Council. ~~Failure to provide satisfactory acquittal evidence will disqualify the organisation for future allocations of funds.~~
- ▶ ~~Applicants must have no outstanding debts to Council.~~

6. EVALUATION AND REVIEW

It is the responsibility of the Manager Economic Development & Tourism and the **Local Heritage Fund Grants**

Provide funding for conservation projects (e.g. repair of original features and painting in period colours) for heritage items and items of heritage significance within Murray River Council. Grants Officer to monitor the adequacy of this Policy and recommend appropriate changes.

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

7. ASSOCIATED DOCUMENTS, DEFINITIONS AND ACRONYMS

External:

- ▶ ICAC publication Sponsorship in the Public Sector 2006.

Internal:

- ▶ MRC Framework - Community Financial Assistance Program Framework (for current financial year)
- ▶ MRC Plan - Community Strategic Plan
- ▶ MRC Plan - Annual Operational Plan
- ▶ MRC Plan – Delivery Plan



COMMUNITY FINANCIAL ASSISTANCE POLICY

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- ▶ Annual Allocation Application Form – (Smartygrants) and Guidelines
- ▶ Community Grants Program Application Form (Smartygrants) and Guidelines
- ▶ Quick Response Application Form (Smartygrants) and Guidelines
- ▶ **Disability, Access and Participation Application Form (Smartygrants) and Guidelines**
- ▶ Services and Charges Assistance **Application** Form (Smartygrants)
- ▶ Local Heritage Fund Application Form and Guidelines

Definitions:

Term	Definition
<p>Fee waiver</p> <p>Note: In accordance with the NSW Local Government Act 1993, annual rates cannot be reduced or waived.</p>	<p>Where an individual or group requests that a fee or charge (as outlined in the Council's <u>Community Strategic Plan</u>) is reduced or waived.</p> <p>Examples of what will be considered by Council as a request to waive fees are:</p> <ul style="list-style-type: none"> ▶ a reduction in fee for water usage ▶ a reduction in the cost to hire a hall or reserve ▶ a reduction in the cost to hire Council plant or equipment
Grants	<p>Contributions provided to various community-related activities by Council and can include cash, in-kind and fee waiver.</p> <p>Examples of grants, as Assistance provided through Council's <u>Community Financial Assistance Program</u>, include:</p> <ul style="list-style-type: none"> ▶ <u>Annual Allocations</u> which are allocated to recurring projects that Council generally contributes to on an annual or multi-year basis. ▶ <u>Community Grants</u> which are allocated to one-off projects. These grants are open to community groups and organisations who can make application in accordance with the policy guidelines. Applications must be received during the stipulated annual application period. ▶ <u>Quick Response Grants</u> which are administered by the Mayor and CEO and may be allocated to worthy projects or opportunities that occur outside of the application window for Council's <u>Community Grants</u> (refer above). Council will allocate funds to the <u>Quick Response Grants</u> each year, during budget deliberations, and may, from time to time, set a maximum grant amount. ▶ <u>Disability, Access and Participation Grants</u> which are allocated to support individuals with disabilities in accessing sport, arts, and cultural activities within the Murray River Council area. Applications must be received during the stipulated annual application period and be submitted in accordance with the policy guidelines. <p><u>Local Heritage Fund Grants</u></p> <p>Provide funding for conservation projects (e.g. repair of original features and painting in period colours) for heritage items and items of heritage significance within Murray River Council.</p>



COMMUNITY FINANCIAL ASSISTANCE POLICY

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In-kind support	<p>A contribution of Council's staff time, equipment or other services. In-kind support incurs a cost to Council and has a financial value to a group or organisation that must be calculated.</p> <p>Examples of in-kind support are:</p> <ul style="list-style-type: none"> ▶ utilisation of Council staff or services ▶ temporary loan of light depot equipment – sandbags, bollards, witches hats, signage, bunting and safety tape ▶ temporary loan of special events equipment ▶ preparation of Council reserves for use for special events ▶ event promotion through Council publications ▶ auspice of grant funding by Council ▶ provision of bins and waste removal
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5. DOCUMENT CONTROL

Version No.	Details	Dates	CM9 Reference	Resolution No.
1	Initial Issue	21 Aug 2018 to 22 Oct 2019	VF/19/62	160818
2	Reviewed as per schedule	22 Oct 2019 to 27 Aug 2024	VF/19/62	191019
3	Reviewed to reflect changes in legislation, current practise and position titles. Reformatted into the adopted MRC Policy template	27 Aug 2024 to DRAFT	VF/19/62	070824
4	Update the Acquittal process to reflect current practise and include DAP & Local Heritage Grants	DRAFT	VF/19/62	

Council reserves the right to review, vary or revoke this policy at any time
This Policy is scheduled for review prior to **2029**

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.

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, position title or a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. When such changes are made the version number will be amended and an extension added (eg V#1.1)

9.6 CORRESPONDENCE REPORT

9.6.1 CORRESPONDENCE REPORT

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting 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:

- Tchelery Wind Farm project newsletter, February 2025
- Country Mayors Association Letter from Chairman Cr Rick Firman OAM, 24 Feb 2025
- Country Mayors Association Media Release, 26 Feb 2025
- Correspondence from NSW Government EnergyCo to Acting CEO Sarah Ryan, 6 Feb 2025
- Mathoura RSL Sub-Branch, 3 March 2025
- Moama RSL Sub-Branch, 10 March 2025

OUTGOING CORRESPONDENCE:

- Letter to NSW Treasurer, The Hon Daniel Mookhey MLC, 28 Feb 2025
- Letter to Minister for Water, The Hon Rose Jackson MLC, 28 Feb 2025
- Letter to The Independent Pricing and Regulatory Tribunal – Water, 28 Feb 2025
- Letter to the Moama Lions Community Village – 11 March 2025

ATTACHMENTS

1. Tchelery Wind Farm Newsletter Feb 2025 [↓](#) 
2. CMA Media Release_Aust. Govt Interim Financial Sustainability Rpt February 2025 [↓](#) 
3. CMA - Member letter from Chairman-FAGs update - 24-02-2024 [↓](#) 
4. Correspondence to Sarah Ryan - Murray River Council South West REZ review of regulations 6 Feb 2025 [↓](#) 
5. Daniel Mookhey MLC270225 [↓](#) 
6. Rose Jackson 270225 [↓](#) 
7. IPART WATER 270225 [↓](#) 
8. ANZAC Day 2025 - Mathoura & District RSL Sub Branch_Redacted [↓](#) 
9. Murray River Council ANZAC Day Invitations 2025 [↓](#) 
10. Letter - Moama Lions Community Village - advice of council resolution construction of units feb. 2025_Redacted [↓](#) 

TcheLery
WIND FARM

PROJECT NEWSLETTER

FEBRUARY 2025

Tchelery Wind Farm is a proposed large-scale renewable energy development near Keri Keri. If approved, the project will generate up to 577 MW through up to 74 wind turbines and store 350 MW/1450 MWh through its big battery.

The proposed project sits within the NSW Government's South-West Renewable Energy Zone (SW REZ). It would connect through the new Project EnergyConnect transmission network or the existing 220 kV power line.

Come and say hello!

Neoen is holding three Community Information Sessions to share updates on the proposed project and hear your thoughts.

We welcome you to drop by and learn about the progress at which ever session is closest and most convenient for you:

Tuesday, 4 March

4:00 pm – 6:30 pm
Deniliquin RSL Club,
Mountbatten Room
72 End Street, Deniliquin

Wednesday, 5 March

11:00 am – 1:00 pm
Moulamein Bowling Club
Endeavour Drive, Moulamein

4:00 pm – 6:30 pm
Hay Bowling Club
408 Murray Street, Hay



NEOEN

Project Update

Following feedback from local councils, the community and detailed studies over the last two years, we have made several refinements to our project. We invite community members to learn about them at our community sessions in March.

As part of the project's Development Approval Application, an Environmental Impact Statement (EIS) is required. An EIS provides information on any economic, environmental, and social impacts of the project. It helps the community, government agencies and the approval authority make informed decisions on the project.

Our aim is to submit this in April 2025. After submission, the project will have a 28-day public exhibition period. Community members can review and express their opinions on the government website.



View past submission:
[planningportal.nsw.gov.au/
major-projects/projects/
tchelery-wind-farm](https://planningportal.nsw.gov.au/major-projects/projects/tchelery-wind-farm)

Learn about the process:
tchelerywindfarm.com.au/planning-process



Learn about renewables career pathways!

Neoen's recently released Futureville for Years 9-12. Students can choose a character, resolve challenges and learn about the career options in the renewable energy sector.

Have a play: neoenlearning.com



Register your interest in work

If you are interested in learning what types of jobs and work packages are typically required during the construction and operations of a wind farm, or if you wish to register your interest to be involved in the project, please visit our project website.

Register: tchelerywindfarm.com.au/work-with-us



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

MEDIA RELEASE

26 February, 2025

Australian Government interim report sparks hope for NSW Country Mayors

"Rural and regional Councils in NSW have been doing increasingly more, while costs escalate and funding shrinks. The extent of these widespread trends have threatened the financial sustainability of our members and in some cases, rendered them all but insolvent. We now have hope that the Australian Government understands the gravity of the situation and that positive change might be on the horizon," Chairman of the Country Mayors Association of NSW (CMA) Mayor Rick Firman OAM said.

The Country Mayors' new optimism was triggered by the release of the 'Interim Australian Government Report into Local Government Sustainability'. The Interim Report has resulted from an Inquiry by the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport, which received 287 submissions nationally. "Our CMA submission was a 22-page litany of how our members struggle to meet the infrastructure and services expectations of their communities because of rising costs and falling revenue. Our CMA Deputy Chairman Mayor Russell Fitzpatrick gave evidence at a public hearing of the Inquiry.

The final Report from the Inquiry will have recommendations for the Australian Government but the Interim Report concludes with Committee Comments. In a public statement, Chair of the Committee, Mr. Luke Gosling OAM, MP, said "local governments around Australia are increasingly being called upon to provide healthcare services and housing, manage ageing infrastructure and assets, and respond to current and future climate adaptation needs. These additional responsibilities are placing a significant financial strain on local governments who are struggling to meet community expectations."

"The Interim Report documents that the plight of rural and regional Councils has been conveyed and heard, loud and clear. So, we have new hope that the Inquiry's resultant final recommendations for improving financial sustainability in Local Government will include boosting Federal funding," Mayor Firman said.

"Our CMA Board and Members are campaigning for the restoration of Federal Financial Assistance Grants to 1% of Australian taxation revenue and this could occur over a number years, like the erosion of the program did," he said. "We need to hear from the Government and Opposition on their thoughts on this crucial issue of Financial Assistant Grants and the Interim Report more broadly."

The grants are provided under the Local Government (Financial Assistance) Act 1995. The grant program delivered 1% of the nation's taxation revenue to communities through their Local Councils in the 1990's and it has dwindled to half that, despite escalating operational costs and demands on Local Government, especially rural and regional councils.

END_____

www.nswcountrymayors.com.au



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

Caption: A Government interim report has reason to smile for CMA Deputy Chairman Mayor Russell Fitzpatrick and Chairman Rick Firman OAM, of Bega Valley Shire and Temora Shire Councils respectively.

Contacts: Mayor Rick Firman OAM, CMA Chairman: 0429 204 060
Mayor Russell Fitzpatrick, CMA Deputy Chairman: 0400 956 388
Mr Gary Fry, CMA Secretariat, Mobile: 0427 008 572
Email: admin@nswcountrymayors.com.au

www.nswcountrymayors.com.au



THE COUNTRY MAYORS ASSOCIATION OF NSW INC

"What we want is nothing more than equity"

Chairman: Cr Rick Firman OAM

PO Box 262, Temora NSW 2666

Contact: 0429 204 060

Email: admin@nswcountrymayors.com.au

Your CMA Board needs your help!

24 February, 2025

Dear CMA Member,

Greetings!

Your CMA Deputy Chairman - Mayor Russell Fitzpatrick, Board members and I would like to update you on the advocacy undertaken to lobby for the return of Financial Assistance Grants (FAGs) to one percent of Australian taxation revenue. This must not, however, be at the expense of other Grant programmes that our Member Councils in NSW and throughout Australia rely on.

We have written to our Prime Minister, relevant Federal Government Ministers, the Treasurer, as well as Opposition Leader and Shadow Ministers and Treasurer, inviting them to speak at our 28 March Financial Sustainability CMA meeting, to provide us with their position on the crucial FAGs restoration matter. Our correspondence has also indicated that we would like to be in Canberra for meetings with them, to discuss their policy positions. The Board have been extremely disappointed with the lack of engagement from our Federal Political leaders, Ministers, Opposition and Shadow Ministers. Most have cited their inability to make appointment commitments because they are waiting for the election date to be announced. However, connecting with country Mayors of NSW and stating their position on FAGs and other related matters would show the respect we feel we've earned and deserve.

As a collective, we must continue to lobby our local MPs, to raise their awareness of the seriousness of the status quo with Local Government funding. Your CMA Board are keeping the spotlight on the allocation of FAGs funding until the Australian Government – whoever that may be - has no choice but to act, or at least state their position on the issue, which would be only proper, given the upcoming election.

To this end, the Board strongly encourage you (if you haven't already) to please write to your Federal MP, Senator and all Candidates seeking election in your respective Federal Seats. All those standing for election – in the Upper or Lower House - need to be fully informed of how crucial this issue is for our CMA Members, and our communities we proudly serve.

The Interim Federal Government Report into Local Government Financial Sustainability was released recently and has been posted on the [CMA Facebook page](#) for your reference. Our submission contributed to the House of Representatives' Standing Committee on Regional Development, Infrastructure and Transport understanding of the growing demands on and operational costs that you have had to face, with dwindling grants revenue. We have some cause for optimism, given how clearly this was acknowledged in the Interim Report. However, let's await the final report being released until we become too excited.

The recent CMA media release on the need to return FAGs to 1% has had good traction in the media, with some of our members conducting follow-up interviews. We have also had hundreds of views of the release on social media.

www.nswcountrymayors.com.au

Together, we can make a positive difference. The Board and I feel confident we can all work together to ensure CMA is heard, loudly, respectfully and clearly.

Thank you very much for taking time to consider our letter. With my best wishes.

I remain yours sincerely,

A handwritten signature in black ink, appearing to read 'Rick Firman', followed by a period.

MAYOR RICK FIRMAN OAM
CHAIRMAN

EnergyCo



Ref: DOC25/91393

6 February 2025

Sarah Ryan
A/CEO Murray River Council
PO BOX 906
Moama, NSW 2731

Re: Review of South West REZ regulations

Dear Ms Ryan,

Thank you for your correspondence dated 17 January 2025 and your ongoing engagement with EnergyCo's South West Renewable Energy Zone (REZ) team.

We recognise that hosting renewable energy projects represents real change for many regional communities in NSW, particularly those living and working close to projects. As Infrastructure Planner, EnergyCo will be assessing the cumulative effects of the South West REZ, in addition to working with local councils, developers and transmission companies, to identify ways to reduce impacts and leverage opportunities.

Thank you for your feedback to EnergyCo regarding the impacts of the REZ on your communities. We recognise that impacts may occur outside of the boundary of the REZ and that some Murray River Council communities are close to the South West REZ boundary. EnergyCo is currently awaiting the South West REZ Access rights to be awarded and made public to further inform potential impacts from successful projects. The Community and Employment Benefit Program (CEBP) is funded by access fees and its legislative remit is to provide benefits holistically within the boundary of a REZ where communities are hosting generation activity. EnergyCo is currently determining how the CEBP will be delivered in the South West REZ and we will consider your feedback as part of this process. Formal consultation on CEBP for the South West will commence after access rights are announced and we will be engaging further with councils regarding this program.

Separately to the CEBP, communities both inside and outside of REZs can receive benefits from the delivery of new renewable energy infrastructure. The Department of Planning, Housing and Infrastructure has recently published new guidance on [Community Benefit Sharing](#), which may be of

The Energy Corporation of NSW (EnergyCo)

20 Bond Street,
Sydney NSW 2000

1800 118 894
energyco.nsw.gov.au

1

interest to Murray River Council. This document provides guidance on the wider benefits that renewable developments can deliver, and how councils and their communities can ensure they receive benefit from these projects. It includes recommendations on how community benefit funds are calculated (see page 24) and guidance on planning agreements between councils and renewable energy proponents which can help support council-managed programs (see pages 17-18).

I would also recommend Murray River Council engage with Transgrid to understand how its communities can benefit from Transgrid's Community Partnership Program, particularly in relation to the EnergyConnect and Victoria to NSW Interconnector West projects which are located within your LGA. Paul McFadyen, Engagement Lead – Social Licence, is the best contact at Transgrid to discuss project benefits, and can be contacted on email (paul.mcfadyen@transgrid.com.au) or mobile (0491 896 805).

If you have any questions regarding the information above, do not hesitate to contact my colleague, Matilda Hartwig, Manager Policy, Planning & Communities at matilda.hartwig@dpie.nsw.gov.au or on 0467 959 233.

Sincerely,



Ash Albury
Executive Director, Planning and Communities



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

28 February 2025

The Hon. Daniel Mookhey, MLC
NSW Treasurer
Parliament House
Macquarie Street
SYDNEY NSW 2000

Email: daniel.mookhey@parliament.nsw.gov.au

Dear Treasurer

PROPOSED WATER PRICE INCREASE

I am writing to you on behalf of Murray River Council, our communities and our irrigators in relation to the proposed 184% increase in the price of water, over the next five years, in the Murray region.

To even consider such a proposal when the entire country is facing the worst increase in the cost of living for over sixty years, hyperinflation driven by fuel, gas, electricity, and building material costs, shows a fundamental lack of understanding of the financial pressures' businesses, farmers and ordinary families are up against.

When government departments grow into money guzzling behemoths, it is surely the government's responsibility to seek efficiency improvements before tripling the cost of water, a necessity of life.

Proposing a 184% increase in the Murray region and only a 50% increase in Sydney and elsewhere is unfair and unjustifiable and reeks of 'vote buying'. Rural communities deserve the same consideration as metropolitan communities.

Agriculture in our region has already borne the brunt of water buybacks, so much so that the community of Wakool in our LGA lost almost half of its population and its football club and now the federal government is trying to secure a further 450GL of productive water to deliver to the Southern Ocean off the South Australian coast.

If this increase is granted it will signal the death knell for many farming families and local service industries across the Murray region resulting in significant job losses and reduced exports.

Murray River Council is asking you to please reconsider this unfair and unaffordable increase and seek efficiencies within the department first.

Yours sincerely,

John Harvie

Cr John Harvie
MAYOR



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

28 February 2025

The Hon. Rose Jackson, MLC
Minister for Water
Parliament House
Macquarie Street
SYDNEY NSW 2000

Email: office@jackson.minister.nsw.gov.au

Dear Minister

PROPOSED WATER PRICE INCREASE

I am writing to you on behalf of Murray River Council, our communities and our irrigators in relation to the proposed 184% increase in the price of water, over the next five years, in the Murray region.

To even consider such a proposal when the entire country is facing the worst increase in the cost of living for over sixty years, hyperinflation driven by fuel, gas, electricity, and building material costs, shows a fundamental lack of understanding of the financial pressures' businesses, farmers and ordinary families are up against.

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Murray River Council is asking you to please reconsider this unfair and unaffordable increase and seek efficiencies within the department first.

Yours sincerely,

Cr John Harvie
MAYOR



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

28 February 2025

The Independent Pricing and Regulatory Tribunal - Water
Level 16, 2-24 Rawson Place

SYDNEY NSW 2000

Email: water@ipart.nsw.gov.au

Dear Sir / Madam

PROPOSED WATER PRICE INCREASE – Letter of Concern

I am writing to you on behalf of Murray River Council, our communities and our irrigators in relation to the proposed 184% increase in the price of water, over the next five years, in the Murray region.

To even consider such a proposal when the entire country is facing the worst increase in the cost of living for over sixty years, hyperinflation driven by fuel, gas, electricity, and building material costs, shows a fundamental lack of understanding of the financial pressures' businesses, farmers and ordinary families are up against.

When government departments grow into money guzzling behemoths, it is surely the government's responsibility to seek efficiency improvements before tripling the cost of water, a necessity of life.

Proposing a 184% increase in the Murray region and only a 50% increase in Sydney and elsewhere is unfair and unjustifiable and reeks of 'vote buying'. Rural communities deserve the same consideration as metropolitan communities.

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If this increase is granted it will signal the death knell for many farming families and local service industries across the Murray region resulting in significant job losses and reduced exports.

Murray River Council is asking you to please reconsider this unfair and unaffordable increase and seek efficiencies within the department first.

Yours sincerely,

John Harvie

Cr John Harvie
MAYOR

Mathoura RSL Sub-Branch

RETURNED SERVICES LEAGUE OF AUSTRALIA
VICTORIAN BRANCH INC.



MATHOURA SUB-BRANCH.

Lindy Leyonhjelm
Executive Assistant
Murray River Council
[lleyonhjelm@murrayriver.nsw.gov.au]

3rd March 2025

Good morning Lindy,

With ANZAC Day fast approaching the Sub-Branch has a number of requests of Council pertaining to the day. I would be pleased if you would consider the following and respond at your earliest convenience.

We would like the use of the Shire Hall for the Commemorative Service on Friday 25th April 2025..

The Dawn Service will take place at 6am on the 25th April followed by the Gunfire Breakfast. For this we would require the use of the Soldiers' Memorial Gardens & the Soldiers' Memorial Hall. Once the Commemorative Service is completed at the Shire Hall a march will take place along Livingstone St finishing at the Soldiers' Memorial Gardens.

We would be pleased if the Mayor or his representative is in attendance at the Commemorative Service and also to lay a wreath at the Cenotaph on ANZAC Day. ANZAC Day is very well attended in Mathoura and we feel it's important that a representative of Council be in attendance.

On a more basic level I would need the keys to the Shire Hall, the Supper room, the Garden's meter box and the flag poles. We would also need to use the PA System in the Shire Hall. Once approval for the above has been granted I would be grateful if you could let me know. I can be contacted on M: [REDACTED] or [REDACTED].

I look forward to hearing from you in the near future,

Regards,

[REDACTED]

Secretary/Treasurer.

**RETURNED AND SERVICES LEAGUE OF AUSTRALIA
(NEW SOUTH WALES BRANCH)**

Moama RSL sub-Branch, PO Box 862, Moama, NSW 2731.

Phone: 0408 384 670 Email: moamasb@rslnsw.org.au ABN 63 928 048 455

10th March 2025

By Email: lleyonhjelm@murrayriver.nsw.gov.au

Mayor Cr. John Harvie
Murray River Council
MOAMA. NSW. 2731.

Dear Mayor Harvie & Councillors,

Re: ANZAC DAY 2025 : FRIDAY 25TH APRIL 2025

I refer to the above matter and write to you on behalf of the President, Committee and Members of the Moama RSL sub-Branch.

Please accept our invitation to attend our upcoming ANZAC Day Services, details are as follows:-

- **DAWN SERVICE**

Assemble at 0545 hrs at the Moama Cenotaph, Meninya Street, Moama. The Dawn Service will commence at 0555 hrs, immediately followed by a Gunfire Breakfast held at Moama RSL.

- **ANZAC DAY MARCH IN MOAMA**

Assemble at 0815 hrs at Echuca Street, Moama (back of the Moama Post Office). March will depart at 0840 hrs to the Moama Cenotaph.

- **COMMEMORATIVE SERVICE**

Assemble at 0855 hrs at the Moama Cenotaph. The Commemorative Service will commence at 0900 hrs. At this service we invite your organisation to lay a wreath.

If you wish to lay a floral tribute would you please advise Paula Murphy, by email on paula@moamarsl.com.au or by phone on 5482 6677 by no later than Wednesday 23rd April 2025.

We look forward to your attendance.

Yours faithfully,

Ken Jones,
PRESIDENT



Murray River Council
PO Box 906
Moama NSW 2731
p 1300 087 004
e admin@murrayriver.nsw.gov.au
w www.murrayriver.nsw.gov.au

11/03/2025

June Jenkins
Secretary
Moama Lions Community Village
Email: [REDACTED]

Dear June

RE: Council Resolution 060225 - Construction of new independent living units

I am pleased to advise that at its February meeting, Council resolved (Resolution 060225) to delegate authority to the Moama Lions Community Village Committee of Management (the Committee) to initiate steps towards the construction of new independent living units at 10 & 12 Council Street Moama, subject to the Committee demonstrating to the satisfaction of the CEO their ability to fund ongoing future capital maintenance to avoid unexpected financial pressures on Council.

This resolution does confirm Council's continued support for the project and its alignment with the Community Strategic Plan 2022-2032.

The next steps will require the committee to undertake research on options and determination of all risks.

Future rental income, operational surpluses, and sinking fund contributions must be structured to ensure ongoing asset renewal aligns with Council's Asset Management Strategy.

The Committee should demonstrate how future capital maintenance will be funded to avoid unexpected financial pressures on Council in the future.

I will be happy to convene workshops with the committee representatives and appropriate council officers who will offer advice on the information required to commence the process.

Congratulations to the committee on the wonderful outcomes they achieve for the community of Moama.

Please contact me should you have any further questions

Yours sincerely

Karen Buckley
Manager Local Connections

9.7 SUNDRY DELEGATES REPORT

9.7.1 SUNDRY DELEGATES REPORT

File Number: -

Author: Lindy Leyonhjelm, Executive Assistant

Authoriser: Sarah Ryan, Acting Chief Executive Officer

RECOMMENDATION

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.

DISCUSSION

The **Mayor, Councillor John Harvie** reported on his attendance at the following meetings and functions:

- 03 Feb: Meeting with Metlen Group – update on their solar project on Cobb Highway Moama
- 03 Feb: Meeting with Cr Joy Allan
- 05 Feb: Regular weekly meeting with CEO
- 06 Feb: RAMJO Water sub-committee meeting in Hillston
- 06 Feb: RAMJO Dinner in Hillston
- 07 Feb: Southwest Renewable Energy Zone group of councils' breakfast meeting in Hillston
- 07 Feb: RAMJO Board Meeting in Hillston
- 11 Feb: Councillor workshop
- 11 Feb: Councillor private meeting
- 12 Feb: Regular weekly meeting with CEO
- 13 Feb: CEO position – Candidate Interviews
- 14 Feb: EMFM Monthly Radio Interview
- 14 Feb: Meeting with CEO and Sussan Ley MP via Teams
- 15 Feb: Joined Campaspe Port Enterprise Board on PS Pevensey
- 17 Feb: Meeting with Michelle Milthorpe, Independent Candidate for Farrer and CEO
- 17 Feb: Meeting with Moama Botanic Garden Group
- 17 Feb: Meeting with Phyllis Miller OAM. President of LG NSW
- 19 Feb: Regular weekly meeting with CEO
- 20 Feb: Meeting with Mayor Rick Firman OA, President of Country Mayors Association of NSW via Teams
- 24 Feb: Attended CEO Candidate Presentations to Councillors
- 25 Feb: Delivery Plan Workshop
- 25 Feb: Councillor Pre-briefing
- 25 Feb: February Ordinary Meeting of Council
- 26 Feb: Councillor Budget Briefing – Revenue
- 26 Feb: Regular weekly meeting with CEO
- 27 Feb: Country Mayors Association – NBN Co Presentation
- 27 Feb: Attended Community Living and Respite Service (CLRS) - Annual Fundraising Dinner
- 28 Feb: Attended CLRS breakfast with Curtis McGrath Paralympian
- 28 Feb: Attended staffs Farewell function

The **Deputy Mayor, Councillor Neil Gorey** reported on his attendance at the following meetings and functions:

- 11 Feb: Councillor workshop
- 24 Feb: Council workshop and meeting
- 25 Feb: Council workshop

Councillor Bianca Hurn reported on her attendance at the following meetings and functions:

- 11 Feb: Councillor Workshop & Councillor only meeting- Moama
- 11 Feb: Moama Lions Committee meeting- Moama
- 14 Feb: Moama Anglican Grammar Commencement Assembly- Moama
- 24 Feb: CEO Interviews- Moama
- 25 Feb: Council Pre-briefing and February Ordinary Council Meeting- Moama
- 26 Feb: Councillor Budget Briefing- Moama

Councillor Joy Allan reported on her attendance at the following meetings and functions:

- 10 Feb: Griffith
- 13 Feb: Mathoura meeting with Police for Retirement Village security
- 24 Feb: CEO Interviews- Moama
- 25 Feb: Council Pre-briefing and February Ordinary Council Meeting- Moama
- 26 Feb: Councillor Budget Briefing- Moama

Councillor Kylie Berryman did not supply a report on her attendance to meetings and functions for this time period.

Councillor Gen Campbell did not supply a report on her attendance to meetings and functions for this time period.

Councillor Dennis Gleeson reported on his attendance at the following meetings and functions:

- 26 Jan: Australia Day Ceremony Wakool
- 28 Jan: Council Pre-Briefing and January Ordinary meeting of Council
- 06 Feb: RAMJO Water Summit Hillston
- 11 Feb: Councillor workshop Moama
- 24 Feb: CEO Interviews – Moama
- 25 Feb: Council Pre-Briefing and February Ordinary meeting of Council

Councillor Geoff Wise did not supply a report on his attendance to meetings and functions for this time period.

Councillor Gary Pappin did not supply a report on his attendance to meetings and functions for this time period.

ATTACHMENTS

Nil

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE**10.1 NOTICE OF MOTION - STATUS OF COUNCIL'S GRAVEL PITS****File Number:** -**Author:** Dennis Gleeson, Councillor**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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?

OFFICERS COMMENT – DIRECTOR INFRASTRUCTURE

In 2024, Council was audited by the Mining Regulator. The audit results indicated that the majority of gravel pits must be closed due to the legislated requirements that Council was unable to meet. For example, annual respirable silica monitoring is required, which is expensive and not feasible when the pit is not in operation.

A list of Council gravel pits and their status as Open or Closed is included in Attachment 1 and 2. Details are provided of the reasons for closures. The location of pits is shown in Attachment 3. Open pits are marked with a black symbol and Closed pits with a red symbol.







Most of the closed pits have not been accessed for at least 5 years, and potentially over a decade. It is challenging to comply with regulations if they remain open and are not operated regularly.

The pits located in the far west of the LGA are all calcrete pits that form in sand hills, and each one is very limited in area. Most of these pits were exhausted and restored over a decade ago, leaving only slight marks on the surface. In some cases, it is difficult to even locate the old pits. For example, Pit 34 shows no signs of the former pit, as confirmed by drone footage taken during Council inspections. (This and other closure inspection footage is available for viewing if required.)

Pits can be reopened if necessary, so the closures are not entirely permanent. Council's regulatory obligations are alleviated for the pits that are closed.

Council has a cash backed reserve of \$368,866 for rehabilitation of gravel pits. The current liability for the closure of all pits is \$1,229,554.

ATTACHMENTS

1. **Attachment 1 - Open Gravel Pits**  
2. **Attachment 2 - Closed Gravel Pits**  
3. **Attachment 3 - Gravel Pit Locations**  

Attachment 1 – Open MRC Gravel Pits

Status	Asset ID	Description	Details	Address
IN USE	1	Mathoura Common Pit – Lic #40212		31 Clifton St West MATHOURA NSW 2710
IN USE	4	Moroco West Pit - Lic #40224		144 Millewa Rd Bullatale 2710
IN USE	7	Quandong Pit - Lic #40235		Southdown Road DENILIQUIN 2710
IN USE	12	Collymongle Pit - Lic #40241	This pit is exhausted of good material, once the stockpile is depleted it is planned to be closed.	Werai South Road CALIMO 2710
IN USE	14	Thule Pit - Lic #40244	The owner has requested the pit to not be expanded further. Once the stockpile is depleted it is planned to be closed.	Barham Road THULE 2732
IN USE	17	Yarree Pit - Lic #40247	This pit was planned to be closed. With the loss of Cudmores Pit it may stay open depending on the surrounding roads needs.	Yarree Road TANTONAN 2731
IN USE	20	Allans Pit - Lic #40269	This pit is almost exhausted. Once the stockpile is depleted there may be enough life for one more stockpile after which it is planned to be closed.	Glenavon Road THYRA 2731
IN USE	21	Barbers Pit - Lic #40270		Sinclair's Road BUNNALOO 2731
IN USE	26	Kitchens Pit - Lic #40275		Milgate Road MOAMA 2731
IN USE	27	Parkside Pit - Lic #40276		School Road WOMBOOTA 2731
IN USE	30	Farrants Pit - Lic #41387		Calimo Road CALIMO 2710
IN USE	32	Shippens Pit Binunette Rd - Lic #40148	Future use needs to be confirmed with further investigation. Site may be exhausted.	Binunette Road MOULAMEIN 2733
IN USE	36	Mc Kenzies Pit (Baringa) Gorey Rd - Lic #33855		Gorey Rd DHURAGOON 2733
IN USE	48	Monks Pit Noorong Rd - Lic #40165		Nanourrie Rd South GONN 2732

Attachment 2 – Closed MRC Gravel Pits

Closed Pits

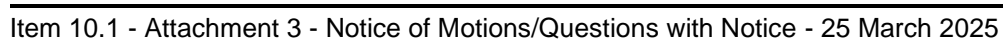
Status	Asset ID	Description	Details	Address
CLOSED	2	Edward River Pit - Lic #40218	Surrounded by forest, no room for expansion.	MILLEWA RD MATHOURA NSW 2710
CLOSED	3	Turnabulla Pit - Lic #40223	Long poor quality track to the pit. There is a better pit in the area.	LOWER RIVER RD ARATULA 2714
CLOSED	5	Cumbagunda Pit - Lic #40225	No need for continued use, better pit within the area.	1570 Aratula Rd Bullatale 2710
CLOSED	6	4 Post Pit - Lic #40227	Operated by Edward River Council for over a decade.	Greaves Road DENILQUIN 2710
CLOSED	8	Winderera Pit - Lic #40237	Owner refused council to use the pit a number of years ago. Quandong pit is within the same area.	Bayliss Road DENILQUIN 2710
CLOSED	9	Rapers Pit - Lic #40238	Owner refused continued use when they purchased the property. Farrants pit is within the same area.	Calimo Road DENILQUIN 2710
CLOSED	10	Brassi East Pit - Lic #40239	Owner refused continued use a long time ago. Other options within the area.	Brassi Road DENILQUIN 2710
CLOSED	11	Calimo Pit - Lic #40240	Overtaken by nature, Farrants pit is on the same property.	Brassi Road CALIMO 2710
CLOSED	13	Royston Pit - Lic #40242	Owner refused continued use a number of years ago. Other options within the area.	Brassi Road CALIMO 2710
CLOSED	15	Barnes Pit - Lic #40245	Poor quality material, very fine sand.	Lower Thule Road THULE 2732
CLOSED	16	Cudmores Pit - Lic #40246	Owner nominated themselves as operator.	Burgess Road TANTONAN 2731
CLOSED	18	Coragulac Pit - Lic #40248	No need for continued use, better pit within the area.	Wilson Road DENILQUIN 2710
CLOSED	19	Fairview Pit - Lic #40268	No need for continued use, better pit within the area.	Leetham Road MATHOURA NSW 2710
CLOSED	22	Stevens Pit - Lic #40271	This pit is owned by council and has no room for expansion.	Paringavale Road WOMBOOTA 2731
CLOSED	23	Thompsons Pit - Lic #40272	No need for continued use, better pit within the area.	Thyra Road MOAMA 2731

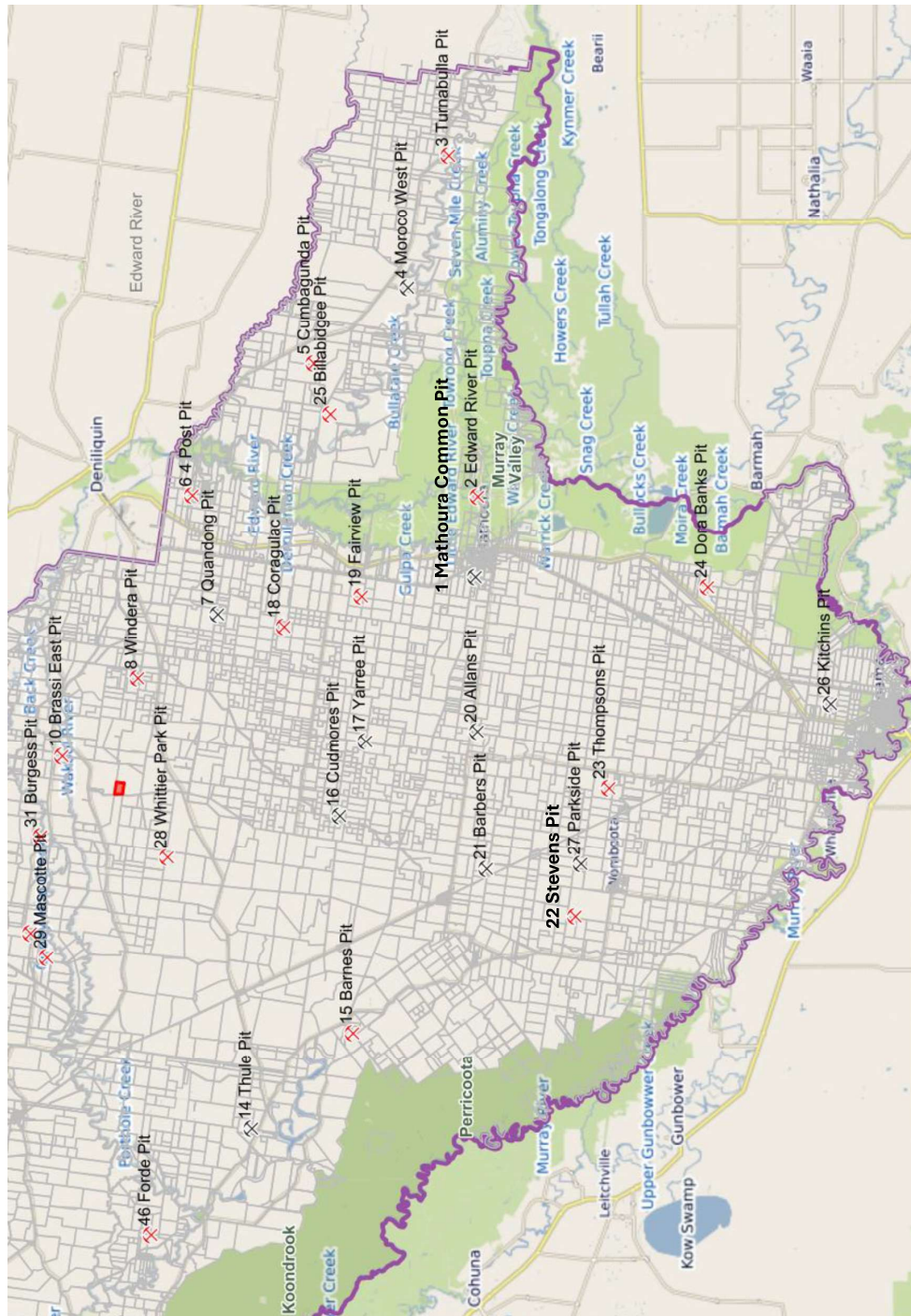
Status	Asset ID	Description	Details	Address
CLOSED	24	Dora Banks Pit - Lic #40273	Owner refused continued use a number of years ago. Other options within the area.	Eleven Mile Road MOAMA 2731
CLOSED	25	Billabidgee Pit - Lic #40274	Owner refused continued use a number of years ago. Other options within the area	Cornalla West Road BULLATALE 2710
CLOSED	28	Whittier Park Pit - Lic #TBD	Owner refused continued use a number of years ago. Owner appears to be operating the pit themselves.	Barham Road DENILQUIN 2710
CLOSED	29	Mascotte Pit - Lic #41338	Limited material, hard to blend within narrow vein. Other options in the area.	Brassi Road CALIMO 2710
CLOSED	31	Burgess Pit - Lic #TBD	No need for continued use, better pit within the area.	Brassi Road CALIMO 2710
CLOSED	33	McKindlay Binunette Rd Pit - Lic #40150	This pit never existed. It was a double up with #22 Stevens Pit.	Binunette Road MOULAMEIN 2733
CLOSED	34	Douglas Kerri Kerri Rd Pit - Lic #40151	No information or record of pit. Likely exhausted.	Kerri Kerri Road MOULAMEIN 2733
CLOSED	35	McKindlay Robs Rd Pit - Lic #40152	No information or record of pit. Likely exhausted.	Robb Road MOULAMEIN 2733
CLOSED	37	Douglas Perekerten Rd 1 Pit - Lic #40153	No information or record of pit. Likely exhausted.	PEREKERTON RD MOOLPA 2734
CLOSED	38	Douglas Perekerten Rd 2 Pit - Lic #40154	No information or record of pit. Likely exhausted.	PEREKERTON RD MOOLPA 2734
CLOSED	39	Douglas Kyalite Rd Pit - Lic #40155	No information or record of pit. Likely exhausted.	Kyalite Road MOOLPA 2734
CLOSED	40	Lockhart Good Night Rd 1 Pit - Lic #40156	No information or record of pit. Likely exhausted.	Goodnight Road GOODNIGHT NSW 2736
CLOSED	41	Lockhart Good Night Rd 2 Pit - Lic #40157	No information or record of pit. Likely exhausted.	Goodnight Road GOODNIGHT NSW 2736
CLOSED	42	Hoare Angle Rd Pit - Lic #40158	No information or record of pit. Likely exhausted.	ANGLE RD KORALEIGH 2735
CLOSED	43	Hoare Shirrifs Rd Pit - Lic #40159	No information or record of pit. Likely exhausted.	Sherrifs Road KORALEIGH 2735
CLOSED	44	Hoare Lake Pooma Rd Pit - Lic #40160	No information or record of pit. Likely exhausted.	LAKE POOMAH RD KORALEIGH NSW 2735

Status	Asset ID	Description	Details	Address
CLOSED	45	Hoare Speewa Rd Pit - Lic #40161	Pit exhausted and restored in recent years.	Speewa Road SPEEWA 2735
CLOSED	46	Forde Pit Greenhills Ln - Lic #40162	Overtaken by nature. Pit has not been used for a number of years.	Greenhill Lane BARHAM 2732
CLOSED	47	Keogh Pit Sandy Bridge Rd - Lic #40164	Overtaken by nature, also surrounded by forest and is flood prone.	Sandy Bridge Road BARHAM 2732
CLOSED	49	Douglas Main Rd Pit - Lic #40166	No information or record of pit. Likely exhausted.	BALRANALD RD KYALITE 2715
CLOSED	50	Brutons Pit - Lic #34224	No information or record of pit. Likely exhausted.	BALRANALD RD KYALITE 2715
CLOSED	51	Dalton Pit - Lic #TBD	No information or record of pit. Likely exhausted.	BALRANALD RD KYALITE 2715
CLOSED	52	Lockhart Main Rd 1 Pit - Lic #40170	No information or record of pit. Likely exhausted.	BALRANALD RD KYALITE 2715
CLOSED	53	Road Reserve Pit MR296 - Lic #40171	Land now western local land services, no longer road reserve	BALRANALD RD YANGA 2711
CLOSED	54	Olde Nap Rd Pit - Lic #40172	No information or record of pit. Likely exhausted.	WAUGORAH RD WAUGORAH 2711
CLOSED	55	Olde Wagorah Rd 1 Pit - Lic #40173	No information or record of pit. Likely exhausted.	WAUGORAH RD WAUGORAH 2711
CLOSED	56	Olde Wagorah Rd 1 Pit - Lic #40174	No information or record of pit. Likely exhausted.	WAUGORAH RD WAUGORAH 2711
CLOSED		Williams Pit Arundel Rd - Lic #TBD	Pit exhausted and restored in recent years.	Arundel road

Attachment 3 – Location of MRC Gravel Pits







10.2 NOTICE OF MOTION - DEVELOPMENT WITHIN THE SW REZ**File Number:** -**Author:** Geoff Wise, Councillor**Authoriser:** Sarah Ryan, Acting Chief Executive Officer**RECOMMENDATION**

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.

OFFICERS COMMENT – DIRECTOR PLANNING & ENVIRONMENT

Council does not have a policy on prime, productive agricultural land.

State Environmental Planning Policy (Primary Production and Rural Development) 2019 (SEPP) has several aims which include:

- To facilitate the orderly economic use and development of lands for primary production; and
- To encourage sustainable agriculture.

The South West Renewable Energy Zone (SW Rez) was formally declared by the Minister for Energy under section 19(1) of the Electricity Infrastructure Investment Act 2020. State significant development, such as the VNI West Project, will undergo robust planning assessment from the consent authority (not Council) that will take into account the existing SEPP.

ATTACHMENTS

Nil

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

File Number: -

I, Councillor John Harvie, give notice that at the next Ordinary Meeting of Council to be held on 25 March 2025, I intend to move the following rescission motion:-

MOTION

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.

RATIONALE

The procedure initiated by Mayor Cr John Harvie to remove the words 'up to a maximum' from Resolution 250125 passed at the meeting held on 28 January 2025 may have contravened the NSW Local Government Act 1993 and Murray River Councils' Code of Meeting Practice.

The matter has been self-reported to the NSW Office of Local Government and, at the time of writing this report, council is waiting for a response.

I commend this Notice of Rescission to Council.

BACKGROUND

The following resolution stands (see Item 2 in recommendation above) as the amendment was made under Clause 11.1 of the Code of Meeting Practice.

9.5.5 MOAMA AND DISTRICT PRESCHOOL - DEED OF VARIATION TO LEASE**RESOLUTION 180225**

Moved: Cr Gen Campbell

Seconded: Cr Bianca Hurn

That Council resolve to amend Item 4 of Resolution No. 250125 adopted at the Ordinary Meeting of Council held on 28 January 2025 to read as "delegate authority to the Acting CEO to execute a deed of variation to the existing lease with Moama and District Preschool, reducing the \$5,000 per annum Crown Land rental component to the annual statutory minimum (currently \$604.00 + GST) to conform to the requirements stipulated in the Crown Lands Management Act 2016.

CARRIED

At 2:01 pm, Cr Bianca Hurn left the meeting.

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 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.

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