



7 December, 2015

Minutes Of The Ordinary Meeting Of  
Murrumbidgee Shire Council Held In The  
Council Chambers Darlington Point on 7  
December, 2015 at 4.08pm

**PRESENT:** Councillors Austin Evans, Phillip Wells, Robert Black,  
Christine Chirgwin and Robert Curphey

**IN ATTENDANCE:** Kerry McMurray (Acting General Manager)  
Sue Mitchell (Director Corporate Performance and Community)  
Alison Balind (Executive Assistant – Minute Secretary)

The meeting opened at 4.08pm with Mayor Austin Evans reading the Council Prayer.

**APOLOGIES**

Cr Gavin Gilbert

**15233. Resolution**  
Moved Cr Curphey Seconded Cr Chirgwin  
That Council note the apology and a leave of absence be granted.

Carried (4-0)

**NOTICE OF INTENTION TO DEAL WITH MATTER IN CONFIDENTIAL SESSION**

**15234. Resolution**  
Moved Cr Curphey Seconded Cr Chirgwin

**That the meeting is closed during the discussion of the matters Item Mayoral Minute 1 as on balance, the public interest in preserving the confidentiality of information outweighs the public interest in maintaining openness and transparency in Council decision-making because the disclosure of this information would prejudice Council and individuals from achieving a 'best' outcome for the community and individuals involved;**

**The decision to close the meeting to consider; is recorded as follows:**

**Mayoral Minute 1 – Legal Action**

**(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege**

Carried (4-0)

Having so resolved, the meeting was closed to the public, the time being 4.12pm.

**Mayoral Minute**

Cr Black entered the meeting at 4.14pm

**1. MAYORAL MINUTE – LEGAL ACTION**

**15235. Resolution**  
Moved Cr Evans Seconded Cr Curphey

**That Council resolve to immediately commence a legal challenge (including taking interlocutory proceedings to stay) against any decision by the State Government, including but not limited to any decision or order made by the Minister for Local Government or Chief Executive of the Office of Local Government, to place Murrumbidgee Shire Council into administration pending forced amalgamation or implementation of the State Government's Fit for the Future policy in respect of amalgamations.**

Carried (5-0)

**15236. Resolution**

**Moved Cr Chirgwin                      Seconded Cr Wells  
That Open Council be resumed.**

Carried (5-0)

Having so resolved, Council was re-opened to the public at 4.19pm. The Mayor then read the resolutions passed in Closed Session.

**15237. Resolution**

**Moved Cr Curphey                      Seconded Cr Chirgwin  
That the resolution as read is a true and accurate record of the matters resolved in Closed Council.**

Carried (5-0)

The General Manager advised that he had been handed a Rescission Motion for Resolution No.15235 requesting that the Rescission Motion be dealt with as a matter of urgency at the next meeting of Murrumbidgee Shire Council. As such, no further action will be taken on this resolution until such time as the Rescission Motion had been considered by the Council.

There being no further business, the meeting closed at 4.22pm.