

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE COUNCIL CHAMBERS, JERILDERIE
ON TUESDAY 26 NOVEMBER 2024, COMMENCING AT 2.00PM**

ACKNOWLEDGEMENT OF COUNTRY

Mayor McRae paid respect to the traditional custodians of the lands and waters of Murrumbidgee Local Government Area, and to all Aboriginal Elders, past and present and emerging.

RECORDING & WEBCASTING OF MEETING

Mayor McRae advised those present the meeting is being recorded and the audio recording will be placed on Council's website. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast.

PRESENT

Present were Councillors R McRae OAM (Mayor) , R Black (Deputy Mayor), F Bryce, T Mauger, C Chirgwin, T Strachan, R Curphey, H Heath and J Saxvik.

Also present was General Manager, John Scarce and Director of Planning & Infrastructure, Garry Stoll.

APOLOGIES

NIL

CONFIRMATION OF MINUTES

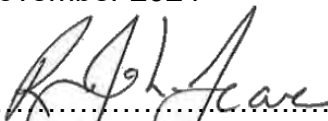
143/11/24 Resolved on the motion of Councillors Bryce and Saxvik that the Minutes of the Ordinary Meeting of Council held on 22 October 2024, as printed and circulated, be confirmed.

CARRIED

PECUNIARY INTEREST DECLARATIONS

NIL

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..........General ManagerMayor

NOTICE OF RESCISSION

NIL

NOTICE OF MOTION

NIL

MAYORAL REPORT

SC217

144/11/24 Resolved on the motion of Councillors Strachan and Chirgwin that the information contained in the Mayoral Report be noted.

CARRIED

DELEGATES' REPORTS

UNVEILING OF "MONASH & THE BUSHRANGER" STATUE

SC197

145/11/24 Resolved on the motion of Councillors Curphey and Mauger that the information contained in the Delegate's Report be noted.

CARRIED

MARRAMBIDYA RIVER FEST

SC26/SC135

146/11/24 Resolved on the motion of Councillors Curphey and Mauger that the information contained in the Delegate's Report be noted.

CARRIED

OFFICERS' REPORTS FOR CONSIDERATION

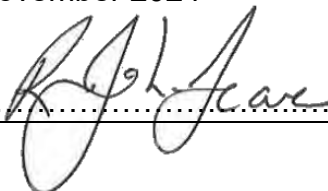
GENERAL MANAGER'S MONTHLY REPORT

SC218

147/11/24 Resolved on the motion of Councillors Bryce and Strachan that the information contained in the General Manager's monthly report be noted, and Council:

- a) Rescind the COVID19 Vaccination Policy, adopted by Council on the 29 March 2022, resolution number 29/03/2022, effectively immediately
- b) Endorse the Community Engagement Strategy 2024-2028
- c) Endorse the submission on PFAS Contamination in Waterways and Drinking Water Supplies, and submit same to the Upper House Select Committee

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..........General ManagerMayor

- d) Support the current decision of NSW and Victorian Health to invest in the existing Albury Hospital site as the single service facility for Albury Wodonga Health, and that we lobby for extra stages of funding to meet the 2021 Clinical Service Plan by 2030.

CARRIED

AUDITED FINANCIAL STATEMENTS 2023-24

SC133

Mayor McRae welcomed to the meeting, via video, RSD Auditor Dylan Murray, and Acting Director Audit Office, Aubrey Perez.

- 148/11/24 Resolved** on the motion of Councillors Strachan and Chirgwin that the audited financial statements, encompassing the General Purpose Financial Statements, Special Purpose Financial Statements and Special Schedules for the year ended 30 June 2024, be adopted.

CARRIED

RSD Auditor Dylan Murray and Acting Director Audit Office, Aubrey Perez departed the meeting.

ANNUAL REPORT 2023-2024

SC50

- 149/11/24 Resolved** on the motion of Councillors Bryce and Mauger that Council endorse the Murrumbidgee Council Annual Report for the year 2023-2024 and the Report be published on Council's website.

CARRIED

REQUEST TO SUSPEND ALCOHOL FREE ZONE FOR 2025 AUSTRALIA DAY CELEBRATIONS

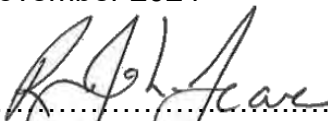
SC5, SC100

- 150/11/24 Resolved** on the motion of Councillors Black and Mauger that Council:

1. Allow the prohibition on the consumption of alcohol in the vicinity of the Council Chambers, Civic Hall, Luke Park and Powell Street to be lifted from midday to midnight on 26 January, 2025;
2. Allow the prohibition signs to be covered during the period of the celebrations;
3. Notify the local Police; and
4. Advertise Council's action.

CARRIED

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.....General ManagerMayor

151/11/24 Resolved on the motion of Councillors Chirgwin and Mauger that the Quarterly Budget Review be noted, and variances to the budget, as outlined therein, be approved.

CARRIED

SALE OF LAND FOR UNPAID RATES

SC161

152/11/24 Resolved on the motion of Councillors Saxvik and Mauger that Council proceed with the sale of the following land for unpaid rates and charges, subject to the conditions of the Local Government Act 1993:

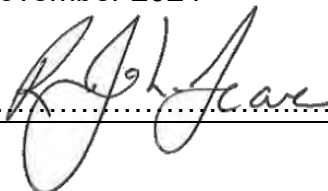
Lot 9, DP 2641	Lot 1 DP 1098861
Lot 2, DP 1144436	Lot 7 DP 790300
Lot 2, DP 317821	Lot 1 DP 1067148
Lots 1 & 2. DP 399918	Lot 16 DP 234758
Lot 1, DP 595132	Lot 1, DP 668706
Lot 1, DP 559776	Lot 1, DP 661756
Lot A DP 100868	Lot 1, DP 652713
Lot 425, DP 862112	Lot 1 DP 1037644
Lot 1, DP 107009	Lots 6 & 7, Section 9, DP 759030
Lot 4 DP 790300	Lot 10, Section 9, DP 759030
Lot 150 DP 237703	Lot 8, Section 9, DP 759030
Lot 380, DP 259779	Lot 5 Sec 2 DP 759030

CARRIED

WESTERN REGIONAL PLANNING PANEL APPOINTMENTS SC212-002

153/11/24 Resolved on the motion of Councillors Strachan and Chirgwin that Council nominate delegates Mayor Ruth McRae and Deputy Mayor Robert Black, and 2 alternate delegates, Councillors Faith Bryce and Robert Curphey, to the Western Regional Planning Panel for a 3 year term, December 2024 to December 2027.

CARRIED

..........General ManagerMayor

**PROPOSED AMENDED YANCO DELTA WIND FARM VOLUNTARY
PLANNING AGREEMENT** **SC210**

154/11/24 **Resolved** on the motion of Councillors Mauger and Curphey that Council place on public notification the amended Voluntary Planning Agreement applying to the Yanco Delta Wind Farm State Significant Development 41743746, which proposes to change the details of the developer to the Yanco Delta WF Project Pty Ltd ABN 42 676 356 915 as Trustee for the Yanco Delta WF Project Trust, for a period of twenty eight (28) days.

CARRIED

**REPORT ON MURRUMBIDGEE COUNCIL CODE OF CONDUCT
STATISTICS** **SC222**

155/11/24 **Resolved** on the motion of Councillors Bryce and Saxvik that Council note:

- a) there were no code of conduct complaints made against Councillors or the General Manager during the period 1 September 2023 to 31 August 2024; and
- b) these statistics have been reported to the Office of Local Government in accordance with the Procedures for the Administration of the Murrumbidgee Council Code of Conduct.

CARRIED

WESTERN RIVERINA REGIONAL DROUGHT RESILIENCE PLAN **SC135**

156/11/24 **Resolved** on the motion of Councillors Curphey and Black that Council endorse the Western Riverina Consortium Regional Drought Resilience Plan for submission to the NSW Government.

CARRIED

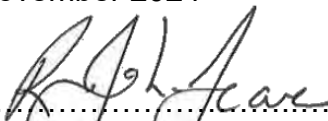
REPORTS/MINUTES OF COUNCIL COMMITTEES

JERILDERIE TIDY TOWNS COMMITTEE MEETING **SC21**

157/11/24 **Resolved** on the motion of Councillors Bryce and Strachan that the information contained in the Jerilderie Tidy Towns Committee Minutes of 14 October 2024, be noted.

CARRIED

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.....General ManagerMayor

AUDIT RISK & IMPROVEMENT COMMITTEE MEETING MINUTES SC130

158/11/24 **Resolved** on the motion of Councillors Mauger and Black that the information contained in the Audit Risk & Improvement Committee Meeting Minutes of 21 October 2024, be noted.

CARRIED

MONASH PARK ADVISORY COMMITTEE MEETING MINUTES SC84

159/11/24 **Resolved** on the motion of Councillors Mauger and Strachan that the information contained in the Monash Park Advisory Committee Meeting Minutes of 23 October 2024, be noted.

CARRIED

STURT HIGHWAY TASKFORCE MEETING MINUTES SC318

160/11/24 **Resolved** on the motion of Councillors Curphey and Saxvik that the information contained in the Sturt Highway Taskforce Meeting Minutes of 29 October 2024, be noted.

CARRIED

JERILDERIE TIDY TOWNS COMMITTEE AGM AND GENERAL MEETING MINUTES SC21

161/11/24 **Resolved** on the motion of Councillors Bryce and Mauger that the information contained in the AGM and General Committee Meeting Minutes of 4 November 2024, be noted.

CARRIED

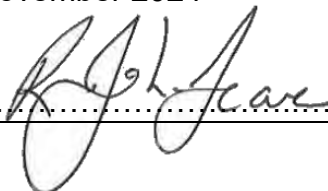
OFFICERS' REPORTS FOR NOTING

MONTHLY INVESTMENT REPORT – OCTOBER 2024 SC133

162/11/24 **Resolved** on the motion of Councillors Saxvik and Curphey that Council note the monthly Investment Report identifying all money Council has invested under Section 625 of the *Local Government Act 1993*.

CARRIED

This is page 6 of 10 of the Minutes of the Ordinary Meeting of Council held on Tuesday 26 November 2024

.....General ManagerMayor

**DEVELOPMENT APPLICATION APPROVED UNDER DELEGATION,
OCTOBER 2024** **SC210**

163/11/24 **Resolved** on the motion of Councillors Chirgwin and Bryce that the information contained in the Development Application Approved Under Delegation October 2024, be noted.

CARRIED

CONFIDENTIAL ITEMS

TENDER – CLASS 9 MOTOR GRADER **SC742**

164/11/24 **Resolved** on the motion of Councillors Chirgwin and Curphey that this item be referred to the **CONFIDENTIAL** section of the Ordinary Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) (d) (i) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- d) Commercial information of a confidential nature that would, if disclosed:
 - i) Prejudice the commercial position of the person who supplied it.

CARRIED

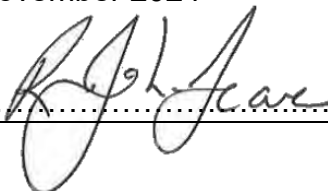
PLANT REPLACEMENT – PURCHASE OF BACKHOE LOADER **SC743**

165/11/24 **Resolved** on the motion of Councillors Chirgwin and Curphey that this item be referred to the **CONFIDENTIAL** section of the Ordinary Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) (d) (i) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- d) Commercial information of a confidential nature that would, if disclosed:
 - i) Prejudice the commercial position of the person who supplied it.

CARRIED

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.....General ManagerMayor

PLANT REPLACEMENT – PURCHASE OF JET PATCHER

SC744

166/11/24 Resolved on the motion of Councillors Chirgwin and Curphey that this item be referred to the **CONFIDENTIAL** section of the Ordinary Council Meeting which is closed to the public. This item is classified as confidential in accordance with Section 10A (2) (d) (i) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- d) Commercial information of a confidential nature that would, if disclosed:
 - i) Prejudice the commercial position of the person who supplied it.

CARRIED

Council closed its meeting to the public at 3.39pm. Recording was stopped.

TENDER – CLASS 9 MOTOR GRADER

SC742

167/11/24 Resolved on the motion of Councillors Curphey and Chirgwin that:

1. Council accept the tender from WesTrac Pty Ltd for the purchase of a Caterpillar 150 Motor Grader for \$586,900 (excluding GST), less trade of \$140,000 (excluding GST) on Council’s current plant item 157, a changeover price of \$446,900 (excluding GST).
2. The contract documents and any other associated documents be executed on behalf of the Council in accordance with cl.165 of the Local Government Regulation by the General Manager as the principal’s representative.

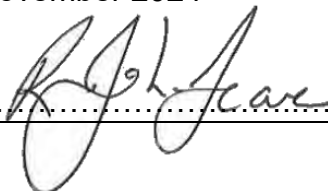
CARRIED

PLANT REPLACEMENT – PURCHASE OF BACKHOE LOADER SC743

168/11/24 Resolved on the motion of Councillors Black and Curphey that:

1. Council endorse the recommendation of the Evaluation Panel to purchase a Caterpillar 432 backhoe loader from WesTrac Pty Ltd for \$213,420 (excluding GST), less trade of \$42,000 (excluding GST) on Council’s current plant item 167, a changeover price of \$171,420 (excluding GST), based on a comprehensive evaluation of quality, suitability, and overall value rather than lowest price, given that the procurement was below the \$250,000 threshold and did not require a formal tender process.

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General ManagerMayor

2. The contract documents and any associated documentation be executed on behalf of Council in accordance with clause 165 of the Local Government Regulation, with the General Manager acting as the principal's representative.

CARRIED

PLANT REPLACEMENT – PURCHASE OF JET PATCHER SC744

169/11/24 Resolved on the motion of Councillors Strachan and Curphey that:

1. Council determines, in accordance with s 55(3)(i) of the *Local Government Act 1993*, that a satisfactory result would not be achieved by inviting tenders for the procurement of a jet patcher, due to:
 - there being one only national supplier for this item of plant; and
 - the unavailability of competitive or reliable tenderers.
2. Council accept the quotation from Ausroad Manufacturers for the purchase of a 6m³ Ausroad Jetmaster body (PTO powered) (\$495,940.00 excluding GST) and Isuzu FXY 240 – 350 auto cab chassis (\$186,750.00 excluding GST) for a total purchase price of \$682,690.00 (excluding GST);
3. The contract documents, and any other associated documents, be executed on behalf of the Council in accordance with cl.165 of the Local Government Regulation by the General Manager as the principal's representative.

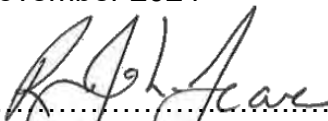
CARRIED

170/11/24 Resolved on the motion of Councillors Chirgwin and Curphey that open Council resume.

Open Council resumed at 3.49pm with the meeting re-opened to the public. Recording resumed.

The Mayor informed the meeting of resolutions 167/11/24, 168/11/24 and 169/11/24 as adopted in the Confidential section of the meeting.

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.....General ManagerMayor

ITEM WITHOUT NOTICE

SALE OF PROPERTY TO MURRUMBIDGEE LOCAL HEALTH DISTRICT SC88

171/11/24 **Resolved** on the motion of Councillors Black and Bryce that this item without notice be accepted and referred to today's meeting, as it requires resolution before the next scheduled meeting.

CARRIED

SALE OF PROPERTY TO MURRUMBIDGEE LOCAL HEALTH DISTRICT SC88

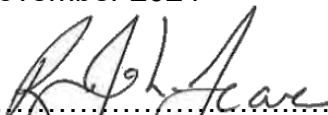
172/11/24 **Resolved** on the motion of Councillors Curphey and Strachan that:

1. Council, in accordance with section 55 (3) (b) of the *Local Government Act NSW 1993*, authorise the General Manager to sell 2 Mundoora Mews and 1 Koongara Crescent Jerilderie to the NSW Government Ministry of Health (Murrumbidgee Local Health District)
2. The General Manager be authorised to execute all documentation associated with the sale
3. The sale price be determined by an independent valuer
4. Council authorise the General Manager to seek a competitive price to build an additional 4 bedroom home in Jerilderie, with a follow up report to Council seeking approval to proceed with engagement of preferred building contractor.

There being no further business, the meeting closed at 4.01pm.

.....
Cr R E McRae OAM
MAYOR

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.....General ManagerMayor