

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE COUNCIL CHAMBERS, DARLINGTON POINT
ON TUESDAY 28 FEBRUARY 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 G Gilbert.

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 Judith Saxvik.

01/02/23 **Resolved** on the motion of Councillors Curphey and Chirgwin that the apology from Councillor Saxvik be received and leave of absence be granted.

CARRIED

CONFIRMATION OF MINUTES

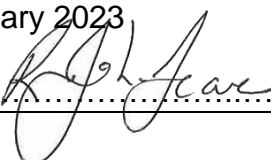
02/02/23 **Resolved** on the motion of Councillors Gilbert and Strachan that the Minutes of the Ordinary Meeting of Council held on 9 December 2022, as printed and circulated, be confirmed.

CARRIED

PECUNIARY INTEREST DECLARATIONS

A pecuniary interest declaration was received from Councillor Robert Curphey in relation to Item Without Notice – Local Government Recovery Grant.

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

NOTICE OF RESCISSION

NIL

NOTICE OF MOTION

NIL

MAYORAL REPORT

SC217

03/02/23 **Resolved** on the motion of Councillors Bryce and Strachan that the information contained in the Mayoral Report be noted.

CARRIED

DELEGATES' REPORTS

NIL

OFFICERS' REPORTS FOR CONSIDERATION

GENERAL MANAGER'S MONTHLY REPORT

SC218

04/02/23 **Resolved** on the motion of Councillors Black and Mauger that the information contained in the General Manager's Monthly Report be noted, and:

1. Fees for the three stream waste collection be set at \$330.00 for the financial year 2023/24;
2. Council approve annual leave for John Scarce, General Manager, for:
 - 2, 3, 6, 30 and 31 March 2023, and
 - 3, 4, 5, 6, 20 and 24 April 2023;
3. Council support the General Manager's interest to be appointed Deputy Chair of the Albury Wodonga Branch of CPA Australia.

CARRIED

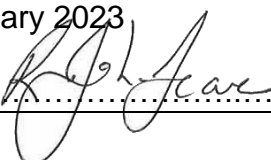
COUNCIL ELECTIONS 2024

SC51

05/02/23 **Resolved** on the motion of Councillors Mauger and Chirgwin that Murrumbidgee Council (the Council) resolves:

1. Pursuant to Section 296 (2) and (3) of the Local Government Act 1993 (NSW) ("the Act") an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council;

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

2. Pursuant to Section 296 (2) and (3) of the Act, as applied and modified by s.18, that a Council poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council polls of the Council;
3. Pursuant to Section 296 (2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.

CARRIED

FUNDING FOR BENCUBBIN AVENUE RECONSTRUCTION SC176

06/02/23 **Resolved** on the motion of Councillors Curphey and Strachan that \$770,000 from Council's Infrastructure Replacement Reserve be allocated to fund the completion of the Bencubbin Avenue reconstruction; and these funds be replaced over a period of 10 years at a rate of \$77,000 per year, commencing in the 2024 financial year.

CARRIED

QUARTERLY BUDGET REVIEW – DECEMBER 2022 SC133

07/02/23 **Resolved** on the motion of Councillors Bryce and Strachan that the Quarterly Budget Review be noted and variances to the budget, as outlined therein, be approved.

CARRIED

REVISED EVENTS POLICY SC49

08/02/23 **Resolved** on the motion of Councillors Black and Bryce that the revised Murrumbidgee Council Events Policy, as presented, be adopted.

CARRIED

MOTHERS' DAY MARKETS DARLINGTON POINT SC26

09/02/23 **Resolved** on the motion of Councillors Gilbert and Curphey that the chosen location for the Darlington Point Mothers' Day Markets is too great a risk to the public and Council, as such, does not endorse the event.

CARRIED

Steven Parisotto, Senior Town Planner, joined the meeting.

REVISED DEVELOPMENT CONTRIBUTIONS PLAN

SC98

10/02/23 **Resolved** on the motion of Councillors Chirgwin and Gilbert that Council adopt the amendments to the revised Murrumbidgee Council Development Contributions Plan (Section 7.12 Environmental Planning & Assessment Act, 1979).

CARRIED

COUNCIL RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY

SC210/SC49

11/02/23 **Resolved** on the motion of Councillors Mauger and Bryce that the draft Council Related Development Application Conflict of Interest Policy be endorsed by Council and placed on public exhibition for 28 days seeking community comment.

CARRIED

DRAFT DEVELOPMENT CONTROL PLAN YOUNG STREET PRECINCT

SC98; SC88; SC210-003

12/02/23 **Resolved** on the motion of Councillors Gilbert and Curphey that Council place the draft Development Control Plan for the Young Street Precinct on public exhibition and, upon completion of the exhibition period, a review be undertaken of submissions received, with a further report to be presented to Council.

CARRIED

DRAFT CROWN LAND PLANS OF MANAGEMENT

SC119

13/02/23 **Resolved** on the motion of Councillors Curphey and Mauger that the Crown Land Plans of Management be endorsed by Council for the:

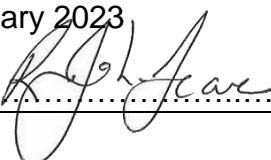
- Darlington Point Parks;
- Lions Park; and
- Jerilderie Racecourse and Showground;

to enable them to proceed to public exhibition.

CARRIED

Steven Parisotto departed the meeting.

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

ITEM WITHOUT NOTICE

LOCAL GOVERNMENT RECOVERY GRANT

SC602

14/02/23 **Resolved** on the motion of Councillors Gilbert and Chirgwin that this item without notice be accepted and referred to the February 2023 meeting of Council, as it requires resolution before the next scheduled meeting.

CARRIED

LOCAL GOVERNMENT RECOVERY GRANT

SC602

Councillor Curphey declared his pecuniary interest in this item and departed the building.

15/02/23 **Resolved** on the motion of Councillors Gilbert and Strachan that:

1. Council utilise the \$1,000,000 Local Government Recovery Grant to fund disaster-resilient replacement cabins for the Darlington Point Caravan Park to replace those that were damaged by recent flooding events; and
2. Authority be delegated to the General Manager to execute documents associated with this funding.

CARRIED

Councillor Curphey returned to the meeting.

REPORTS/MINUTES OF COUNCIL COMMITTEES

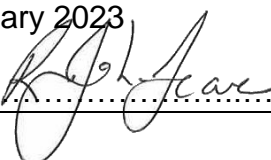
At 12.05pm Ms Linda MacRae, Chairperson of the Murrumbidgee Council Audit Risk & Improvement Committee joined the meeting via video.

AUDIT RISK & IMPROVEMENT COMMITTEE MEETING MINUTES SC130

16/02/23 **Resolved** on the motion of Councillors Black and Bryce that the information contained in the Audit Risk & Improvement Committee Meeting Minutes be noted.

CARRIED

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

**AUDIT RISK & IMPROVEMENT COMMITTEE - CHAIRPERSON'S
ANNUAL REPORT - NOVEMBER 2022** **SC130**

17/02/23 **Resolved** on the motion of Councillors Black and Bryce that the Audit Risk & Improvement Committee Chairperson's Annual Report be noted.

CARRIED

At 12.25pm Ms Linda MacRae departed the meeting.

JERILDERIE TIDY TOWNS COMMITTEE MEETING MINUTES **SC21**

18/02/23 **Resolved** on the motion of Councillors Bryce and Chirgwin that the information contained in the Jerilderie Tidy Towns Committee Meeting Minutes be noted.

CARRIED

**CENTRAL COREE COMMUNITY CENTRE AGM AND GENERAL
MEETING MINUTES** **SC43**

19/02/23 **Resolved** on the motion of Councillors Mauger and Bryce that the information contained in the Central Coree Community Centre AGM and General Meeting Minutes be noted.

CARRIED

**MURRUMBIDGEE COUNCIL TRAFFIC COMMITTEE MEETING
MINUTES** **SC20**

20/02/23 **Resolved** on the motion of Councillors Mauger and Black that the information contained in the Murrumbidgee Council Traffic Committee Meeting Minutes be noted.

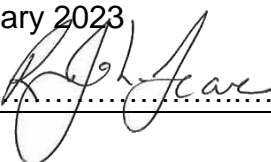
CARRIED

**COLEAMBALLY AUSTRALIA DAY COMMITTEE MEETING
MINUTES** **SC5**

21/02/23 **Resolved** on the motion of Councillors Chirgwin and Strachan that the information contained in the Minutes of the Coleambally Australia Day Committee Meetings be noted.

CARRIED

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

MONTHLY INVESTMENT REPORT – DECEMBER 2022/JANUARY 2023
SC133

CARRIED

CARRIED

CARRIED

CARRIED

CARRIED

CONFIDENTIAL ITEMS

OCCUPATION OF CARAVAN

SC168

27/02/23 **Resolved** on the motion of Councillors Chirgwin and Gilbert 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 particular individuals (other than Councillors).

CARRIED

Council closed its meeting to the public at 12.47pm. Recording was stopped.

OCCUPATION OF CARAVAN

SC168

28/02/23 **Resolved** on the motion of Councillors Gilbert and Curphey that Council:

- a) Endorse the actions identified within the Report;
- b) Receive a report prior to any further action being taken.

CARRIED

ITEM WITHOUT NOTICE

TENDER - CONSTRUCTION OF BROLGA PLACE STREETSCAPE STEEL STRUCTURE AND CIVIL CONSTRUCTION

SC560

29/02/23 **Resolved** on the motion of Councillors Gilbert and Curphey that this item without notice be accepted and referred to the February 2023 meeting of Council, as it requires resolution before the next scheduled meeting.

CARRIED

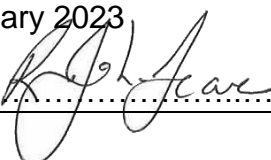
CONFIDENTIAL ITEM

TENDER - CONSTRUCTION OF BROLGA PLACE STREETSCAPE STEEL STRUCTURE AND CIVIL CONSTRUCTION

SC560

30/02/23 **Resolved** on the motion of Councillors Gilbert 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

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

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

**TENDER - CONSTRUCTION OF BROLGA PLACE STREETSCAPE
STEEL STRUCTURE AND CIVIL CONSTRUCTION SC560**

31/02/23 Resolved on the motion of Councillors Chirgwin and Strachan that:

1. Council endorse the recommendation of the tender panel and accept the tender for construction of Brolga Place Streetscape (steel structure and civil construction) for \$1,830,362.00 (excluding GST) - Tender Reference RFT 2022-01-02 from:
 - a. Asset Corporate Company Pty Ltd for the steel structure alternative;
 - b. IW Contracting Pty Ltd for the civil construction alternative.
2. The contract and other associated documents be executed on behalf of Council in accordance with cl.165 of the Local Government Regulation by the General Manager (Director of Infrastructure), as the Principal's representative.
3. Council ratify the actions of the tender panel in seeking alternatives to enable Council to deliver Brolga Place Streetscape within budget constraints.

CARRIED

Councillor Curphey requested his objection to the resolution be noted.

32/02/23 Resolved on the motion of Councillors Bryce and Mauger that Council move back into Open Council at 1.15pm.

CARRIED

The meeting re-opened to the public. Recording resumed.

The Mayor informed the meeting of resolutions 28/02/23 and 31/02/23 as adopted in the Confidential section of the meeting.

There being no further business, the meeting closed at 1.21pm

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Cr R E McRae
MAYOR

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