

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 26 SEPTEMBER 2023 AT 1PM**

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

IN ATTENDANCE: Terry Dodds (Chief Executive Officer), Rod Croft (Director Planning & Environment), Jan Donald (Executive Admin Officer), Christian Austin (Coordinator Technology & Digital Services), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Sarah Ryan (Director Community & Economic Development), Peter Beaumont (Acting 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.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF MINUTES

4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 22 AUGUST 2023 OF MURRAY RIVER COUNCIL

RESOLUTION 010923

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That the minutes of the Extra Ordinary Meeting of Murray River Council held on 22 August 2023 be confirmed as a true and correct record.

CARRIED

Questions without notice arising from minutes of previous meeting/s

5 DISCLOSURES OF INTERESTS

Cr Ann Crowe has a less than significant non-pencuniary conflict of interest for Item 9.5.6 – Section 355 Committee Report in the Director Community and Economic Development Report and Supplementary Matters section of the meeting.

Cr Chris Bilkey has a less than significant non-pencuniary conflict of interest for Item 9.4.3 – Bridge Art Project – Car Parking Options in the Director Planning and Environment Report and Supplementary Matters section of the meeting.

6 DEPUTATIONS

Nil

7 MAYORAL MINUTE(S)

Nil

8 REPORTS OF COMMITTEES

Nil

At 1.03pm – Item 9.1.2 Election of Mayor and Deputy Mayor was brought forward and referred to Returning Officer Mr Stephen Fernando.

SUSPENSION OF STANDING ORDERS

RESOLUTION 020923

Moved: Cr Ann Crowe
Seconded: Cr Nikki Cohen

That the Council suspend standing orders for media opportunities following the Mayor and Deputy Mayor election.

CARRIED

RESUMPTION OF STANDING ORDERS

RESOLUTION 030923

Moved: Cr Nikki Cohen
Seconded: Cr Geoff Wise

That the Council resume standing orders.

CARRIED

9 REPORTS TO COUNCIL

9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

9.1.1 UNION PICNIC DAY 6 NOVEMBER 2023

RESOLUTION 040923

Moved: Cr Kron Nicholas
Seconded: Cr Thomas Weyrich

That the Council notes the action of the Chief Executive Officer in granting Tuesday 6 November 2023 as Union Picnic Day to Council employees who are financial members of the union(s).

CARRIED

9.1.2 ELECTION FOR MAYOR AND DEPUTY MAYOR

RECOMMENDATION

1. That the election by Councillors for Mayor and Deputy Mayor be conducted in accordance with Schedule 7 of the Local Government (General) Regulation 2021.
2. That if more than one nomination is received for the position of Mayor and/or Deputy Mayor, the method of voting be conducted by:
Preferential Ballot **OR**
Ordinary Ballot **OR**
Open Voting
3. That the positions of Mayor and Deputy Mayor will be for a term of one (1) year – until the Council elections to be held in September 2024.

This was not required to be made a resolution in Council as the returning officer (Mr Stephen Fernando) ran the election of both Mayor and Deputy Mayor positions.

Councillor Neil Gorey was declared and unopposed as elected Deputy Mayor for the remainder of this Council unopposed.

Councillor Frank Crawley was declared and unopposed as elected Mayor for the remainder of this Council unopposed.

9.1.3 DRAFT MINUTES OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) FOR THE MEETING HELD ON 7 AUGUST 2023

RESOLUTION 050923

Moved: Cr Kron Nicholas
Seconded: Cr Neil Gorey

That the DRAFT Minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on Monday 7 August 2023 be noted by Council.

CARRIED

9.1.4 MONTHLY OPERATIONAL REPORT

RESOLUTION 060923

Moved: Cr Neil Gorey
Seconded: Cr Geoff Wise

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

CARRIED

9.1.5 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**RESOLUTION 070923**

Moved: Cr Geoff Wise
Seconded: Cr Nikki Cohen

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**9.1.6 RECONSIDERATION OF OPPOSING EMERGENCY SERVICES LEVY AS A SINGLE ENTITY****RESOLUTION 080923**

Moved: Cr Neil Gorey
Seconded: Cr Dennis Gleeson

That the Officer's report on Reconsideration of Opposing Emergency Services Levy as a single entity be received by the Council and assess if the best steps include engaging as a joint voice for the opposition to the Levy with LGNSW or Country Mayors Association

CARRIED**9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS****9.2.1 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 31 AUGUST 2023****RESOLUTION 090923**

Moved: Cr Dennis Gleeson
Seconded: Cr Chris Bilkey

That Council:

1. Receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 31 August 2023.

CARRIED**9.2.2 DRAFT COUNCILLOR AND EMPLOYEE INTERACTION POLICY V#2****RESOLUTION 100923**

Moved: Cr Neil Gorey
Seconded: Cr Nikki Cohen

That the DRAFT Councillor and Employee Interaction Policy V#2 be adopted and placed on public display.

CARRIED

9.2.3 CONTAMINATED LAND POLICY V#2 - FINAL ADOPTION**RESOLUTION 110923**

Moved: Cr Kron Nicholas

Seconded: Cr Geoff Wise

That Council resolve to:

1. adopt the Contaminated Land Policy V#2 and place it in the Policy Register, and
2. any previous version of the Policy be rescinded.

CARRIED

9.2.4 PROPOSED PUBLIC ROAD NAMES - 36 LOT SUBDIVISION - LOT 24 DP 1186290, MURRAY DOWNS DRIVE, MURRAY DOWNS NSW**RESOLUTION 120923**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That Murray River Council resolve to adopt the public road names Kingfisher Boulevard & Boobook Crescent, within the 36 Lot subdivision of Lot 24 DP 1186290, Murray Downs Drive, Murray Downs NSW.

CARRIED

9.2.5 RESCINDING OF THE PLANT POLICY**RESOLUTION 130923**

Moved: Cr Thomas Weyrich

Seconded: Cr Chris Bilkey

That Murray River Council resolve to rescind Plant Policy (POL-306) V#1 adopted on 27 November 2018 and remove it from the policy register.

CARRIED

9.2.6 WARD BOUNDARIES REALIGNMENT**RESOLUTION 140923**

Moved: Cr Nikki Cohen

Seconded: Cr Geoff Wise

That the proposed ward boundary realignment be adopted by Council and the NSW Electoral Commission be notified.

CARRIED

9.2.7 DRAFT ROAD & PLACE NAME POLICY**RESOLUTION 150923**

Moved: Cr Chris Bilkey

Seconded: Cr Ann Crowe

That Murray River Council resolve to adopt the DRAFT Road and Place Name Policy V#1 and place it on public exhibition for 28 days.

CARRIED

9.2.8 INVESTMENTS AND RESERVES REPORT AS AT 31 AUGUST 2023**RESOLUTION 160923**

Moved: Cr Dennis Gleeson

Seconded: Cr Geoff Wise

That Council resolve to receive the Investments & Reserves Report, as of 31 August 2023.

CARRIED

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS**9.3.1 ALGA LOCAL ROADS, TRANSPORT AND INFRASTRUCTURE CONGRESS****RESOLUTION 170923**

Moved: Cr Thomas Weyrich

Seconded: Cr Ann Crowe

That the Officer's report on ALGA Local Roads, Transport and Infrastructure Congress be received and the information noted by the Council.

CARRIED

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS**9.4.1 WASTE, RECYCLING & FOOD AND GARDEN WASTE GUIDELINES****RESOLUTION 180923**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

That Council adopt the use of the Waste, Recycling & Food and Garden Waste Guidelines.

CARRIED

9.4.2 ADOPTION OF PESTICIDE NOTIFICATION PLAN**RESOLUTION 190923**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That Council adopts and implements the 2023 Draft Pesticide Use Notification Plan into operation for a period of 3 years.

CARRIED

9.4.3 BRIDGE ART PROJECT - CAR PARKING OPTIONS**RESOLUTION 200923**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

1. That Council notes the Car Parking Demand Assessment Report (Attachment 1) for the Bridge Art Project.

CARRIED

RECOMMENDATION

2. That Council chooses one (1) option below in relation to the car parking requirements for the Bridge Art Project:

Option 1 – That Council supports the current car park design due to the site constraints and projected patron use of the facility, which would allow car parking requirements to be met offsite utilising existing car park spaces for larger evening events (estimated at 45 car park spaces), additional to the 12 dedicated car park spaces onsite (including 1 accessible car park) for regular daily operation.

Option 2 – That Council does not support the current car parking design and requires the proponent to meet the car parking requirements for daily use (12 car parks including 1 accessible car park) and the addition of 45 car park spaces for larger evening events via a shared funding agreement with Council to formalise additional car parking at appropriate location within proximity of the site.

Option 3 – That Council does not support the car park design and directs the proponent to redesign the facility to meet carparking requirements as per the Murray Development Control Plan.

RESOLUTION 210923

Moved: Cr Ann Crowe

Seconded: Cr Chris Bilkey

That Option 1 below be the supported option.

Option 1 – That Council supports the current car park design due to the site constraints and projected patron use of the facility, which would allow car parking requirements to be met offsite utilising existing car park spaces for larger evening events (estimated at 45 car park spaces), additional to the 12 dedicated car park spaces onsite (including 1 accessible car park) for regular daily operation.

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

Against: Nil

CARRIED 9/0

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

9.5.1 LOCAL GOVERNMENT NSW DESTINATION & VISITOR ECONOMY CONFERENCE

RESOLUTION 220923

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That Council receive and note the 2023 Local Government NSW Destination & Visitor Economy Conference Report.

CARRIED

9.5.2 MURRAY RIVER COUNCIL COMMUNITY GRANTS PROGRAM - APPOINTMENT OF ASSESSMENT PANEL, ROUND 1, 2023-24

RESOLUTION 230923

Moved: Cr Ann Crowe

Seconded: Cr Chris Bilkey

That Council:

1. Endorse the Chief Executive Officer, or his nominee, as a member of the Murray River Council Community Grants Program Assessment Panel.
2. Appoint three (3) Councillors to the Murray River Council Community Grants Program Assessment Panel to assess applications under Round 1, 2023-24.

Councillors to be appointed to the Assessment Panel, Mayor Cr Frank Crawley, Cr Geoff Wise, Cr Neil Gorey (alternate Cr Gleeson)

.CARRIED

9.5.3 KYALITE PROGRESS & RECREATION RESERVE ASSOCIATION AGM

RESOLUTION 240923

Moved: Cr Ann Crowe

Seconded: Cr Geoff Wise

That Council:

1. Revoke existing members of the Kyalite Progress and Recreation Reserve Association Committee of Management; and

2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

CARRIED

9.5.4 WOMBOOTA SCHOOL OF ARTS HALL COMMITTEE AGM

RESOLUTION 250923

Moved: Cr Geoff Wise

Seconded: Cr Neil Gorey

That Council:

1. Revoke existing members of the Womboota School of Arts Hall Committee of Management; and
2. Pursuant to Section 355 of the Local Government Act 1993 appoint new committee members nominated at the June 2023 AGM.

CARRIED

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

RESOLUTION 260923

Moved: Cr Ann Crowe

Seconded: Cr Nikki Cohen

That the Council appoints Councillor delegates, alternate delegates and representatives to the various committees or sub-committees of Council, Section 355 Committees of Council, government or industry organisations and community committees or groups, as attached to the report, for the period 22 September 2023 to September 2024, subject to any changes to delegates/representatives made at the meeting.

CARRIED

9.5.6 SECTION 355 COMMITTEE REPORT - MEETING MINUTES AS AT AUGUST 2023

RESOLUTION 270923

Moved: Cr Ann Crowe

Seconded: Cr Nikki Cohen

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

CARRIED

9.5.7 AFFIXING OF COUNCIL SEAL TO LEASE DOCUMENTS WITH MURRAY PLAINS MEAT CO-OPERATIVE LIMITED

RESOLUTION 280923

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Council:

1. Affix the Common Seal of Council to the lease documents between Murray River Council and Murray Plains Meat Co-operative Limited for land at Lot 1 in DP1267277 on Gonn Road Barham, also known as 71 Gonn Road, Barham
2. Authorise the Mayor and Chief Executive Officer to sign the lease documents.

CARRIED

9.5.8 MATHOURA RETIREMENT VILLAGE LOAN

RESOLUTION 290923

Moved: Cr Thomas Weyrich

Seconded: Cr Neil Gorey

That Council resolve to:

1. Accommodate the request made by the Mathoura Retirement Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 12 Mathoura Street Mathoura;
2. Authorise the CEO to terminate the loan and repay the balance of funds owing on the loan obtained from National Australia Bank; and
3. Retain the land known as 12 Mathoura Street Mathoura as vacant land and not undertake any disposal or development actions pending a further report to Council on how best to use this land;

CARRIED

9.5.9 MATHOURA RETIREMENT VILLAGE COMMITTEE OF MANAGEMENT

RECOMMENDATION

That Council adopt one of the alternative sets of resolutions:

Alternative Resolution 1

That Murray River Council resolve to continue the operation of the Mathoura Retirement Village by way of maintaining current form and structure of delegated management functions to the Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998.

Alternative Resolution 2

That Murray River Council resolve to continue the operation of the Mathoura Retirement Village by way of:

- (a) dissolving Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998 and undertaking direct operation of the Village including operations and financial management with immediate effect;
- (b) honouring the contractual agreements with the current residents of the Village; and
- (c) engaging with the current residents or a representative committee to determine a preferred model for the continued operation of the village.

Alternative Resolution 3

That Murray River Council resolve to appoint an independent third party to undertake an evaluation on the manner in which the management of the Mathoura Retirement Village by the Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998 has been undertaken, provide an opinion on the capacity of the current Committee of Management to continue to manage the Retirement Village, and identify the risks borne by Council in continuing the current arrangements; the resulting finding and recommendations to be presented to Council.

RESOLUTION 300923

Moved: Cr Chris Bilkey
Seconded: Cr Thomas Weyrich

Alternative Resolution 3 became the recommendation of Council.

That Murray River Council resolve to appoint an independent third party to undertake an evaluation on the manner in which the management of the Mathoura Retirement Village by the Mathoura Retirement Village Committee of Management established under Section 355 of the Local Government Act 1998 has been undertaken, provide an opinion on the capacity of the current Committee of Management to continue to manage the Retirement Village, and identify the risks borne by Council in continuing the current arrangements; the resulting finding and recommendations to be presented to Council.

CARRIED**9.5.10 MOAMA LIONS COMMUNITY VILLAGE LOAN****RESOLUTION 310923**

Moved: Cr Neil Gorey
Seconded: Cr Thomas Weyrich

That Council resolve to:

1. Accommodate the request made by the Moama Lions Community Village Committee of Management to return the monies advanced by Council for the construction of additional housing units at 10 & 12 Council Street Moama
2. Authorise the CEO to terminate the loan and repay the balance of funds owing on the loan obtained from National Australia Bank; and
3. Retain the land known as 10 & 12 Council Street Moama as vacant land and not undertake any disposal or development actions pending a further report to Council on how best to use this land;

CARRIED**9.6 CORRESPONDENCE REPORT****9.6.1 CORRESPONDENCE REPORT****RESOLUTION 320923**

Moved: Cr Chris Bilkey

Seconded: Cr Neil Gorey

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 330923

Moved: Cr Nikki Cohen

Seconded: Cr Dennis Gleeson

That the Sundry Delegates Report of the Mayor and Councillors for the period 22 August 2023 through to 25 September 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

Cr Ann Crowe attended the following additional functions and meetings noted below in addition to those listed within this report:

13 September Windlab Information Afternoon Kyalite Hotel

13 September Murray Downs Riverside Park Committee of Management Murray Downs Fire Station

21 September Grants Commission Financial Assistance Grants (FAG's) online

CARRIED

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL MATTERS

RESOLUTION 340923

Moved: Cr Chris Bilkey

Seconded: Cr Thomas Weyrich

That Council moves out of Open Council into Closed Council at 2.59pm.

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 Tender MRC 2315 - Management of Outdoor Pools in Moama & Mathoura

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.

11.2 River Country Art Trail - Tender Evaluation

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.

11.3 MRC 2309 - Fire Services at Moama Landfill

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.

11.4 MRC 2303 - Meninya Street Design - Award of Contract

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 REVERSAL OF STORMWATER CHARGES

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 350923

Moved: Cr Thomas Weyrich

Seconded: Cr Ann Crowe

That Council moves out of Closed Council into Open Council at 3.13pm.

CARRIED

RESOLUTION 360923

Moved: Cr Thomas Weyrich
Seconded: Cr Ann Crowe

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

CARRIED

11.1 TENDER MRC 2315 - MANAGEMENT OF OUTDOOR POOLS IN MOAMA & MATHOURA**RESOLUTION 370923**

MOVED: CR NEIL GOREY
SECONDED: CR THOMAS WEYRICH

THAT COUNCIL:

1. NOTES THE TENDER EVALUATION REPORT ATTACHED UNDER ATTACHMENT 1 FOR AN OVERVIEW OF THE COMPLETED TENDER PROCESS FOR THE MANAGEMENT OF OUTDOOR POOLS IN MOAMA AND MATHOURA.
2. ACCEPTS THE TENDER FROM BELGRAVIA HEALTH & LEISURE GROUP PTY LTD FOR \$195,000 (EX GST) FOR TENDER NUMBER MRC 2315 – MANAGEMENT OF OUTDOOR POOLS MOAMA & MATHOURA
3. AUTHORISE THE CEO TO SIGN THE CONTRACT DOCUMENTS.

CARRIED

11.2 RIVER COUNTRY ART TRAIL - TENDER EVALUATION**RESOLUTION 380923**

MOVED: CR ANN CROWE
SECONDED: CR DENNIS GLEESON

THAT COUNCIL:

1. NOTES THE TENDER EVALUATION REPORT ATTACHED UNDER ATTACHMENT 1 FOR AN OVERVIEW OF THE COMPLETED TENDER PROCESS;
2. ACCEPTS THE TENDER FROM FORM BUILDING A STATE OF CREATIVITY PTY LTD FOR THE LUMP SUM PRICE OF \$1,321,172.73 (EX GST) FOR TENDER NUMBER MRC 2310 RIVER COUNTRY ART TRAIL;
3. AUTHORISE THE CEO TO SIGN THE CONTRACT DOCUMENTS;
4. AUTHORISE DIRECTOR COMMUNITY & ECONOMIC DEVELOPMENT TO ACT AS COUNCIL'S REPRESENTATIVE FOR THE CONTRACT AND AUTHORISE ANY CONTRACT VARIATIONS WITHIN BUDGET AND DELEGATION AUTHORITY.

CARRIED

11.3 MRC 2309 - FIRE SERVICES AT MOAMA LANDFILL**RESOLUTION 390923**

MOVED: CR GEOFF WISE

SECONDED: CR NEIL GOREY

THAT COUNCIL

1. NOTES THE TENDER EVALUATION REPORT ATTACHED UNDER ATTACHMENT 1 FOR AN OVERVIEW OF THE COMPLETED TENDER PROCESS.
2. ACCEPTS THE TENDER FROM DENI & ECHUCA FIRE PROTECTION SERVICES FOR THE LUMP SUM PRICE OF \$479,552.63 (INC GST) FOR TENDER NUMBER MRC 2309 – FIRE SERVICES AT MOAMA LANDFILL.
3. AUTHORISE THE CEO TO SIGN THE CONTRACT DOCUMENTS.
4. AUTHORISE BRIAN HOLMES, MANAGER WASTE & COMPLIANCE TO ACT AS COUNCIL'S REPRESENTATIVE FOR THE CONTRACT AND AUTHORISE ANY CONTRACT VARIATIONS WITHIN BUDGET.

CARRIED**11.4 MRC 2303 - MENINYA STREET DESIGN - AWARD OF CONTRACT****RECOMMENDATION**

THAT COUNCIL:

1. NOTES THE TENDER EVALUATION REPORT ATTACHED UNDER ATTACHMENT 1 FOR AN OVERVIEW OF THE COMPLETED TENDER PROCESS.
2. ACCEPTS THE TENDER FROM SPIIRE PTY LTD FOR THE LUMP SUM PRICE OF \$878,685 (EX GST) FOR TENDER NUMBER MRC 2303 – MENINYA STREET DESIGN.
3. INCREASE THE PROJECT BUDGET BY \$430,000 FROM THE EXISTING \$540,000, TO A NEW AMOUNT OF \$970,000 TO COVER CONTRACT COSTS AND CONTINGENCY ALLOWANCE.
4. AUTHORISE THE CEO TO SIGN THE CONTRACT DOCUMENTS.
5. AUTHORISE MATTHEW SHERMAN, PROJECT MANAGER TO ACT AS COUNCIL'S REPRESENTATIVE FOR THE CONTRACT AND AUTHORISE ANY CONTRACT VARIATIONS WITHIN BUDGET AND DELEGATION AUTHORITY.

RESOLUTION 400923

MOVED: CR DENNIS GLEESON

SECONDED: CR ANN CROWE

THAT COUNCIL NOTES, ACCEPTS AND AUTHORISES THE FOLLOWING POINTS INCLUDING THE ADDITIONAL INFORMATION AT ITEM 3:

1. NOTES THE TENDER EVALUATION REPORT ATTACHED UNDER ATTACHMENT 1 FOR AN OVERVIEW OF THE COMPLETED TENDER PROCESS.
2. ACCEPTS THE TENDER FROM SPIIRE PTY LTD FOR THE LUMP SUM PRICE OF \$878,685 (EX GST) FOR TENDER NUMBER MRC 2303 – MENINYA STREET DESIGN.

3. INCREASE THE PROJECT BUDGET BY \$430,000 FROM THE EXISTING \$540,000, TO A NEW AMOUNT OF \$970,000 TO COVER CONTRACT COSTS AND CONTINGENCY ALLOWANCE. INCREASE OF BUDGET TO COME OUT OF THE \$679,000 THAT TRANSPORT FOR NSW GAVE MURRAY RIVER COUNCIL FOR THE HANDOVER OF MENINYA STREET FOR FUTURE ASSET MAINTENANCE.
4. AUTHORISE THE CEO TO SIGN THE CONTRACT DOCUMENTS.
5. AUTHORISE MATTHEW SHERMAN, PROJECT MANAGER TO ACT AS COUNCIL'S REPRESENTATIVE FOR THE CONTRACT AND AUTHORISE ANY CONTRACT VARIATIONS WITHIN BUDGET AND DELEGATION AUTHORITY.

CARRIED

11.5 REVERSAL OF STORMWATER CHARGES

RESOLUTION 410923

MOVED: CR CHRIS BILKEY

SECONDED: CR NIKKI COHEN

THAT MURRAY RIVER COUNCIL RESOLVE TO NOTE:

1. THE PROPOSED CATEGORISATION OF FOUR PROPERTIES, AS IDENTIFIED IN THE REPORT, AS BEING OUTSIDE OF THE TOWN STORMWATER RETICULATION NETWORK, WITH EFFECT FROM 1 JULY 2023, AND
2. THE REVERSAL OF THE STORMWATER CHARGES LEVIED ON THE SAID PROPERTIES FOR THE FINANCIAL YEAR 2023-24, AS DETAILED IN THE REPORT.

CARRIED

RESOLUTION 420923

MOVED: CR THOMAS WEYRICH

SECONDED: CR ANN CROWE

THAT COUNCIL MOVES OUT OF CLOSED COUNCIL INTO OPEN COUNCIL AT 3.13PM.

CARRIED

12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3.19pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 24 October 2023, 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 26 SEPTEMBER 2023, IN ACCORDANCE WITH RESOLUTION 0101023 OF THE COUNCIL ON 24 OCTOBER 2023.



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MAYOR



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CEO