

**MINUTES OF MURRAY RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA
ROAD, MOAMA
ON TUESDAY, 10 DECEMBER 2024 AT 2:00 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), Jess McFarlane (Acting Director Planning & Environment), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Beck Hayward (Acting Director Economic Development & Community Services)

Online: 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.

3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE

3 LEAVE OF ABSENCE/APOLOGIES

RESOLUTION 011224

Moved: Cr Bianca Hurn

Seconded: Cr Neil Gorey

That the leave of absence requested by Cr John Harvie from Sunday 15 December 2024 through to Sunday 22 December be received and accepted; and that leave of absence be granted.

CARRIED

SUSPENSION OF STANDING ORDERS

RESOLUTION 021224

Moved: Cr Geoff Wise

Seconded: Cr Dennis Gleeson

That the Council suspend standing orders for a presentation to former Councillors, Frank Crawley, Kron Nicholas, Chris Bilkey & Thomas Weyrich.

CARRIED

RESUMPTION OF STANDING ORDERS

RESOLUTION 031224

Moved: Cr Kylie Berryman

Seconded: Cr Geoff Wise

That the Council resume standing orders.

CARRIED

4 CONFIRMATION OF MINUTES**4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 26 NOVEMBER 2024****RESOLUTION 041224**

Moved: Cr Geoff Wise

Seconded: Cr Dennis Gleeson

That the minutes of the Ordinary Meeting of Murray River Council held on 26 November 2024 be confirmed as a true and correct record.

CARRIED

Cr Pappin page 19-20 – states that two Councillors have left the room & subsequently voted on the next motion. To be addressed and changed as per discussion in pre-briefing.

Questions without notice arising from minutes of previous meeting/s

5 DISCLOSURES OF INTERESTS

Cr Bianca Hurn declared a Significant Non-Pecuniary Conflict of Interest in Item 9.4.1 Recommended Classification of 8 Blair Street, Moama as Operational Land in the Director Planning & Environment Report and Supplementary Matters.

Cr Gen Campbell declared a Less Than Significant Non-Pecuniary Conflict of Interest in Item 9.3.1 Meninya Street – Decision on Echuca Street Intersection in the Director Infrastructure Report and Supplementary Matters. Cr Campbell would like it noted on record that she believes this is a community item of significance and is awaiting ministerial approval to vote on items relating to the Meninya Street Project. Cr Campbell would like it noted that this subject was a pivotal platform of being elected in the Moama Ward gaining the majority of First Preference Votes.

Cr Gen Campbell declared a Significant Non-Pecuniary Conflict of Interest in Item 9.4.1 Recommended Classification of 8 Blair Street, Moama as Operational Land in the Director Planning & Environment Report and Supplementary Matters.

THAT THE CONFLICT OF INTEREST DECLARATIONS BE NOTED AND ACCEPTED**RESOLUTION 051224**

Moved: Cr Dennis Gleeson

Seconded: Cr Kylie Berryman

That Council accept and note the Conflict of Interest declarations made by Councillors Campbell & Hurn.

CARRIED

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 COMMUNITY ENGAGEMENT STRATEGY REVIEW 2024****RESOLUTION 061224**

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That the Officer's report on Community Engagement Strategy Review 2024 as at 26-11-2024 be received by the Council and the strategy placed on public display for public comment for 28 days.

CARRIED

RESOLUTION 9.1.2 BE MOVED TO THE FINAL ITEM IN OPEN COUNCIL**RESOLUTION 071224**

Moved: Cr Geoff Wise

Seconded: Cr Gary Pappin

That the Council moves the resolution 9.1.2 to the end of the Agenda in Open Council.

CARRIED

9.1.3 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS**RESOLUTION 081224**

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 COMMUNITY STRATEGIC PLAN (CSP) 2025-2035**RESOLUTION 091224**

Moved: Cr Gary Pappin

Seconded: Cr Neil Gorey

That the Officer's report on Community Strategic Plan (CSP) 2025-2035 be received and Councillors endorse the plan to go to public consultation.

CARRIED

9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS

9.2.1 PROPOSED ROAD NAMES, MURRINDAAL PARK STAGED SUBDIVISION, LOT 1 DP 1283567, LOTS 1-3 DP 854487, 420 – 508 PERRICOOTA ROAD, MOAMA NSW 2731

RECOMMENDATION

Murray River Council (Council) resolve to adopt the road names; Watsonia Way and Thalia Avenue within the staged subdivision of Lot 1 DP 1283567, Lots 1-3 DP 854487, 420-508 Perricoota Road, Moama NSW 2731, as spatially depicted in Attachment 2 to this report.

RESOLUTION 101224

Moved: Cr Gary Pappin

Seconded: Cr Gen Campbell

That Council ask a member of staff to approach the Developer and to supply a list of suitable Native Australian plant and animal names as proposed road names.

CARRIED

9.2.2 APPOINTMENT OF CHAIRPERSON/S OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE FOR THE COUNCIL TERM

RESOLUTION 111224

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Murray River Council (Council) resolve to appoint:

A. the Chairperson/s of the Audit, Risk and Improvement Committee (ARIC) as follows:

1. David Kortum for the period November 2024 to October 2026 and
2. Jarrah O'Shea for the period November 2026 to October 2028;

and

B. Committee Members of the ARIC as follows:

1. Jarrah O'Shea for the period November 2024 to October 2026 and
2. David Kortum for the period November 2026 to October 2028.

CARRIED

9.2.3 FINANCIAL REPORT - UNAUDITED FY 24/25 PERIOD ENDING 25 NOVEMBER 2024

RESOLUTION 121224

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to receive the Unaudited Financial Statements for the period to 25 November 2024 (FY2024/25) and noting that reporting of monthly financial statements is not a regulatory requirement but nonetheless is being provided in furtherance of financial transparency and in keeping with financial reporting best practice.

CARRIED

9.2.4 2023-2024 CODE OF CONDUCT STATISTICS REPORT

RESOLUTION 131224

Moved: Cr Gen Campbell

Seconded: Cr Neil Gorey

That the 2023-2024 Code of Conduct Statistics Report be received and the information noted by Council.

CARRIED

At 2:47 pm, Cr Gen Campbell left the meeting.

9.3 DIRECTOR INFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

9.3.1 MENINYA STREET - DECISION ON ECHUCA STREET INTERSECTION

MOTION

Moved: Cr Kylie Berryman

Seconded: Cr Bianca Hurn

That Council:

1. Receive the information contained in this report regarding the Meninya Street Precinct Project; and
2. endorse one of the following options for the Meninya Street Precinct Project for Echuca Street Intersection:

Option A) Council adopt functional layout plan option 1 to prioritise parking provision

Option B) Council adopt functional layout plan option 2 to priorities turning movements

RESOLUTION 141224

Moved: Cr Kylie Berryman

Seconded: Cr Gary Pappin

To have Councillors be included in a full workshop that includes a full walk through of Meninya Street prior to considering item 9.3.1 Meninya Street – decision on Echuca Street Intersection.

CARRIED

At 2:57 pm, Cr Gen Campbell returned to the meeting.

9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

At 2:58 pm, Cr Gen Campbell left the meeting.

At 2:59 pm, Cr Bianca Hurn left the meeting.

9.4.1 RECOMMENDED CLASSIFICATION OF 8 BLAIR STREET, MOAMA AS OPERATIONAL LAND**RESOLUTION 151224**

Moved: Cr Neil Gorey

Seconded: Cr Kylie Berryman

That:

1. Council resolves under Section 34 of the Local Government Act 1993 ("The Act") to classify lots identified as Lot 1 DP 216296 and Lot 2 DP 137250 (8 Blair Street, Moama) as Operational Land in accordance with Section 31 of the Act.
2. Council resolves to register on title and apply a Restriction on Use that applies to all of the land for Car Parking Purposes.

CARRIED

At 3:05 pm, Cr Gen Campbell returned to the meeting.

At 3:06 pm, Cr Bianca Hurn returned to the meeting.

9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS

Nil

9.6 CORRESPONDENCE REPORT**9.6.1 CORRESPONDENCE REPORT****RESOLUTION 161224**

Moved: Cr Neil Gorey

Seconded: Cr Kylie Berryman

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

CARRIED

At 3:09 pm, Cr Dennis Gleeson left the meeting.

At 3:11 pm, Cr Dennis Gleeson returned to the meeting.

9.7 SUNDRY DELEGATES REPORT**9.7.1 SUNDRY DELEGATES REPORT****RESOLUTION 171224**

Moved: Cr Dennis Gleeson

Seconded: Cr Kylie Berryman

That the Sundry Delegates Report of the Mayor and Councillors for the period 1 November 2024 through to 30 November 2024 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

CARRIED

Cr Gary Pappin reported on his attendance at the following meetings and functions:

- 8 Oct: MRC Extra Ordinary Council Meeting
- 16 Oct: MRC Post Election Training (Elected Life)
- 22 Oct: Ordinary meeting of Council
- 30 Oct: Koraleigh Recreation Reserve
- 12 Nov: Extra Ordinary meeting and workshop
- 13 - 14 Nov: Murray Downs NSW Golf Open
- 17 - 19 Nov: LGNSW Annual Conference Tamworth
- 26 Nov: Tooleybuc Ordinary Council Meeting and Workshop

9.1.2 RECOMMENDATION FOR THE SALE OF PART 21 MORAGO STREET, MOULAMEIN

RESOLUTION 181224

Moved: Cr Geoff Wise

Seconded: Cr Neil Gorey

Cr Wise moved Alternate Resolution 2 – A, B, C (1 & 2)

Alternate Resolution 1

That Murray River Council (Council) resolve to:

- A undertake the sale of the land currently identified as Lot 1 DP 525866 (Northern Section only) and the residential building situated on that part of the land (the Property), through an open market approach of Competitive Direct Sale, such sale to be at a price no less than the higher of the two valuations (excluding GST) obtained for the said Property, and
- B authorise the Acting Chief Executive Officer (CEO) to undertake the necessary activities, including the appointment of a suitable independent real estate agent to undertake the sale and entering into & signing of the required contractual and other documents as necessary to give effect to the said sale.

Alternate Resolution 2

That Murray River Council (Council) resolve to:

- A undertake the sale of the land currently identified as Lot 1 DP 525866 (Northern Section only) and the residential building situated on that part of the land (the Property), using an Alternative Method of Disposal as identified in Council Policy No. POL-602 V#1 (the Policy), to achieve a specific policy objective of Council, namely, to promote the availability of adequate affordable retirement housing within Council's footprint, and
- B in keeping with the requirements of the Policy, direct the Chief Executive Officer (CEO) to appoint an independent probity officer to review the process and provide a report for final consideration by Council, and
- C based on the request made by Edward River Gardens, invite Edward River Gardens to make an offer for the Property, and

- 1) if the final offer is at or above the valuation as identified in the valuation (excluding GST) conducted by Preston Rowe Paterson, authorise the Acting Chief Executive Officer (CEO) to proceed to undertake the public display as required by the Policy for a period of 21 days, and on completion of the public display period, submit a report to council containing the feedback (if any) obtained through the public display, for a final determination by Council on the sale of the Property as a non-competitive direct sale to ERG, or
- 2) if ERG is not willing to meet the valuation as identified by PRP, authorise the Acting CEO to undertake the sale of the Property through an open market approach of Competitive Direct Sale, such sale to be at a price no less than the higher of the two valuations (excluding GST) obtained for the said Property, and undertake the necessary activities, including the appointment of a suitable independent real estate agent to undertake the sale and entering into & signing of the required contractual and other documents as necessary to give effect to the said sale.

In Favour: Crs John Harvie, Neil Gorey, Joy Allan, Kylie Berryman, Gen Campbell, Dennis Gleeson, Bianca Hurn, Gary Pappin and Geoff Wise

Against: Nil

CARRIED 9/0

CARRIED

MOVE INTO CLOSED COUNCIL

RESOLUTION 191224

Moved: Cr Gen Campbell

Seconded: Cr Geoff Wise

That the Council moves out of Open Council into Closed Council at 3:33pm to discuss Item 9.1.2 Recommendation for the sale of Part 21 Morago Street, Moulamein.

CARRIED

MOVE INTO OPEN COUNCIL

RESOLUTION 201224

Moved: Cr Gary Pappin

Seconded: Cr Kylie Berryman

That the Council moves out of Closed Council into Open Council at 3:44pm.

CARRIED

10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL MATTERS**RESOLUTION 211224**

Moved: Cr Bianca Hurn

Seconded: Cr Geoff Wise

That Council moves out of Open Council into Closed Council at 3:46pm.

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 REQUEST FOR POLICY ADJUSTMENT

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 221224

Moved: Cr Bianca Hurn

Seconded: Cr Dennis Gleeson

That Council moves out of Closed Council into Open Council at 3:56pm.

CARRIED

RESOLUTION 241224

Moved: Cr Gen Campbell

Seconded: Cr Dennis Gleeson

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

CARRIED

11.1 REQUEST FOR POLICY ADJUSTMENT**RESOLUTION 231224**

Moved: Cr Gen Campbell

Seconded: Cr Gary Pappin

Cr Campbell has opted to move Option 1 and was voted on by Council.

Option 1

That Murray River Council (Council) resolve to make a policy exception to the currently applicable Revenue Policy and accommodate the request made by the ratepayer (as detailed in the report) to waive interest on overdue payments, for a maximum period of 30 days, noting a minimal financial impact of under \$10.

Option 2

That Murray River Council (Council) resolve not to make a policy exception to the currently applicable Revenue Policy and decline the request made by the ratepayer to waive interest on overdue payments.

CARRIED

12 CONCLUSION OF MEETING

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 4:01pm.

The next Ordinary Meeting of Murray River Council will be held on Tuesday 28 January 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 10 DECEMBER 2024, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 28 JANUARY 2025.



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MAYOR

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Acting CEO

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