



20 April, 2016

Minutes Of The Ordinary Meeting Of Murrumbidgee Shire Council Held In The Council Chambers Darlington Point commencing at 4.00pm on 20 April, 2016

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

IN ATTENDANCE: Phil Pinyon (Interim General Manager)
Sue Mitchell (Director Corporate Performance and Community)
Paul Josling (Interim Director Community Infrastructure and Sustainability)
Susan Appleyard (Acting Director Health, Building and Planning)
Alison Balind (Executive Officer – Minute Secretary)

The meeting opened at 4.00pm with Mayor Austin Evans reading the Council Prayer.

1. APOLOGIES

Nil

2. MINUTES OF THE ORDINARY MEETING OF COUNCIL FROM 16 MARCH, 2016

16058. Resolution

Moved: Cr Chirgwin, Seconded: Cr Gilbert

That the Minutes of the Ordinary Meeting of Murrumbidgee Shire Council from 16 March, 2016 be confirmed.

Carried (6-0)

3. BUSINESS ARISING FROM THE MINUTES

Nil

4. MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL FROM 4 APRIL, 2016

16059. Resolution

Moved: Cr Black, Seconded: Cr Chirgwin

That the Minutes of the Extraordinary Meeting of Murrumbidgee Shire Council from 4 April, 2016 be confirmed.

Carried (6-0)

5. BUSINESS ARISING FROM THE MINUTES

Nil

6. MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL FROM 5 APRIL, 2016

16060. Resolution

Moved: Cr Black Seconded: Cr Curphey

That the Minutes of the Extraordinary Meeting of Murrumbidgee Shire Council from 5 April, 2016 be confirmed.

Carried (6-0)

7. BUSINESS ARISING FROM THE MINUTES

Nil

8. DECLARATIONS OF INTEREST

Cr Chirgwin – Item 10.5 - Rural Fire Service Budget Estimates 2016-17

The conflict is a less than significant non-pecuniary conflict of interest and is so described as the Councillor is an RFS volunteer and trainer. The Councillor on making the declaration will stay in the meeting, participate in the debate and vote on the item after describing why the conflict is less than significant

9. INFORMATION REPORTS

16061. Resolution

Moved: Cr Curphey, Seconded: Cr Chirgwin

That Council notes the Incoming Correspondence, Companion Animals and Development Applications Approved Under Delegation for information.

Carried (6-0)

10. GENERAL MANAGER'S REPORT

10.1 NEW EXEMPT AND COMPLYING DEVELOPMENT CONTROLS FOR RURAL AND REGIONAL NSW

16062. Resolution

Moved: Cr Curphey, Seconded: Cr Wells

That:

1. Council congratulate the Department of Planning and Environment on the proposed changes to State Environmental Planning Policy (Exempt and Complying Development) 2008 for Rural and Regional NSW.
2. Council confirm with the Department of Planning and Environment that under the proposed exempt development provisions the maximum floor areas for a farm building on a lot with an area greater than 2 hectares will be 500 square metres as noted in the explanation of Intended Effect and not 200 square metres as listed in the summary of the proposal.
3. The prescribed height limit for silos under exempt development provisions be raised to 20 metres as this will cover approximately 90% of silos currently being constructed.
4. The Department of Planning and Environment consider the inclusion of demountable farm office buildings as exempt development.

Carried (6-0)

Cr Black and The Acting Director Health Building and Planning left the meeting, the time being 4.16pm. Cr Black returned to the meeting at 4.17pm.

10.2 FREE CAMPING - SIGNAGE AND ACCESS ROAD

16063. Resolution

Moved: Cr Chirgwin, Seconded: Cr Gilbert

That Council:

- a) Include an allocation for Sign Installation and Oval No. 2 Access Road upgrade adjacent to the Coleambally Community Club, in the Draft 2016/17 Budget.
- b) Investigate an additional Dump Point for Coleambally and report back to Council with the alternative locations and cost, for possible inclusion in the Draft 2016/17 Budget.

Carried (6-0)

10.3 INQUIRY INTO AUGMENTATION OF WATER SUPPLY FOR RURAL AND REGIONAL NSW

16064. Resolution

Moved: Cr Curphey, Seconded: Cr Wells

That Council note the report for information and not make a submission to the Inquiry.

Carried (6-0)

10.4 IPART REVIEW OF RATING STRUCTURE ISSUES PAPER

16065. Resolution

Moved: Cr Chirgwin, Seconded: Cr Black

That Council:

- a) **Note the information contained within the Issues Paper and this report.**
- b) **Take part in the public hearing via webcast.**
- c) **Request the Interim General Manager and Director Corporate Performance and Community to prepare a submission to the IPART Inquiry on behalf of Murrumbidgee Shire Council with the draft being circulated to Councillors for comment prior to lodgement.**

Carried (6-0)

10.5 RURAL FIRE SERVICE BUDGET ESTIMATES 2016-17

16066. Resolution

Moved: Cr Black, Seconded: Cr Gilbert

That Council:

- (a) **Council endorse the provision of funds in the 2016/17 Council Operational Plan and Budget for an amount of \$102,735 for the Rural Fire Service expenditure for the 12 month period commencing from 1 July 2016 to 30 June 2017.**
- (b) **Council authorise the General Manager to sign the 2016/17 Rural Fire Fighting Fund Estimates summary page.**

Carried (6-0)

10.6 COLEAMBALLY DOCTOR'S SURGERY UPGRADE

Cr Curphey moved, Seconded Cr Chrigwin

That Council approves:

- a) the current proposed funding for the upgrades
- b) additional funding to complete the exterior of the building.

Cr Wells moved the following amendment:

That Council:

- a) approves the current proposed funding for the upgrades
- b) approves additional funding to complete the exterior of the building.
- c) approach the committee holding funds in trust for a proposed multipurpose health/medical centre at Coleambally to request they consider making a contribution towards the current upgrade of the doctor's surgery.

The motion lapsed due to the lack of a seconder.

16067. Resolution

Moved Cr Curphey, Seconded Cr Chrigwin

That Council approves:

- a) the current proposed funding for the upgrades
- b) additional funding to complete the exterior of the building.

Carried (6-0)

10.7 COLEAMBALLY LEASE CONVERSION

16068. Resolution

Moved: Cr Chirgwin, Seconded: Cr Black

That Council:

Grant approval to the Lessees to purchase the reversion in fee simple in Lot 182-183 DP 239424 for the amount of \$42,000 and Lot 339 DP 259049 for the amount of \$16,100, plus legal costs and further that the relevant Transfer be executed under the Common Seal of Council.

Carried (6-0)

10.8 FINANCE AND INVESTMENT REPORT FOR MARCH, 2016

16069. Resolution

Moved: Cr Black, Seconded: Cr Gilbert

That Council:

- a) notes the investment income for March, 2016.
- b) notes the investments have been made in accordance with the Local Government Act 1993, the Local Government General Regulations and Council's investment policy.
- c) adopts the Investment Report for the month of March, 2016.

Carried (6-0)

10.9 Quarterly Budget Review Statement – March 2016

16070. Resolution

Moved: Cr Gilbert, Seconded: Cr Wells

That Council adopt the proposed revotes for income and expenditure shown in the financial report ended 31 March, 2016.

Carried (6-0)

11. NOTICE OF MOTION

Councillor Gilbert Moved, Seconded: Cr Chirgwin

That Council:

Place the subdivision in Young Street on hold and prepare a report for Council to cover the following:

- a) an alternative sub-division location be considered, that being the current Darlington Point Sports Ground.
- b) an investigation into the relocation of the current football ground to the Darlington Point Sports Club vicinity.

Councillor Gilbert later withdrew the motion.

16071. Resolution

Moved: Cr Gilbert, Seconded: Cr Chirgwin

That Council hold a facilitated land use master planning workshop for the town of Darlington Point within the next three months, utilising the allocated funding for a study into light industrial land development currently within the Council budget.

Carried (6-0)

12. NOTICE OF INTENTION TO DEAL WITH MATTER IN CONFIDENTIAL SESSION

16072. Resolution

Moved: Cr Chirgwin, Seconded: Cr Curphey

That the meeting is closed during the discussion of the matters IC1 – Coleambally Light Industrial Land and IC2 – Coleambally Residential Land 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 this matter is recorded as follows:

(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 (6-0)

Having so resolved, the meeting was closed to the public, the time being 5.04pm.

16075. Resolution

Moved Cr Curphey, Seconded Cr Black

That open Council be resumed.

Carried (6-0)

Having so resolved, the meeting re-opened to the public at 5.12pm. On resuming Open Council, the Mayor read the following resolutions that were passed in Closed Council as follows:

13. CONFIDENTIAL REPORTS

IC1 COLEAMBALLY LIGHT INDUSTRIAL LAND

16073. Resolution

Moved: Cr Black, Seconded: Cr Curphey

That Council accept the offer outlined as Option A in the body of the report for the purchase of Lot 503 Kestrel Rd.

Carried (6-0)

IC2 COLEAMBALLY RESIDENTIAL LAND

16074. Resolution

Moved: Cr Black, Seconded: Cr Chirgwin

That:

- a) The additional land requested by the owner of Lot 223 Bluebonnet Crescent (approximately 1280 m²) be offered at a sale price of \$16.25 per square metre plus GST, with an additional charge to cover the costs of the kerb and gutter extension as well as the legal, survey and plan registration fees.**
- b) The additional land be consolidated with existing Lot 223.**

Carried (6-0)

There being no further business, the meeting closed at 5.13pm.