

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 24 OCTOBER 2023 AT 1:00 PM**

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

IN ATTENDANCE: Terry Dodds (Chief Executive Officer), Lindy Leyonhjelm (Executive Assistant), Rod Croft (Director Planning & Environment), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Sarah Ryan (Director Community & Economic Development), Sandra Gordon (Manager Governance & Risk)

1 OPENING MEETING

The Mayor held a short appropriate prayer.

2 ACKNOWLEDGEMENT OF COUNTRY

The Mayor opened the meeting with an Acknowledgement of Country.

At this time of the meeting, the Mayor Cr Frank Crawley thanked Cr Chris Bilkey for his 10 years as service with Murray River Council and Murray Shire Council, the last 6 as Mayor. Cr Bilkey has tendered his resignation as a Councillor, taking affect on Friday 27 October 2023.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES

4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 26 SEPT 2023 OF MURRAY RIVER COUNCIL

RESOLUTION 011023

Moved: Cr Kron Nicholas

Seconded: Cr Ann Crowe

That the minutes of the Extra Ordinary Meeting of Murray River Council held on 26 September 2023 be confirmed as a true and correct record.

CARRIED

Questions without notice arising from minutes of previous meeting/s

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)**

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS****9.1.1 2022-26 DELIVERY PROGRAM REQUESTS FOR CHANGE OCTOBER 2023 (YEAR 2 OF PROGRAM)****RESOLUTION 021023**

Moved: Cr Neil Gorey
Seconded: Cr Ann Crowe

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

CARRIED**9.1.2 REMEMBRANCE DAY SERVICES - 11 NOVEMBER 2023****RESOLUTION 031023**

Moved: Cr Thomas Weyrich
Seconded: Cr Nikki Cohen

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

CARRIED

Cr Thomas Weyrich will be the delegate representing Murray River Council at the Mathoura Remembrance Day Service.

Cr Frank Crawley will be the delegate representing Murray River Council at the Moama Remembrance Day Service.

9.1.3 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**RESOLUTION 041023**

Moved: Cr Neil Gorey

Seconded: Cr Geoff Wise

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

9.1.4 MONTHLY OPERATIONAL REPORT

RESOLUTION 051023

Moved: Cr Ann Crowe

Seconded: Cr Dennis Gleeson

That the Monthly Operational Report as of September 2023 be received and the information noted by the Council.

CARRIED

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 INVESTMENTS AND RESERVES REPORT AS AT 30 SEPTEMBER 2023

RESOLUTION 061023

Moved: Cr Dennis Gleeson

Seconded: Cr Kron Nicholas

That Council resolve to receive the Investments & Reserves Report, as of 30 September 2023.

CARRIED

9.2.2 DISCLOSURE OF INTEREST RETURN REPORTING

RESOLUTION 071023

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

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

CARRIED

9.2.3 BUDGET POLICY V#1 - FINAL ADOPTION

RESOLUTION 081023

Moved: Cr Neil Gorey

Seconded: Cr Geoff Wise

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

CARRIED

9.2.4 BORROWING POLICY V#1 - FINAL ADOPTION**RESOLUTION 091023**

Moved: Cr Ann Crowe

Seconded: Cr Kron Nicholas

That Council adopt the Borrowing Policy V#1 and place it in the Policy Register.

CARRIED

9.2.5 MURRAY RIVER COUNCIL 2022/23 ANNUAL FINANCIAL STATEMENTS**RESOLUTION 101023**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Murray River Council resolve to:

1. receive the Unaudited General Purpose Financial Statements and Special Purpose Financial Statements for the period 1 July 2022 to 30 June 2023, attached hereto as Attachment 1 and Attachment 2 respectively, and
2. subject to there being no material changes the statements identified in section 1 above, to authorise the signing of the said statements by the Mayor and Deputy Mayor, representing the elected officials and the Chief Executive Officer and Responsible Accounting Officer representing management.

CARRIED

Mr Fernando to come back to Cr Cohen regarding question asked on page 39 of the Attachment 1, the Unaudited Special Purpose Financial Statements in the under separate cover attachments – \$379,000 in economic is restricted & allocated cash & cash equivalent, what makes up economic?

Mr Fernando come back to Cr Wise regarding the borrowing figure – this was found and discussed after the completion of the Council meeting.

9.2.6 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 30 SEPTEMBER 2023**RESOLUTION 111023**

Moved: Cr Kron Nicholas

Seconded: Cr Dennis Gleeson

That Council:

1. Receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 30 September 2023.

CARRIED

9.3 DIRECTOR IINFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

9.3.1 MURRAY DARLING ASSOCIATION - MEMBERSHIP**RESOLUTION 121023**

Moved: Cr Ann Crowe
Seconded: Cr Thomas Weyrich

That Council:

1. Re-join the Murray Darling Association.

Resolution option 1 was moved by Cr Crowe and seconded by Cr Weyrich for discussion and resolution.

CARRIED

That Council:

1. Re-join the Murray Darling Association.

OR

2. Review membership again during 2024 budget process

9.3.2 RECOMMENDATION FOR PUTTING THE DRAFT ECHUCA-MOAMA FLOOD STUDY ON PUBLIC EXHIBITION**RESOLUTION 131023**

Moved: Cr Nikki Cohen
Seconded: Cr Kron Nicholas

That the Draft Echuca-Moama Flood Study Report be placed on Public Exhibition for public comment from 30 October 2023 to at least 27 November 2023.

CARRIED

9.3.3 MURRAY RIVER COUNCIL LOCAL TRAFFIC COMMITTEE**RESOLUTION 141023**

Moved: Cr Thomas Weyrich
Seconded: Cr Nikki Cohen

That Council note the DRAFT minutes of the Murray River Council Local Traffic Committee meeting held on Wednesday 4 October 2023.

CARRIED

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS**9.4.1 TRANSFER STATION OPENING DAYS AND HOURS REVIEW****RESOLUTION 151023**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

That:

1. The Barham Waste and Resource Recovery Facility opening hours be extended by 4 hours on Sunday. Barham will be open two full-days being 9am-5pm Wednesday and Sunday.
2. The Mathoura Waste and Resource Recovery Facility opening hours be reduced from three 8-hour shifts per week to two 8-hour shifts per week. Mathoura will be open two full days being 9am-5pm Tuesday and Sunday.
3. The Wakool landfill facility be permanently closed. As per recommendation 1 Barham's opening hours be extended on Sunday to match the Wednesday opening hours to better service the community including Wakool.
4. The unmanned bins be removed from both Bunnaloo and Womboota and these sites be permanently closed.

CARRIED

At 1:38 pm, Cr Thomas Weyrich left the meeting.

At 1:39 pm, Cr Thomas Weyrich returned to the meeting.

9.4.2 BUDGET VARIATION REQUEST - DEVELOPMENT SERVICES

RESOLUTION 161023

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That Council:

1. Considers the information outlined in the officer's report.
2. Approves the Budget variation request of \$30,000 (deficit) additional to the reallocation of \$180,000 of employee to contractor costs in Councils financial system, which will fund external contractors to cover the shortfall of resourcing in the Planning Services section for the remainder of the current financial year (2023/2024).
3. Council authorises the Chief Executive Officer or his delegate to investigate the option of appointing planning consultant(s) for a period of up to 5-years to complete the higher-level planning work (Senior Town Planner level), should no recruitment of senior planning staff eventuate after the current advertising campaign. A further report will be provided to Council.

CARRIED

At 1:51 pm, Cr Chris Bilkey left the meeting.

At 1:54 pm, Cr Chris Bilkey returned to the meeting.

9.4.3 FINAL MURRAY RIVER COUNCIL LOCAL HOUSING STRATEGY

RESOLUTION 171023

Moved: Cr Chris Bilkey

Seconded: Cr Dennis Gleeson

That;

1. Council notes that information outlined in the council report in relation to the Final Murray River Council Local Housing Strategy.

| | |
|--------------------|--|
| 2. | Council adopts the Final version of the Murray River Council Local Housing Strategy (both part 1 and 2) and forwards the document to the Department of Planning and Environment for endorsement. |
| 3. | Council authorises the Chief Executive Officer or his delegate to make edits to the final document where required to publish the document. Noting that any major changes to the document will come back to Council for re-endorsement. |
| <u>In Favour:</u> | Crs Frank Crawley, Neil Gorey, Chris Bilkey, Nikki Cohen, Dennis Gleeson, Kron Nicholas, Thomas Weyrich and Geoff Wise |
| <u>Against:</u> | Cr Ann Crowe |
| CARRIED 8/1 | |
| CARRIED | |

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

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 MURRAY RIVER COUNCIL COMMUNITY GRANTS PROGRAM, 2023-24 - ROUND 1 ALLOCATION OF FUNDS

| RESOLUTION 181023 | | | | |
|---|--|------------------------|--------------------|--------------------|
| Moved: Cr Thomas Weyrich | | | | |
| Seconded: Cr Geoff Wise | | | | |
| That: | | | | |
| 1. Council funds the below projects under Round 1 of the 2023-24 Community Grants Program. | | | | |
| 2. Council allocates the additional \$376 needed, from the 2023-24 Quick Response Grant Funding | | | | |
| Group | Project Title | Total Amount Requested | Total Project Cost | Amount Recommended |
| Golden Rivers Theatre Group Incorporated | Replacement of stage props and curtain | \$ 2,500.00 | \$2,500.00 | \$ 2,500.00 |
| Wakool Memorial Hall Committee | Wakool Hall Fridge / Freezer replacement | \$ 2,048.00 | \$2,048.00 | \$ 2,048.00 |
| Goodnight Recreation Reserve and Hall Committee | Celebrating community | \$ 3,000.00 | \$14,539.00 | \$ 3,000.00 |
| Local Health Medical Trust | LHMT - Channel Walk Community Celebration - 26th November 2023 | \$ 2,750.00 | \$2,750.00 | \$ 2,750.00 |
| South West Music Limited | Childrens Concert - Mathoura | \$ 3,000.00 | \$4,960.00 | \$ 3,000.00 |
| Friends of Old Moama | Filing cabinets | \$ 598.00 | \$598.00 | \$ 598.00 |
| Echuca Moama Family History Group inc. | Restoration and replacement of flood damaged equipment | \$ 2,740.00 | \$3,040.00 | \$ 2,740.00 |
| THE APEX Club of ECHUCA MOAMA | BBQ Trailer upgrade and rebuild | \$ 2,840.00 | \$5,340.00 | \$ 2,840.00 |

| | | | | |
|---|---|-----------------|-----------------|-----------------|
| Murray Downs Park Reserve Committee | Murray Downs Community Garden - Stage 2 | \$ 3,000.00 | \$3,625.00 | \$ 3,000.00 |
| Moulamein Men's Shed and Rice Museum Inc. | Acquisition of Jointer/Planer machine | \$ 3,000.00 | \$2,989.00 | \$ 3,000.00 |
| Murray Haven Homes | Signage | \$ 1,900.00 | \$1,900.00 | \$ 1,900.00 |
| Koraleigh Recreation Reserve | Kitchen Bench upgrade | \$ 3,000.00 | \$3,800.00 | \$ 3,000.00 |
| TOTAL | | \$30,376 | \$30,376 | \$30,376 |
| | | | | CARRIED |

At 2:21 pm, Cr Dennis Gleeson returned to the meeting.

9.5.2 GRANTS AND AWARDS - SEPTEMBER 2023

RESOLUTION 191023

Moved: Cr Ann Crowe
Seconded: Cr Thomas Weyrich

That Council receive and note the Grant and Awards Report for September 2023.

CARRIED

9.5.3 KORALEIGH HALL & RECREATION RESERVE COMMITTEE AGM

RESOLUTION 201023

Moved: Cr Ann Crowe
Seconded: Cr Thomas Weyrich

That Council:

1. Revoke existing members of the Koraleigh Hall & Recreation Reserve Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the August 2023 AGM.

CARRIED

9.5.4 MALLAN RECREATION RESERVE & HALL COMMITTEE AGM

RESOLUTION 211023

Moved: Cr Ann Crowe
Seconded: Cr Neil Gorey

That Council:

1. Revoke existing members of the Mallan Recreation Reserve & Hall Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the July 2023 AGM.

CARRIED

9.5.5 SECTION 355 COMMITTEE MEETING MINUTES AS AT SEPTEMBER 2023**RESOLUTION 221023**

Moved: Cr Ann Crowe
Seconded: Cr Geoff Wise

That Council receive and note the September 2023 Section 355 Committee Report.

CARRIED**9.5.6 MOAMA RIVERSIDE CARAVAN PARK - FURTHER REQUEST FOR RENTAL WAIVER****RESOLUTION 231023**

Moved: Cr Geoff Wise
Seconded: Cr Nikki Cohen

That Council not approve a further abatement of rent under the Crown Lease and Council Lease for Moama Riverside Caravan Park.

CARRIED**9.5.7 UPDATE ON ECONOMIC DEVELOPMENT & TOURISM STRATEGY****RESOLUTION 241023**

Moved: Cr Chris Bilkey
Seconded: Cr Geoff Wise

That the Officer's report on providing an Update on Economic Development and Tourism Strategy as of 16 October 2023 be received and the information noted by the Council.

CARRIED**9.5.8 WAKOOL RECREATION RESERVE MANAGEMENT COMMITTEE AGM****RESOLUTION 251023**

Moved: Cr Dennis Gleeson
Seconded: Cr Neil Gorey

That Council:

1. Revoke existing members of the Wakool Recreation Reserve Committee of Management;
and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the September 2023 AGM.

CARRIED**9.6 CORRESPONDENCE REPORT**

9.6.1 CORRESPONDENCE REPORT**RESOLUTION 261023**

Moved: Cr Geoff Wise
Seconded: Cr Thomas Weyrich

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

CARRIED**9.7 SUNDRY DELEGATES REPORT****9.7.1 SUNDRY DELEGATES REPORT****RESOLUTION 271023**

Moved: Cr Ann Crowe
Seconded: Cr Geoff Wise

That the Sundry Delegates Report of the Mayor and Councillors for the period 26 September 2023 through to 23 October 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

Future reports to be reported on as per the previous calendar month.

CARRIED

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

- 26 Sept: Councillor Pre-briefing and Council meeting
- 5 Oct: Meeting with Director Planning & Environment – Murray Downs
- 6 Oct: Kyalite Sec 355 meeting to meet with consultants doing their town water supply planning. Discussion regarding the Hall and Rec Reserve area into the future
- 17 Oct: Housing Strategy Final adoption discussion

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL MATTERS**RESOLUTION 281023**

Moved: Cr Ann Crowe
Seconded: Cr Geoff Wise

That Council moves out of Open Council into Closed Council at 2:27pm.

CARRIED

RECOMMENDATION

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

11.1 Lot 1, DP 793207 - Cobb Highway, Moama - Interim Report

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 WATER BILLING - CORRECTION OF ERROR

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 Sale of Land - Lot 3, DP 813704 - Mathoura Line Road, Moama

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

RESOLUTION 291023

Moved: Cr Nikki Cohen

Seconded: Cr Geoff Wise

That Council moves out of Closed Council into Open Council at 3:40pm.

CARRIED**RESOLUTION 331023**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

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

CARRIED**11.1 LOT 1, DP 793207 - COBB HIGHWAY, MOAMA - INTERIM REPORT****RESOLUTION 301023**

Moved: Cr Kron Nicholas

Seconded: Cr Ann Crowe

PROPOSED RESOLUTION OF COUNCIL

That Murray River Council (Council) resolve to:

1. recognise that the proposed sale of the land identified as Lot 1, DP 793207 located on Cobb Highway, Moama (the Land) is not solely for the purpose of disposing of the said Land, but is being undertaken with wider economic development objectives, and
2. acknowledge the potential economic benefits that could arise for the Murray region from the planned agricultural technology (AgTech) manufacturing facility for the said Land by the proposed purchaser and the potential for such a facility to act as an economic catalyst, especially given the important role of the agricultural sector for the local economy, and
3. authorise the Chief Executive Officer (CEO) to conclude the negotiations for the land identified as Lot 1, DP 793207 located on Cobb Highway, Moama (the Land), for a minimum price as identified in this resolution, based on the two valuations obtained for the Land as required by the Council's Land Acquisition and Disposal Policy (which were within +/-5% of the valuation undertaken by the proposed purchaser), adjusted for the extension of required infrastructure, and
4. require the CEO to present to Council the final draft of the agreement, together with the reports identified in sections A iii and iv of resolution 5.2.1 adopted by Council at its special meeting held on 2 November 2022, for final adoption, before undertaking the transfer of the Land to the intended purchaser.

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

Against: Nil

CARRIED 9/0

CARRIED

Having a single resolutions and placing a number in a section which remains confidential, whether it's the 4.3 or some other number, provides us with the commercial confidentiality, envisaged by Sec 10A(2)c. of the act.

11.2 WATER BILLING - CORRECTION OF ERROR

RESOLUTION 311023

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That Murray River Council (Council) note the proposed reversal of Water Consumption Charges, as a result of an erroneous data entry of the closing meter read.

CARRIED

11.3 SALE OF LAND - LOT 3, DP 813704 - MATHOURA LINE ROAD, MOAMA

RESOLUTION 321023

Moved: Cr Chris Bilkey

Seconded: Cr Dennis Gleeson

That Murray River Council resolve to authorise the Chief Executive Officer to:

1. engage with the parties (through the appointed real estate agents Elders Rural), expressing and interest to purchase the land identified as Lot 3, DP 803704, situated on Mathoura Line Road, Moama (the Land) to complete the negotiations and sell the said Land at the highest

possible price, subject to the sales pricing being above the Reserve Price as identified in the report.

- 2. to sign any necessary documents and deeds and if required affix the Council seal on any such documents, required to give effect to the transfer the ownership of the said Land from Council to the successful buyer.

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

Against: Cr Thomas Weyrich

CARRIED 8/1

CARRIED

12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:45pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 28 November 2023, commencing at 1:00 PM, in Moulamein Bowling Club, Endeavour Drive, Moulamein NSW 2733.

THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 24 OCTOBER 2023, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 28 NOVEMBER 2023.

.....
MAYOR

.....
CEO