

**MINUTES OF MURRAY RIVER COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, MOAMA ADMINISTRATION OFFICE, 52 PERRICOOTA  
ROAD, MOAMA  
ON TUESDAY, 22 AUGUST 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), Lindy Leyonhjelm (Executive Assistant), Jessica McFarlane (Acting Director Planning & Environment), Stephen Fernando (Director Corporate Services), Jack Bond (Director Infrastructure), Karen Buckley (Acting 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.

## **3 APOLOGIES & APPLICATIONS FOR A LEAVE OF ABSENCE**

### **3 LEAVE OF ABSENCE/APOLOGIES**

#### **RESOLUTION 010823**

Moved: Cr Dennis Gleeson

Seconded: Cr Nikki Cohen

That the apologies tendered on behalf of Crs Chris Bilkey and Geoff Wise be received and accepted; and that leave of absence from the meeting be granted.

**CARRIED**

## **4 CONFIRMATION OF MINUTES**

### **4.1 CONFIRMATION OF MINUTES - ORDINARY MEETING HELD ON 25 JULY 2023 OF MURRAY RIVER COUNCIL**

#### **RESOLUTION 020823**

Moved: Cr Neil Gorey

Seconded: Cr Kron Nicholas

That the minutes of the Extra Ordinary Meeting of Murray River Council held on 25 July 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)

### 7.1 MAYORAL MINUTE - VICTORIAN GOVERNMENT GAS BAN

#### RESOLUTION 030823

Moved: Cr Frank Crawley

That:

1. Council notes the information outlined in this report in relation to the Victorian Government moving to ban gas connections in homes and government building as of 1 January 2024.
2. Council authorises the CEO and/or his delegate to seek clarity and reassurance for the relevant Victorian Minister on the continued gas supply to Murray River Council townships from Victoria.

**CARRIED**

## 8 REPORTS OF COMMITTEES

Nil

## 9 REPORTS TO COUNCIL

### 9.1 CHIEF EXECUTIVE OFFICERS REPORT AND SUPPLEMENTARY MATTERS

#### 9.1.1 MOTIONS TO BE SUBMITTED FOR LGNSW ANNUAL CONFERENCE

#### RESOLUTION 040823

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Council:

1. Review the recommended motions to be submitted to the Local Government NSW (LGNSW) Annual Conference, and;
2. Agree on the motions that are to be submitted to be included in the papers for the LGNSW Annual Conference that assists and advocates for Murray River Council and the state of NSW.

**CARRIED**

**9.1.2 COUNCIL OPERATIONS SHUTDOWN - CHRISTMAS 2023 / NEW YEAR 2024 PERIOD****RESOLUTION 050823**

Moved: Cr Nikki Cohen  
Seconded: Cr Ann Crowe

That the Council notes the action of the Chief Executive Officer in making appropriate arrangements for Council's operational shutdown over the Christmas 2023/New Year 2024 period, to the public, from close of business on Wednesday 20 December 2023 to business open on Tuesday 2 January 2024 inclusive. Staff will be attending a Council wide Christmas function on Thursday 21 December and shutdown will commence as of close of business that day.

**CARRIED**

**9.1.3 SETTING THE DATES, TIMES AND PLACES FOR THE ORDINARY COUNCIL MEETINGS INCLUDING OCTOBER 2023 THROUGH TO AND INCLUDING SEPTEMBER 2024****RESOLUTION 060823**

Moved: Cr Neil Gorey  
Seconded: Cr Thomas Weyrich

That Council:

- a. set the Ordinary Meetings of the Murray River Council dates for the months of October 2023 through to and including September 2024, with the date of 26 September 2023 having been set the August 2022 meeting.
- b. make allowances for a minimum of two (2) Ordinary Meetings of Council to be held at other sites within Murray River Council LGA.
- c. consider public holidays that may affect the schedule of meetings when setting the dates for each meeting.

**CARRIED**

**9.1.4 RESOLUTIONS OF THE COUNCIL - RESOLUTION TRACKER & INFOCOUNCIL ACTION REPORTS****RESOLUTION 070823**

Moved: Cr Dennis Gleeson  
Seconded: Cr Ann Crowe

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**

Resolution 240422 status update request taken on notice for feedback to Cr Crowe

Resolution 150623 draft strategy Economic development was to go to Council in July – taken on notice and will feedback to Cr Cohen on status of resolution.

**9.1.5 MONTHLY OPERATIONAL REPORT****RESOLUTION 080823**

Moved: Cr Ann Crowe

Seconded: Cr Neil Gorey

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

**CARRIED****9.2 DIRECTOR CORPORATE SERVICES REPORT AND SUPPLEMENTARY MATTERS****9.2.1 SALE OF LOT 3 DP 813704 - MATHOURA LINE ROAD, MOAMA****RESOLUTION 090823**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That Murray River Council (Council) resolve to:

1. sell the land identified as Lot 3, DP813704 (the Land) in its current condition through competitive Expression of Interest process with no special conditions attached, and
2. authorise the appointment of Elders Rural Service (bearing Australian Company registration Number 72004045121) as the licensed real estate agent to undertake the sale of the said Land.

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

Against: Nil

**CARRIED 7/0****CARRIED****9.2.2 CASH AND INVESTMENTS (INCLUDING RESERVES) REPORT AS AT 31 JULY 2023****RESOLUTION 100823**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That Council resolve to receive the Liquidity Report, incorporating Investments as of 31 July 2023, consisting of a Liquid Asset Position of \$52,635,814 which includes total investments of \$46,842,466.

**CARRIED****9.2.3 MEDIA POLICY V#2 - FINAL ADOPTION****RESOLUTION 110823**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

That Murray River Council resolve to:

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

**CARRIED**

#### **9.2.4 BUDGET POLICY**

##### **RESOLUTION 120823**

Moved: Cr Dennis Gleeson

Seconded: Cr Neil Gorey

That Murray River Council resolve to provisionally adopt the Budget Policy and place it on public display for 28 days for feedback ad comments.

**CARRIED**

#### **9.2.5 REVOCATION OF LEGACY LANDFILL LEVY**

##### **RESOLUTION 130823**

Moved: Cr Ann Crowe

Seconded: Cr Nikki Cohen

That Murray River Council (Council) resolve to rescind:

1. resolution number 2 of agenda item number 5.2.5 provisionally adopted at the extraordinary general meeting of 9 May 2023, and
2. resolution number 11 of agenda item 9.2.2 of the general meeting held on 27 June 2023, which was for the ratification of the provisional resolution identified in item 1 herein.

**CARRIED**

#### **9.2.6 BORROWING POLICY**

##### **RESOLUTION 140823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That Murray River Council resolve to provisionally adopt the Borrowing Policy and place it on public display for 28 days for feedback and comments.

**CARRIED**

#### **9.2.7 FINANCIAL REPORT - UNAUDITED FY 2023/24 PERIOD ENDING 31 JULY 2023**

##### **RESOLUTION 150823**

Moved: Cr Kron Nicholas

Seconded: Cr Neil Gorey

That Council receive the Financial Report, encompassing the Income Statement and Statement of Financial Performance for the period ended 31 July 2023.

**CARRIED**

Cr Crawley suggested a heading excluding the 'unaudited FY 2023/24' portion of the heading of the report

### 9.3 DIRECTOR IINFRASTRUCTURE REPORT AND SUPPLEMENTARY MATTERS

#### 9.3.1 ALGA NATIONAL LOCAL ROADS, TRANSPORT & INFRASTRUCTURE CONGRESS

##### **RESOLUTION 160823**

Moved: Cr Nikki Cohen

Seconded: Cr Thomas Weyrich

That Council:

1. Notes that the ALGA 2023 National Local Roads, Transport & Infrastructure Congress is being held in Canberra on 6 & 7 September 2023.
2. Seeks interest from MRC Councillors to attend the 2023 National Local Roads, Transport & Infrastructure Congress.
3. Approves attendance of Councillors who wish to attend.

**CARRIED**

Cr Gleeson is a maybe, to confirm once he checks his calendar.

### 9.4 DIRECTOR PLANNING AND ENVIRONMENT REPORT AND SUPPLEMENTARY MATTERS

#### 9.4.1 MATHOURA COMMON REQUIRED MAINTENANCE OR RECOMMENDED CHANGE OF USE.

##### **MOTION**

Moved: Cr Thomas Weyrich

Seconded: Cr Nikki Cohen

That

1. Council writes to the owner of stock currently under agistment on the Mathoura Common to inform them that all stock must be removed from site with reasonable notice.

##### **RESOLUTION 170823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That

1. Council writes to the owner of stock currently under agistment on the Mathoura Common to inform them that all stock must be removed from site as soon as possible due to

associated risks, unless temporary repairs can be undertaken at a cost no greater than \$1000.

2. Council receive a further report on the legalities, logistics and social considerations of agisting stock on Mathoura Common.

**CARRIED**

**THE AMENDED MOTION NOW BECOMES RESOLUTION OF COUNCIL**

#### **FORESHADOWED MOTION**

Cr Weyrich would like to move a motion to delay the decision on this resolution until further information is made available.

**The foreshadowed motion was not required.**

#### **9.4.2 HORSESHOE LAGOON - FINAL LANDSCAPE DESIGN FOR AWARENESS**

##### **RESOLUTION 180823**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That Council notes the final landscape design for Horseshoe Lagoon.

**CARRIED**

#### **9.5 DIRECTOR COMMUNITY AND ECONOMIC DEVELOPMENT REPORT AND SUPPLEMENTARY MATTERS**

##### **9.5.1 GRANTS AND AWARDS - JULY 2023**

##### **RESOLUTION 190823**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

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

**CARRIED**

##### **9.5.2 SECTION 355 COMMITTEE REPORT - MEETING MINUTES AS AT JULY 2023**

##### **RESOLUTION 200823**

Moved: Cr Neil Gorey

Seconded: Cr Ann Crowe

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

**CARRIED**

**9.5.3 CALDWELL HALL COMMITTEE - AGM****RESOLUTION 210823**

Moved: Cr Dennis Gleeson

Seconded: Cr Ann Crowe

That Council:

1. Revoke existing members of the Caldwell 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**

**9.5.4 MOULAMEIN HALL COMMITTEE - COMMITTEE DISSOLVED****RESOLUTION 220823**

Moved: Cr Neil Gorey

Seconded: Cr Nikki Cohen

That Council

1. Revoke existing members of the Moulamein Hall Committee of Management;
2. Dissolve the Moulamein Hall Committee of management pursuant to Section 355 of the Local Government Act 1993;
3. Approve the donation of existing hall furniture to Moulamein Heritage Village and Moulamein Men's Shed; and
4. Hold the balance of funds in a reserve pending a further report to Council.

**CARRIED**

**9.5.5 MOAMA LIONS COMMUNITY VILLAGE COMMITTEE - AGM****RESOLUTION 230823**

Moved: Cr Nikki Cohen

Seconded: Cr Thomas Weyrich

That Council:

1. Revoke existing members of the Moama Lions Community Village 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**

**9.5.6 MURRAY SHIRE HALL COMMITTEE - AGM****RESOLUTION 240823**

Moved: Cr Nikki Cohen



Seconded: Cr Ann Crowe

That Council:

1. Revoke existing members of the Murray Shire 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**

#### **9.5.7 BARHAM MICRO ABATTOIR - VARIATION TO LEASE COMMENCEMENT DATE**

##### **RESOLUTION 250823**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Council approve a variation to the Agreement to Lease to delay the commencement of the Lease to 1 September 2023.

**CARRIED**

Taken on notice by Mr Dodds – Cr Cohen requested information on why the lease payments are only 6 monthly commencing on 1 March 2024.

#### **9.6 CORRESPONDENCE REPORT**

##### **9.6.1 CORRESPONDENCE REPORT**

##### **RESOLUTION 260823**

Moved: Cr Kron Nicholas

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 270823**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That the Sundry Delegates Report of the Mayor and Councillors for the period 25 July 2023 through to 21 August 2023 be received and the information noted by the Council; and reasonable out of pocket expenses be met by Council.

**CARRIED**

**Cr Frank Crawley** attended the functions and meeting noted below in addition to those listed within this report:

14 Aug: Mathoura Retirement Village Meeting  
17 Aug: Planning for Councillors training workshop  
18 Aug: Vietnam Veterans Day Service  
19 Aug: Australian Darts Open presentation  
21 Aug: Barham Local Health Medical Trust tour

**Cr Nikki Cohen** attended the functions and meeting noted below in addition to those listed within this report:

21 Aug: Cr Cohen did not attend the Flood study meeting as listed in the report  
14 Aug: Mathoura Retirement Village Meeting  
21 Aug: Barham Local Health Medical Trust tour

**Cr Ann Crowe** attended the functions and meeting noted below in addition to those listed within this report:

8 Aug: Monthly Councillor workshop online  
18 Aug: Noorong Community Centre AGM Noorong  
21 Aug: Barham Local Health Medical Trust tour

## 10 NOTICE OF MOTIONS/QUESTIONS WITH NOTICE

### 10.1 NOTICE OF MOTION - THAT MURRAY RIVER COUNCIL WILL PROVIDE ADVOCACY ON BEHALF OF OUR COMMUNITY MEMBERS WHO ARE POTENTIALLY AFFECTED BY THE VNI WEST HIGH VOLTAGE TRANSMISSION, OPTION 5A

#### RESOLUTION 280823

Moved: Cr Neil Gorey  
Seconded: Cr Ann Crowe

That Murray River Council will provide advocacy on behalf of our community members who are potentially affected by the VNI West high voltage transmission, Option 5A. MRC will advocate that Option 5A should only proceed under the circumstance that the transmission line is routed underground, and not as the overhead high voltage transmission line which is currently proposed.

**CARRIED**

## 11 CONFIDENTIAL MATTERS

#### RESOLUTION 290823

Moved: Cr Nikki Cohen  
Seconded: Cr Dennis Gleeson

That Council moves out of Open Council into Closed Council at 2:18pm.

**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 reduction in loan interest on Echuca Moama Cycling Club Community Loans**

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

**11.2 RECOMMENDATION TO AWARD CONTRACT MRC 208 - LEASE OF PLANT FOR WASTE OPERATIONS**

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.

**11.3 Recommendation to award Contract MRC 2304 - Construction of Automated Depot Shed at the Moama Landfill**

This matter is considered to be confidential under Section 10A(2) - d(ii) 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 competitor of the council.

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

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.

**11.5 Mayoral Minute - Council endorse the appointment of an interim Chief Executive Officer to cover for leave taken by Mr Terry Dodds, CEO 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).

**11.6 Request for Waiver of Community Loan - Barham Medical Health Trust**

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.

**11.7 CONTRACT MRC 2214 CONSTRUCTION OF MOAMA PRESCHOOL – CONTRACT VARIATION FOR LANDSCAPING WORKS**

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.

**11.8 Recommendation to award tenders MRC 2314 Purchase of plant items**

This matter is considered to be confidential under Section 10A(2) - d(iii) 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, reveal a trade secret.

#### **11.9 Access Waste Reserve to construct a litter fence at Moama Landfill**

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.

#### **11.10 Write Off Bad & Doubtful Debts for 2022/23 Financial Year**

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 300823**

Moved: Cr Nikki Cohen

Seconded: Cr Dennis Gleeson

That Council moves out of Closed Council into Open Council at 3:11pm.

**CARRIED**

#### **RESOLUTION 310823**

Moved: Cr Nikki Cohen

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 REDUCTION IN LOAN INTEREST ON ECHUCA MOAMA CYCLING CLUB COMMUNITY LOANS**

##### **MOTION**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

##### Alternate Resolution 1

That Murray River Council (Council) resolve to not offer any concessions to the Echuca Moama Cycling Club and require the said club to continue to meet its obligations of repaying all outstanding amounts on the loans obtained from Council.

##### Alternate Resolution 2

That Murray River Council (Council) resolve to:

1. offer a waiver of interest totalling \$961.29 to the Echuca Moama Cycling Club, considering the COVID epidemic and the impact it had on community groups not being able to function due to lockdowns at the time, and

2. such waiver to be accounted against the budget allocation for Financial Assistance Program in Community Development, Financial Project No. 440120-457, and
3. require that the Echuca Moama Cycling Club continue to meet its obligations of repaying all outstanding amounts, excluding the waived interest identified in item 1 above, on the loans obtained from Council, including any interest that may accumulate in the future in keeping with the original terms of the loans.

**MOTION WAS LOST**

#### **RESOLUTION 320823**

Moved: Cr Nikki Cohen

Seconded: Cr Ann Crowe

That the CEO or his delegate engage with the Cycling club to assess their financial sustainability and provide a further report to a future Council meeting.

**CARRIED**

### **11.2 RECOMMENDATION TO AWARD CONTRACT MRC 208 - LEASE OF PLANT FOR WASTE OPERATIONS**

#### **RESOLUTION 330823**

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 complete tender process.
2. Accepts the tender from Vestone Capital for a five (5) year operating lease for \$406,870.00 (Ex GST) for Tender Number MRC 2308 – Lease of Plant for Waste operations for the lease of a CAT Loader.
3. Authorise the CEO to sign the lease documents.

**CARRIED**

### **11.3 RECOMMENDATION TO AWARD CONTRACT MRC 2304 - CONSTRUCTION OF AUTOMATED DEPOT SHED AT THE MOAMA LANDFILL**

#### **RESOLUTION 340823**

Moved: Cr Nikki Cohen

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 BLT Fabrication Pty Ltd for \$914,670.70 (Ex GST) for Tender Number MRC 2304
3. Authorise the CEO to sign the contract documents and authorise any contract variations within budget.

**CARRIED**

**11.4 SALE OF LOT 3 DP 813704 - MATHOURA LINE ROAD, MOAMA****RESOLUTION 350823**

Moved: Cr Thomas Weyrich  
Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to authorise the Chief Executive Officer (CEO) to undertake the necessary activities, including the entering into and signing the required contractual arrangements to sell the land identified as Lot 3, DP813704 (the Land) located at Line Road, Moama (also bounded by Centre Road), subject to the conditions identified in the Conclusions section of this report.

**CARRIED**

**11.5 MAYORAL MINUTE - COUNCIL ENDORSE THE APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE OFFICER TO COVER FOR LEAVE TAKEN BY MR TERRY DODDS, CEO MURRAY RIVER COUNCIL****RESOLUTION 360823**

Moved: Cr Frank Crawley

That Council endorse the appointment of an interim acting personnel in the position of Chief Executive Officer during the period that Mr Terry Dodds is on leave.

That Council:

1. Endorse the appointment of Mr Jack Bond as interim Chief Executive Officer for the period from [REDACTED].

**CARRIED**

Dates have been redacted due to privacy and confidentiality reasons.

**11.6 REQUEST FOR WAIVER OF COMMUNITY LOAN - BARHAM MEDICAL HEALTH TRUST****MOTION**

Moved: Cr Dennis Gleeson  
Seconded: Cr Neil Gorey

That Murray River Council (Council) resolve to acknowledge the:

- A. presentation by the Barham Medical Health Trust representatives on the 25 July 2023, and
- B. the socially significant work being undertaken by the said Trust for the residents of Barham and surrounds.

That Murray River Council (Council) adopt one of the following alternative resolutions:

**Alternate Resolution 1**

That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 plus pay back the loan repayment made by the said Trust on 27 June 2023, as requested by the said Trust.

**Alternate Resolution 2**

That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 only.

Alternate Resolution 3

That Murray River Council (Council) resolve to offer an extension of time of an additional 2 years, for the repayment of the current outstanding amount of \$44,000, resulting in four annual repayments of \$11,000 each commencing the 30<sup>th</sup> of June 2024 and completing on the 30<sup>th</sup> of June 2027, such revised repayment to continue to not attract any interest charges.

Alternate Resolution 4

That Murray River Council (Council) resolve to not grant any waiver of the outstanding loan amount owed to Council and require the Barham Medical Health Trust to meet its loan repayment obligations in keeping with the current repayment schedule.

Alternate Resolution 1

That Murray River Council (Council) resolve to grant the Barham Medical Health Trust a full waiver of the current outstanding loan amount of \$44,000 plus pay back the loan repayment made by the said Trust on 27 June 2023, as requested by the said Trust.

MOTION WAS LOST

**RESOLUTION 370823**

Moved: Cr Neil Gorey

Seconded: Cr Thomas Weyrich

Cr Neil Gorey foreshadows motion to move alternate resolution 3 including additional time for repayment of the loan.

That Murray River Council (Council) resolve to acknowledge the:

- A. presentation by the Barham Medical Health Trust representatives on the 25 July 2023, and
- B. the socially significant work being undertaken by the said Trust for the residents of Barham and surrounds.

That Murray River Council (Council) resolve to offer an extension of time of an additional 3 years, for the repayment of the current outstanding amount of \$44,000, resulting in five annual repayments of \$8,800 each commencing the 30<sup>th</sup> of June 2024 and completing on the 30<sup>th</sup> of June 2028, such revised repayment to continue to not attract any interest charges.

**CARRIED**

**11.7 CONTRACT MRC 2214 CONSTRUCTION OF MOAMA PRESCHOOL – CONTRACT VARIATION FOR LANDSCAPING WORKS**

**RESOLUTION 380823**

Moved: Cr Neil Gorey

Seconded: Cr Thomas Weyrich

That Council authorise the CEO to accept a contract variation for Contract MRC 2214 – Construction of Moama Preschool for \$379,379.62 (ex GST) to for the rear yard landscaping works associated with the project.

**CARRIED**

**11.8 RECOMMENDATION TO AWARD TENDERS MRC 2314 PURCHASE OF PLANT ITEMS****RESOLUTION 390823**

Moved: Cr Neil Gorey

Seconded: Cr Dennis Gleeson

That Murray River Council resolve to award the following plant procurement contracts to the respective suppliers, based on the responses received to tender number MRC 2314 for Purchase of Plant Items with Trade-in, and the evaluation of the said submissions in keeping with the identified evaluation criteria, as follows:

- a) Contract for the procurement of one (1) Caterpillar Grader model 140 JOY3 for a net price of \$331,870 excluding GST, after factoring in a trade in price of \$160,000 for current plant bearing registration number WYE600 to Westrac Pty Ltd, and
- b) Contract for the procurement of one (1) Caterpillar Backhoe model 432 for a price of \$207,990 excluding GST to Westrac Pty Ltd, and
- c) Contract for the procurement of one (1) Caterpillar Roller model CW34NN for a net price of \$192,670 excluding GST, after factoring in a trade in price of \$25,000 for current plant bearing registration number AB77GI to Westrac Pty Ltd, and
- d) Contract for the procurement of one (1) Caterpillar Reclaimer model RM400 for a net price of \$779,920 excluding GST, after factoring in a trade in price of \$200,000 for current plant bearing registration number 24902E to Westrac Pty Ltd, and
- e) Contract for the procurement of one (1) UD Water Truck model UD CG 32 430 QUON fitted with Barry Burrows 18,000L Water Tank for a net price of \$216,981 excluding GST, after factoring in a trade in price of \$105,000 for current plant bearing registration number XN75QN to Metele Pty Ltd,

and,

authorise the Chief Executive Officer to enter into and sign any contracts as required to give effect to the transactions identified in a) through e) inclusive.

**CARRIED****11.9 ACCESS WASTE RESERVE TO CONSTRUCT A LITTER FENCE AT MOAMA LANDFILL****RESOLUTION 400823**

Moved: Cr Nikki Cohen

Seconded: Cr Neil Gorey

That Council:

1. Approves the use of \$113,965 from the Unrestricted Waste Reserve to install a litter fence at the Moama Landfill

**CARRIED****11.10 WRITE OFF BAD & DOUBTFUL DEBTS FOR 2022/23 FINANCIAL YEAR****RESOLUTION 410823**



Moved: Cr Neil Gorey  
Seconded: Cr Thomas Weyrich

That Murray River Council resolve to write-off unrecoverable debts totalling \$39,805.31 from Council's register of debtors.

That Murray River Council resolve to authorise the Chief Executive Officer to remove unrecoverable debts totalling \$39,805.31 from Council's register of debtors.

**CARRIED**

**12 CONCLUSION OF MEETING**

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 3:20pm.**

The next Ordinary Meeting of Murray River Council will be held on Tuesday 26 September 2023, commencing at 1pm, 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 22 AUGUST 2023, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 26 SEPTEMBER 2023.**



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**DEPUTY MAYOR**



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**CEO**