

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE COUNCIL CHAMBERS, DARLINGTON POINT
ON TUESDAY 28 MARCH 2023, COMMENCING AT 11.00AM**

ACKNOWLEDGEMENT OF COUNTRY

Mayor McRae

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 (Mayor), R Black (Deputy Mayor), F Bryce, T Mauger, C Chirgwin, T Strachan, R Curphey and J Saxvik.

Also present was General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke.

APOLOGIES

An apology was received from Councillor Gavin Gilbert.

33/03/23 **Resolved** on the motion of Councillors Mauger and Curphey that the apology from Councillor Gilbert be received and leave of absence be granted.

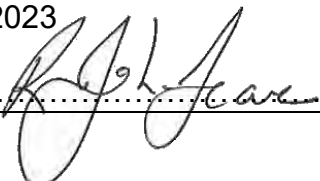

CARRIED

CONFIRMATION OF MINUTES

34/03/23 **Resolved** on the motion of Councillors Curphey and Strachan that the Minutes of the Ordinary Meeting of Council held on 28 February 2023, as printed and circulated, be confirmed.

CARRIED

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.......... General Manager ..... Mayor

PECUNIARY INTEREST DECLARATIONS

NIL

MAYORAL REPORT

SC217

35/03/23 **Resolved** on the motion of Councillors Black and Chirgwin that the information contained in the Mayoral Report be noted.

CARRIED

DELEGATES' REPORTS

NIL

OFFICERS' REPORTS FOR CONSIDERATION

GENERAL MANAGER'S MONTHLY REPORT

SC218

36/03/23 **Resolved** on the motion of Councillors Mauger and Strachan that the information contained in the General Manager's Monthly Report be noted, and fees for additional 240L bins, as part of the three stream waste collection service, be set at FOGO \$72 per annum, Recycling \$108 per annum, General \$200 per annum for the financial year 2023/24.

CARRIED

FEES & CHARGES PRICING POLICY

SC49

37/03/23 **Resolved** on the motion of Councillors Mauger and Chirgwin that the Fees & Charges Pricing Policy be adopted by Council.

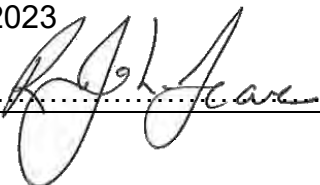

CARRIED

DRAFT MURRUMBIDGEE COUNCIL COMPANION ANIMALS MANAGEMENT POLICY

SC49

38/03/23 **Resolved** on the motion of Councillors Curphey and Saxvik that:

1. The draft Murrumbidgee Council Companion Animals Management Policy be endorsed by Council, and placed on public exhibition for a minimum period of 28 days, seeking public comment.

..........General Manager .....Mayor

2. At the completion of the exhibition period, the draft Murrumbidgee Council Companion Animals Management Policy be presented for adoption.

CARRIED

COUNCIL HOUSING REPLACEMENT STRATEGY

SC88

39/03/23 Resolved on the motion of Councillors Mauger and Strachan that:

1. GJ Gardner Homes be engaged by Council to construct a dwelling (Hamilton 266) as the replacement General Manager's residence at Lot 43, 10 Argoon Avenue, Jerilderie;
2. Under Section 55 (3) (i) of the Local Government Act 1993, GJ Gardner Homes be awarded the contract for the construction of the Hamilton 266 design, due to the remoteness of our locality and the unavailability of competitive tenderers.

CARRIED

REPORTS/MINUTES OF COUNCIL COMMITTEES

AUDIT RISK & IMPROVEMENT COMMITTEE MEETING

SC130

40/03/23 Resolved on the motion of Councillors Black and Curphey that the information contained in the Audit Risk & Improvement Committee Meeting Minutes be noted.

CARRIED

MINUTES OF THE MURRUMBIDGEE COUNCIL TRAFFIC COMMITTEE MEETING

SC20

41/03/23 Resolved on the motion of Councillors Bryce and Curphey that the information contained in the Murrumbidgee Council Traffic Committee Meeting Minutes be noted.

CARRIED



JERILDERIE TIDY TOWNS COMMITTEE MEETING

SC21

42/03/23 Resolved on the motion of Councillors Bryce and Chirgwin that the information contained in the Jerilderie Tidy Towns Committee Meeting Minutes be noted.

CARRIED

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.......... General Manager ..... Mayor

OFFICERS' REPORTS FOR NOTING

MONTHLY INVESTMENT REPORT - FEBRUARY 2023

SC133

43/03/23 **Resolved** on the motion of Councillors Mauger and Strachan that the Monthly Investment Reports - February 2023 be noted, identifying all money Council has invested under section 625 of the *Local Government Act 1993*.

CARRIED

DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATION, FEBRUARY 2023

SC210

44/03/23 **Resolved** on the motion of Councillors Chirgwin and Mauger that the information contained in the Development Applications Approved Under Delegation Report, February 2023, be noted.

CARRIED

ITEM WITHOUT NOTICE

GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL

45/03/23 **Resolved** on the motion of Councillors Bryce and Black that this item without notice be accepted and referred to the March 2023 meeting of Council, as it requires resolution before the next scheduled meeting.

CARRIED

CONFIDENTIAL ITEMS



CONVERSION OF LEASE

SC79

46/03/23 **Resolved** on the motion of Councillors Chirgwin and Saxvik 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) (a) and (c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

a) personnel matters concerning particulars individuals (other than Councillors);

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.......... General Manager ..... Mayor

c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

CARRIED

ILLEGAL OCCUPATION OF A CARAVAN

SC168

47/03/23 **Resolved** on the motion of Councillors Chirgwin and Saxvik 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) (a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

a) personnel matters concerning particulars individuals (other than Councillors).

CARRIED

GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL

48/03/23 **Resolved** on the motion of Councillors Chirgwin and Saxvik 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) (a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

a) personnel matters concerning particulars individuals (other than Councillors).

CARRIED

Council closed its meeting to the public at 11.34am. Recording was stopped.



CONVERSION OF LEASE

SC79

49/03/23 **Resolved** on the motion of Councillors Mauger and Curphey that:

1. Council authorise the General Manager to negotiate the conversion of Lease Number L268351 at the 1 July 2022 land value, with Council's legal fees and stamp duty to be paid by the lessee;
2. The conversion settlement is to be paid in full.

CARRIED

.......... General Manager ..... Mayor

50/03/23 **Resolved** on the motion of Councillors Curphey and Strachan that an Order under Clause 8 of Part 6 of Schedule 5 of the Environmental Planning & Assessment Act 1979, be issued on the owner of the land and the occupier of the caravan, as identified within this report, to cease the occupation of the caravan at the subject address for residential purposes.

CARRIED

General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke departed the meeting.

GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL

51/03/23 **Resolved** on the motion of Councillors Black and Chirgwin that:

1. Council offer Rodney John Scarce General Manager a contract renewal of five (5) years commencing on 9 October 2023 and terminating on 8 October 2028;
2. The salary package as proposed and agreed by Council will comprise the following components:
 - Salary
 - Superannuation contribution
 - Housing
 - Full private use of motor vehicle in Australia
 - Fringe benefits tax obligations
 - Retention bonus;
3. In accordance with clause 7, Council and the General Manager develop the performance agreement for commencement on 9 October 2023;
4. Council further authorise the Mayor, Councillor Ruth McRae, to sign the renewed contract of employment upon Mr Scarce accepting the offer.

CARRIED

General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke returned to the meeting.

52/03/23 **Resolved** on the motion of Councillors Curphey and Chirgwin that open Council resume.

CARRIED

Open Council resumed at 12.06pm, with the meeting re-opened to the public. Recording resumed.

The Mayor informed the meeting of resolutions 49/03/23; 50/03/23 and 51/03/23 as adopted in the Confidential section of the meeting.

There being no further business, the meeting closed at 12.08pm.



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Cr R E McRae
MAYOR