

Richmond
Valley
Council



MINUTES

**Ordinary Council Meeting
18 March 2025**

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**MINUTES OF RICHMOND VALLEY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 10 GRAHAM PLACE, CASINO
ON TUESDAY, 18 MARCH 2025 AT 6PM**

Please note: these minutes are subject to confirmation at the next Council Meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.

PRESENT: Cr Robert Mustow (Mayor), Cr Stephen Morrissey (Deputy Mayor), Cr Sam Cornish, Cr Robert Hayes, Cr Sandra Humphrys, Cr Lyndall Murray, Cr John Walker

IN ATTENDANCE: Vaughan Macdonald (General Manager), Ryan Gaiter (Director Organisational Services), Ben Zeller (Director Projects & Business Development), Jenna Hazelwood (Chief of Staff), Julie Clark (Personal Assistant to the General Manager and Mayor), Latoya Cooper (Executive Assistant to Organisational Services) and Sebastian Scholl (Trainee Library & IT).

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

"Richmond Valley Council recognises the people of the Bundjalung Nations as Custodians and Traditional Owners of this land and we value and appreciate the continuing cultural connection to lands, their living culture and their unique role in the life of this region in the past, present and future."

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS

Ms Liz Stops addressed Council in relation to

- Item 14.2 Energy from Waste Framework Review strongly supported the removal of the Regional Jobs Precinct as a priority infrastructure area for an Energy from Waste facility and requested Council to continue to investigate future alternative waste treatments such as circular economy and educate the residents towards zero waste.

Ms Deborah Bell addressed Council in relation to

- Item 5.1 Mayoral Minute Tropical Cyclone Alfred – Impacts and Recovery, raising concerns regarding recent flooding and lack of stormwater drainage in and around Coraki, in particular the impact on properties on Bridge Street, adjacent to Windsor Park. (Presented photographs to the meeting identifying areas effected by poor drainage).

Mr Clement McGeary addressed Council in relation to

- Item 14.1 Response to Notice of Motion – Flood Buybacks and New Home Approvals for Flood Prone, seeking answers from Reconstruction Authority regarding buybacks in Woodburn. Expressed dissatisfaction with the NSW Reconstruction Authority; lack of consultation, poor prioritisation and requested clarification be provided to residents and

home owners. Mr McGeary thanked Council for advocating on behalf of the Richmond Valley residents' to the NSW Reconstruction Authority.

The Mayor thanked Ms Liz Stops, Ms Deborah Bell and Mr Clement McGeary for their attendance and address to the meeting.

A full recording of the public address segment is available at:

<https://richmondvalley.nsw.gov.au/council/council-meetings/council-meeting-videos/>

4 APOLOGIES

Nil

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - TROPICAL CYCLONE ALFRED - IMPACTS AND RECOVERY

RESOLUTION 180325/1

Moved: Cr Robert Mustow

Seconded: Cr Lyndall Murray

That Council considers the updated Mayoral Minute, to be tabled at the 18 March 2025 Ordinary Meeting, outlining the impacts, response and recovery planning for the Richmond Valley following Tropical Cyclone Alfred.

CARRIED

5.2 MAYORAL MINUTE - TROPICAL CYCLONE ALFRED: IMPACTS AND RECOVERY UPDATE

RESOLUTION 180325/2

Moved: Cr Robert Mustow

Seconded: Cr Lyndall Murray

That Council:

1. Acknowledges the outstanding efforts of Emergency Services personnel, volunteer organisations, Council's operational teams and members of the community in preparing for and responding to the Cyclone Alfred disaster in the Richmond Valley.
2. Continues to advocate strongly for government support for disaster recovery and improved resilience of local homes and infrastructure.

CARRIED

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD 18 FEBRUARY 2025

RESOLUTION 180325/3

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That Council confirms the Minutes of the Ordinary Meeting held on 18 February 2025.

CARRIED

7 MATTERS ARISING OUT OF THE MINUTES

Councillor Robert Hayes referred to Item 10.1 Notice of Motion - Flood Buybacks and New Home Approvals for Flood Prone Land in the Mid-Richmond and sought confirmation on the completion date for the CSIRO report. The General Manager advised that it is due by June 2025.

Mayor Robert Mustow referred to Item 12.1 Delegates Report, and the question Cllr Walker asked if the funds invested by Rous County Council were restricted and what they were being reserved for.

The question was taken on notice and the following breakdown of funds is provided:

- \$2.7 million in unrestricted funds
- \$2.3 million in restricted funds relating to grant revenue, \$508,000 for weeds grants
- \$1.8 million bulk water grants
- \$23.8 million in interally restricted funds predominately for bulk water with a large portion of this allocated towards the large capital work program for the next financial year. There is also a requirement under the TCorp loan to have 50% of next year's forecasted expenditure (less depreciation), as cash reserves.

8 DECLARATION OF INTERESTS

Nil

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYORAL ATTENDANCE REPORT 13 FEBRUARY - 11 MARCH 2025****RESOLUTION 180325/4**

Moved: Cr Robert Mustow

Seconded: Cr Lyndall Murray

That Council receives and notes the Mayoral Attendance Report for the period 13 February – 11 March 2025.

CARRIED

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT MARCH 2025 - ROUS COUNTY COUNCIL****RESOLUTION 180325/5**

Moved: Cr Sandra Humphrys

Seconded: Cr Robert Mustow

That Council receives and notes the Delegates' Report – Rous County Council for March 2025.

CARRIED

13 MATTERS DETERMINED WITHOUT DEBATE

Nil

14 GENERAL MANAGER**14.1 RESPONSE TO NOTICE OF MOTION - FLOOD BUYBACKS AND NEW HOME APPROVALS FOR FLOOD PRONE LAND IN THE MID-RICHMOND****EXECUTIVE SUMMARY**

At the February Council meeting a Motion by Cr Hayes, in relation to Flood Buybacks and new home approvals in the Mid-Richmond, was unanimously supported by Councillors. Council subsequently wrote to the Chief Executive Officer of the NSW Reconstruction Authority, seeking a response to Part 1 of the resolution. The letter also sought a response to a series of Questions on Notice submitted by Cr Murray at the February meeting regarding the Reconstruction Authority's Resilient Homes Program. To date, no response has been received from the Authority due to the current focus on recovery from the Cyclone Alfred event. A further report will be provided to Council once a response is received.

RESOLUTION 180325/6

Moved: Cr Lyndall Murray

Seconded: Cr Robert Hayes

That Council notes the update on the actions from the Notice of Motion and that a further report will be provided when a response from the NSW Reconstruction Authority is received.

CARRIED

14.2 ENERGY FROM WASTE FRAMEWORK REVIEW

EXECUTIVE SUMMARY

The NSW Environment Protection Authority (EPA) has progressed a review of the Energy from Waste framework for the NSW Government and identified potential changes to the framework. The EPA has released an options paper [Energy from waste – options paper](#) (due 8 April) and invited Council's views on potential changes to the framework. The feedback received will help to inform the NSW Government's decisions on future amendments.

There are three key proposed changes to the framework:

1. **Changes to the precincts and associated risks**
2. **Changes to the definition of thermal treatment**
3. **Changes to the exception relating to powering industrial or manufacturing processes on site**

The main change that will impact the Richmond Valley is the proposed removal of the Richmond Valley Regional Job Precinct as a priority infrastructure area for Energy from Waste Facilities.

Richmond Valley Council has been exploring Alternate Waste Treatment Solutions since 2017 as part of its Waste and Resource Recovery Strategy. The NSW EfW Infrastructure Plan 2021, which was designed to encourage investment in regional NSW, was the first document that specified EfW facilities could only be established in four LGAs in NSW.

On many occasions Council sought support from Regional NSW to prepare and deliver a community education program, to improve understanding of the operation of these facilities. However, no commitment to a specific Energy from Waste facility education/information program was provided. As a result of this apparent lack of political support for the emergence of EfW facilities, along with questions on the commercial viability of an EfW facility on the North Coast, Council resolved, in November 2022, to pause all investigations into Energy from Waste facilities.

It is therefore timely that the EPA has now reviewed its EfW Framework and proposed the removal of the Richmond Valley RJP as an option for an EfW facility in NSW. This reflects the results of Council's own investigations and will help to alleviate the concerns held by some in the Richmond Valley community.

MOTION

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council:

1. Notes the proposed changes to the NSW Government's Energy from Waste Framework, outlined in the energy from waste options paper;
2. Strongly supports the proposed removal of the Richmond Valley Regional Jobs Precinct as a priority infrastructure area for energy from waste facilities;
3. Confirms its commitment to alternate waste treatment solutions as part of the circular economy and supports proposed changes to the definition of thermal treatment, as well as the proposed exception relating to powering industrial or manufacturing processes on site;
4. Updates its Waste and Resource Recovery Strategy to reflect any amendments to the NSW Framework that may be made following the consultation;

Cr Walker suggested Point 5 be added to the motion:

5. Records its total opposition to an Energy from Waste project involving incineration ever being built in the Richmond Valley Local Government Area.

Cr Robert Mustow and Cr Sam Cornish accepted Point 5 to be added to the motion.

The motion was put to the vote and carried.

RESOLUTION 180325/7

Moved: Cr Robert Mustow

Seconded: Cr Sam Cornish

That Council:

1. Notes the proposed changes to the NSW Government's Energy from Waste Framework, outlined in the energy from waste options paper;
2. Strongly supports the proposed removal of the Richmond Valley Regional Jobs Precinct as a priority infrastructure area for energy from waste facilities;
3. Confirms its commitment to alternate waste treatment solutions as part of the circular economy and supports proposed changes to the definition of thermal treatment, as well as the proposed exception relating to powering industrial or manufacturing processes on site;
4. Updates its Waste and Resource Recovery Strategy to reflect any amendments to the NSW Framework that may be made following the consultation;
5. Records its total opposition to an Energy from Waste project involving incineration ever being built in the Richmond Valley Local Government Area.

CARRIED

15 COMMUNITY SERVICE DELIVERY**15.1 POST EXHIBITION REPORT - DRAFT SECTION 7.11 HEAVY HAULAGE CONTRIBUTIONS PLAN****EXECUTIVE SUMMARY**

At the 17 December 2024 Ordinary Meeting Council endorsed the Draft Richmond Valley Council Section 7.11 Heavy Haulage Contributions Plan (as amended) for public exhibition.

The Draft Plan was publicly exhibited from 27 January 2025 to 28 February 2025 in accordance with the Richmond Valley Council Community Participation Plan. No submissions were received.

The Draft Plan is now presented for Council's consideration.

RESOLUTION 180325/8

Moved: Cr Robert Mustow

Seconded: Cr Stephen Morrissey

That Council:

1. Notes the outcome of the community consultation for the Draft 7.11 Heavy Haulage Contributions Plan (as Amended).
2. Adopts the Richmond Valley Council Section 7.11 Heavy Haulage Contributions Plan (as Amended) (March 2025) and publishes a copy of the Plan on its website.

CARRIED

15.2 BULK WATER CHARGES

EXECUTIVE SUMMARY

At its June 2024 Ordinary Meeting, Council amended its Revenue Policy for the 2024/2025 financial year to create equity between existing external bulk water customers. These changes resulted in a small number of customers being inappropriately charged both the bulk water charge and a water access charge. In December 2024 Council resolved to endorse a revised 2024/2025 Revenue Policy with a new Private Property Connection – Bulk Water Sale Charge included and place the Policy on public exhibition as required. The revised Policy was publicly exhibited between 20 December 2024 and 11 February 2025 and no submissions were received. The revised 2024/2025 Revenue Policy is now presented for Council's consideration.

RESOLUTION 180325/9

Moved: Cr Robert Hayes

Seconded: Cr Stephen Morrissey

That Council:

1. Adopts the revised 2024/2025 Revenue Policy including the addition of a new Private Property Connection – Bulk Water Sale Charge.
2. Applies the new charge from 1 July 2024.

CARRIED

16 PROJECTS & BUSINESS DEVELOPMENT

Nil

17 ORGANISATIONAL SERVICES

17.1 FINANCIAL ANALYSIS REPORT - FEBRUARY 2025

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the status and performance of its cash and investment portfolio in accordance with the *Local Government Act 1993* s.625, Local Government (General) Regulation 2021 cl.212, Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's cash and investments at 28 February 2025 is shown below:

Bank Accounts	Term Deposits	Floating Rate Notes	Fixed Rate Bonds	TCorp IM Funds	Total
\$20,305,766	\$30,000,000	\$6,750,390	\$4,500,000	\$17,480,387	\$79,036,542

The weighted average rate of return on Council's cash and investments at 28 February 2025 was 4.32% which was above the Bloomberg AusBond Bank Bill Index for February of 4.07% (annualised), which is Council's benchmark.

RESOLUTION 180325/10

Moved: Cr John Walker

Seconded: Cr Robert Hayes

That Council adopts the Financial Analysis Report detailing the performance of its cash and investments for the month of February 2025.

CARRIED

18 GENERAL BUSINESS

Nil

19 MATTERS FOR INFORMATION

RESOLUTION 180325/11

Moved: Cr Stephen Morrissey

Seconded: Cr John Walker

Recommended that the following reports submitted for information be received and noted.

CARRIED

19.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 26 FEBRUARY 2025

RESOLUTION 180325/12

Moved: Cr Stephen Morrissey

Seconded: Cr John Walker

That Council receives and notes the Minutes of the Audit, Risk and Improvement Committee meeting held on 26 February 2025.

CARRIED

19.2 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 FEBRUARY 2025 - 28 FEBRUARY 2025

RESOLUTION 180325/13

Moved: Cr Stephen Morrissey

Seconded: Cr John Walker

That Council receives and notes the Development Application report for the period 1 February 2025 to 28 February 2025

CARRIED

19.3 GRANT APPLICATION INFORMATION REPORT - FEBRUARY 2025

RESOLUTION 180325/14

Moved: Cr Stephen Morrissey

Seconded: Cr John Walker

That Council receives and notes the Grant Application Information Report for the month of February 2025.

CARRIED

20 QUESTIONS ON NOTICE

20.1 QUESTIONS ON NOTICE - 2022 FLOOD IMPACT UPDATE

The following questions on notice were received from Councillor Murray at the February 2025 Ordinary meeting. The questions relate to the NSW Reconstruction Authority's Resilient Homes Program.

Questions

1. Will all priority homes mapped 1-4 receive a grant and what is the timeline to deliver these in full?
2. Of the total number of homes affected by the 2022 flood, how many promised grants have been approved and distributed across the three Resilient Homes Grant streams? Additionally, provide a breakdown by grant stream and postcode for Richmond Valley residents.
3. How much of the \$790 million has been distributed, with a breakdown by postcode, priority level, and the average time taken for approval?
4. Provide clear details about the retreat program, including how people can apply and the timeline for its rollout across properties over five hectares. Will the funding be equivalent to the house raise grant stream? If not, why?
5. What is the process for RA agents in connecting applicants to mental health services, and how many individuals have been referred to the police for welfare checks in the Richmond Valley?
6. Can we follow up with the relevant agency to confirm the revised date for the outcome of the Woodburn IGA's business grant application, which was supposed to be yesterday?

Responses

Council wrote to the NSW Reconstruction Authority, seeking clarification of these issues on 24 February 2025 and has participated in discussions with the Authority regarding the Resilient Homes Program. To date, Council has not received a response to its letter and given the Authority's current focus on recovery from the Cyclone Alfred event, it is unlikely that this matter will be addressed prior to the March Ordinary Meeting. Council will continue to work with the Authority to progress a response to the Questions on Notice.

RESOLUTION 180325/15

Moved: Cr Lyndall Murray

Seconded: Cr Robert Hayes

That Council continues to seek a response from the NSW Reconstruction Authority to the Questions on Notice raised by Councillor Murray.

CARRIED

21 QUESTIONS FOR NEXT MEETING (IN WRITING)

21.1 QUESTIONS – CR LYNDALL MURRAY

Cr Lyndall Murray asked that the following questions be answered at Council's April Ordinary meeting and the responses be made publicly available:

Questions for the Reconstruction Authority regarding the \$5,000,000 Repair to Return program and undisclosed funding amounts:

1. If any funds were allocated to the Richmond Valley, what amount was spent and on how many homes?
2. How much funding was spent on the Living Lab and Lismore City Council's Converge program?
3. Will the Reconstruction Authorities CEO and Executive agree to attend an open meeting in Woodburn, Coraki and Broadwater to discuss the next "phase" of rolling out the remaining House Raise & Retro Refit grant streams?
4. GIVIT was announced as the primary fundraising vehicle by the State Government. How much money has been raised for Cyclone Alfred, and how much has been spent in the Richmond Valley?
5. What is the total amount of grant or other income received by Richmond Valley Council for the 2022 flood recovery? Please provide a breakdown by grant stream and a report detailing the projects funded by these monies broken down by postcode?

Additional questions:

1. Can the council arrange a meeting with concerned community members to discuss why water in the Bungawalbin flats affecting Swan Bay, New Italy, Ellangowan, and surrounding areas, is not draining?
2. Could council staff meet with Coraki residents to collect feedback on stormwater and sewerage issues along Bridge Street, Richmond Street, behind Union Street, and surrounding areas, and then compile a report on the system's effectiveness?
3. Can council staff investigate or write to the relevant agency regarding the recent fish kills and blackwater incidents, and report whether the blackwater poses a toxic risk to human health?
4. Can council ask the relevant agency for a report on the health of the Richmond River before and after the impacts of the fish kills as a result of Cyclone Alfred?
5. Can we get back to Deborah Bell's questions as outlined in public access?
6. Where are the new guages promised for Bungawalbin?

21.2 QUESTIONS – CR ROBERT HAYES

Cr Robert Hayes asked that the following questions be answered at Council's April Ordinary meeting:

1. Can Council develop an avenue where you can make an inquiry to get confirmation of what flood depths and velocities are relevant to a property and what type of engineering would be required to accompany a development application to be successful?

2. If the CSIRO flood report due out in June 2025 results in flood mitigation measures that will result in lowering flood levels by 1m or more. What could that do to flood hazard classifications in our villages and surrounding areas moving forward?

22 MATTERS REFERRED TO CLOSED COUNCIL

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:

22.1 Tender VP430435 - Design & Construct Casino Suspension Bridge

This matter relates to (d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.2 Tender REGPRO412425 - Provision of Traffic Control Services

This matter relates to (d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.3 Tender REGPRO402425 - Road Safety Barrier Systems

This matter relates to (d)(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

The General Manager reported that no written representations had been received in respect of the items listed for consideration in Closed Council.

The Chair called for representations from the gallery.

There were no verbal representations from the gallery in respect of this item.

The Chair advised that under section 10A Local Government Act 1993, the media and public are to be excluded from the meeting on the basis that the business to be discussed is classified confidential under the provisions of section 10(2) as outlined above.

RESOLUTION 180325/16

Moved: Cr Stephen Morrissey

Seconded: Cr Sandra Humphrys

That:

1. Council enters Closed Council to consider the business identified in Item 22.1, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(2) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis the business to be discussed is classified confidential under the provisions of section 10(2) as outlined above. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) Local Government Act 1993

CARRIED

Council closed its meeting at 7.54pm

The open Council meeting resumed at 7.59pm

23 RESOLUTIONS OF CLOSED COUNCIL

The resolutions of the Closed Council meeting were read by the Director Projects and Business Development (Item 22.1) and Director Organisational Services (Items 22.2 & 22.3).

22.1 Tender VP430435 - Design & Construct Casino Suspension Bridge

That

1. Council accepts the tender for design and construction of the Casino Suspension Bridge from Fleetwood Urban Pty Ltd, as it represents the best value for Council at \$3,259,927.00 (exclusive of GST); and
2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

22.2 Tender REGPRO412425 - Provision of Traffic Control Services

That

1. Council accepts the tender from the following suppliers for Regional Procurement Tender REGPRO412425 – Provision of Traffic Control Services, on a Schedule of Rates based contract for a period of three years, with an option for 2 x one-year extensions, subject to performance.
 - Lack Group
 - Altus Traffic
 - Workforce International Group
2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

22.3 Tender REGPRO402425 - Road Safety Barrier Systems

That

1. Council accepts the tender from the following suppliers for Regional Procurement Tender REGPRO402425 – Road Safety Barrier Systems, on a Schedule of Rates based contract for a period of three years, with an option for 2 x one-year extensions, subject to performance.
 - Road Safety Barriers
 - Irwin Family Trust
 - On Time Guardrail
2. The General Manager be authorised to negotiate and finalise the terms and conditions of any contract or agreement, in line with the content of this report and the available budget and affixing the seal of Council where necessary.

The Meeting closed at 8.03pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 April 2025.

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CHAIRPERSON