

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE COUNCIL CHAMBERS, JERILDERIE ON
THURSDAY 21 SEPTEMBER 2017 COMMENCING AT 10.00AM**

PRESENT

Present were Councillors R McRae, G Smith, F Bryce, P Wells, G Gilbert, R Curphey, C Chirgwin and R Black.

Also present were Craig Moffitt, General Manager, Andrew Crakanthorp, Merger and Transition, Alison Coe, Assistant General Manager, Corporate and Community Services, Peter Chudek, Assistant General Manager, Infrastructure & Environment, and Susan Appleyard, Director of Environmental Services.

OATH OR AFFIRMATION FOR COUNCILLORS

03.12

In accordance with the *Local Government Act, 1993*, Councillors took the Oath of Office/Affirmation of Office.

Oath of Office: Councillors McRae, Bryce, Smith, Gilbert, Curphey, Black, Chirgwin

Affirmation of Office: Councillor Wells

Councillor Evans took the Affirmation of Office in the Jerilderie Council Chambers at 8.20am, prior to Council meeting.

GENERAL MANAGER'S REPORT

ELECTION OF MAYOR & DEPUTY MAYOR

03.11.01

191/09/17 Resolved on the motion of Councillors Smith and Gilbert that the method of election for the Office of Mayor and Deputy Mayor be by way of ordinary (secret) ballot.

Mayor

The General Manager as Returning Officer for the Mayoral election advised that two nomination had been received for the Office of Mayor, that being Councillor Ruth McRae and Councillor Philip Wells.

A secret ballot was held.

The Returning Officer announced that Councillor McRae be declared duly elected to the Office of Mayor of Murrumbidgee Council for the two year period ending September 2019.

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..... General Manager Mayor

Deputy Mayor

The Returning Officer advised that two nominations had been received for the Office of Deputy Mayor, being Councillor Robert Black and Councillor Phillip Wells.

A secret ballot was held.

The Returning Officer announced that Councillor Black be declared duly elected to the Office of Deputy Mayor of Murrumbidgee Council.

Cr Black then departed the meeting for the discussion on term of appointment of Deputy Mayor.

192/09/17 Resolved on the motion of Councillors Gilbert and Chirgwin that the term for which the Deputy Mayor be elected be for a period of two years, ending September 2019.

Cr Black returned to the meeting.

Councillor McRae occupied the Chair.

ONE MINUTE SILENCE

A minute's silence was held to acknowledge the contributions of former Councillor, Keith Burke. Mr Burke was a Councillor during the period 1972-1987, and was a past President and Deputy President of Murrumbidgee Shire during the years 1982-1986. He was a pioneer of Coleambally settlement and township.

APOLOGIES

193/09/17 Resolved on the motion of Councillors Black and Chirgwin that the apology from Cr Austin Evans be received and leave of absence be granted.

Councillors Curphey and Wells asked their objection to the leave of Cr Austin Evans be recorded in the Minutes.

CONFIRMATION OF MINUTES

194/09/17 Resolved on the motion of Councillors Smith and McRae that the Minutes of the Ordinary Meeting of Council held on 24 August 2017, as printed and circulated, be confirmed.

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..... General Manager Mayor

PECUNIARY INTEREST

Councillor Bryce declared her pecuniary interest in item 20 – Murrumbidgee Council Salary Structure.

NOTICE OF MOTION

Councillor Chirgwin tabled a Notice of Motion requesting Murrumbidgee Council have a dedicated Tourism Committee to facilitate tourism within our Council area, in conjunction with Council's Economic, Tourism and Community Development Manager.

Meeting adjourned for morning tea at 10.20am
Meeting resumed at 10.42am

COUNCIL MEETINGS 2017/18

03.11

195/09/17 Moved Councillors Curphey and Chirgwin that:

- a) Council schedule monthly Council meetings for the fourth Tuesday of the months October 2017 to November 2017, February 2018 to September 2018;
- b) Council meetings commence at 10.00am;
- c) The meeting venues alternate between Jerilderie and Darlington Point, with no Council meeting in Coleambally until a new meeting room/Chambers is constructed;
- d) The December Ordinary Meeting of Council be held on Friday 15 December 2017; and
- e) The Councillor / Staff annual meeting be held following the December Ordinary meeting at 1.30pm at the Darlington Point Club.

Amendment to Motion - Moved by Councillors Curphey and Gilbert that:

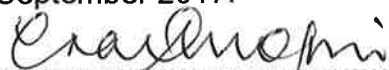
The motion be amended - item b) Council meetings to commence at 2.00pm.

The amendment to the motion was put to the meeting.

The amendment to the motion was lost.

The motion was put to the meeting and was adopted.

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..... General Manager Mayor

INDUCTION PROGRAMME FOR MAYOR AND COUNCILLORS 03.12.02

196/09/17 Resolved on the motion of Councillors Bryce and Smith that the induction session for Councillors be held today, following the Council meeting.

APPOINTMENT OF DELEGATES TO COUNCIL COMMITTEES 03.11.02

197/09/17 Resolved on the motion of Councillors Gilbert and Smith that membership and delegations listed below for internal Committees and external bodies be adopted:

Standing and Special Committees of Council	
Committee Name	Councillor Representation
Internal Audit, Risk & Improvement Committee	Cr Smith and 2 independents-at least one with financial expertise
General Manager's Review Committee	Mayor, Deputy Mayor and Cr Smith (GM nominee)
Darlington Point Caravan Park Committee	Mayor (alternate Cr Wells)
Darlington Point Floodplain Risk Management Committee (formerly DP Levee Committee)	Cr Curphey, Cr Gilbert, Cr Wells
Traffic Committee	Cr Black (voting delegate) (alternate Cr Smith) Cr Black also represents Mr A Piccoli MP Mr Ian Girdwood represents Mr G Aplin MP
Local Emergency Management Committee	Cr Black (alternate Cr McRae)

Section 355 Committees of Council	
Committee Name	Councillor Representation
Coleambally Australia Day Committee	Cr Chirgwin
Jerilderie Australia Day Committee	Cr McRae, Cr Bryce
Coleambally Townlife Committee	Cr Chirgwin
Darlington Point Townlife / Australia Day Committee	Cr Wells
Heritage Darlington Point	Cr Curphey
Tiddalik Wetlands Committee	Cr Wells
Alf Hanna Legacy Units	Cr Bryce
Balmeringa Management Committee	Cr Bryce, Cr Smith
Central Coree Sports Complex Management Committee	Cr McRae
Yamma Recreation Reserve Management Committee	Cr Chirgwin
Jerilderie Tidy Towns Committee	Cr Bryce, Cr McRae

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

Advisory Committee	
Committee Name	Councillor Representation
Monash Park Users	Cr Smith, Cr McRae
Coleambally Sports Precinct Advisory Committee	Cr Black (alternate Cr Chirgwin)
Boat Ramp Darlington Point-Advisory Committee	Cr Curphey, Cr Wells and Cr Gilbert
Darlington Point Master Landuse Plan Advisory Committee	Cr Curphey, Cr Gilbert, Cr Black and Cr Wells

External Committees with Council Representation	
Committee Name	Councillor Representation
CICL/Coleambally Environmental and Reference Committee (CERC)	Cr McRae and Cr Smith (3 year term from 1 July 2017)
Kidman Way Promotional Committee	Cr McRae (voting delegate) (alternate Cr Chirgwin)
Newell Highway Promotional Committee	Cr McRae (alternate Cr Smith)
Mid Murray Zone Bushfire Management Committee	Cr Smith and Cr Bryce
MIA Zone Bushfire Management Committee	Cr Black (alternate Cr Chirgwin)
MIA Zone Rural Fire Service Liaison Committee	Cr Chirgwin
Murray Darling Association	Cr McRae (alternate Cr Smith)
Western Riverina Libraries Committee	Cr Smith (voting delegate) (alternate Cr Evans)
Western Riverina Arts	Cr Bryce (alternate Cr Smith)
Riverina Regional Tourism Inc.	Cr McRae (Director)
Roads and Maritime Services Consultative Committee	Cr McRae (alternate Cr Evans)
RAMROC	Mayor (alternate Deputy Mayor)

198/09/17 **Resolved** on the motion of Councillors Curphey and Smith that a report be presented to the October meeting of Council on the establishment of a Council Plant Committee.

DELEGATIONS FROM COUNCIL TO THE GENERAL MANAGER AND MAYOR **05.26.01**

199/09/17 **Resolved** on the motion of Councillors Bryce and Smith that Council, in accordance with Section 377 of the *Local Government Act 1993*, by resolution at its meeting on 21 September 2017 delegates its power, authorities and function as set out in Part 1 of the Act – Delegations of Authority Register to the General Manager and Mayor, with amendment to Part A Financial Matters to read:

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

PART A – FINANCIAL MATTERS

1. Obtain Quotations and Authorise Purchase Orders

To obtain quotations, authorise the purchase of, and issue official orders for goods, works and services required for the functioning of the Council and to incur expenditure for such goods, works and services (excluding that for the purchase of major items or works plant as required in the Local Government (General) Regulation 2005) provided that due provision has been made in the approved budget for the incurring of such expenditure or the incurring of such expenditure is otherwise authorised by Council Policy or Council resolution.

LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017 03.29

200/09/17 Resolved on the motion of Councillors Black and Chirgwin that:

1. The Mayor and General Manager attend the LGNSW Annual Conference in Sydney 4-6 December 2017;
2. The Mayor be Council's nominated voting delegate; and
3. Proposed Conference motions be submitted to the General Manager by Thursday 12 October, for presentation to the October Council meeting.

FIXING COUNTRY ROADS PROGRAM APPLICATION 06.08.01

201/09/17 Resolved on the motion of Councillors Black and Chirgwin that Council apply for funding under the Fixing Country Roads Program, with project priorities being:

1. Bencubbin Avenue;
2. McDonald Road; and
3. Eulo Road.

**RATES EXEMPTION REQUEST-MURRUMBIDGEE SHIRE
EXPERIMENTAL COMMUNITY DEMONSTRATION FARM INC. 05.33**

202/09/17 Resolved on the motion of Councillors Curphey and Smith that the report be received and Council:

1. Not grant an ongoing rate reduction or exemption to Murrumbidgee Shire Experimental Community Demonstration Farm Inc, for a reduction in regards to their general rates for Assessment Site 17558, on the grounds that:

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..... General Manager Mayor

- i. There is no mention of an allowance for a special variation for a rate reduction;
 - ii. Revenue is generated from the Farm;
 - iii. The above incorporation does not fit any of the categories for the exemption of rates. These categories are: -
 - a. Land that is a public place;
 - b. Land used for a public reserve and vested in the Crown, a public body or trustees;
 - c. Land used for a common and vested in the Crown, a public body or trustees;
 - d. Land used for a public cemetery and vested in the Crown, a public body or trustees;
 - e. Land used solely for a free public library and vested in the Crown, a public body or trustees;
2. Advise the Murrumbidgee Shire Experimental Community Demonstration Farm Inc. they can apply, on an annual basis, for a donation towards rates, to be funded from Council's Community Donation Budget.

ADOPTION OF COUNCIL POLICIES

03.06

203/09/17 Resolved on the motion of Councillors Black and Chirgwin that Council adopt the following Policies:

- a) Media Policy;
- b) Public Interaction and Meeting Disclosure Policy;
- c) Corporate Uniform Policy;
- d) Staff Education and Training Policy;
- e) Business Continuity Policy;
- f) Privacy Management Policy;
- g) Workplace Surveillance Policy;
- h) Enterprise Risk Management Policy; and
- i) Personal Protective Equipment (PPE) Policy.

UPDATE REPORT - MURRUMBIDGEE COUNCIL STRONGER COMMUNITIES FUND SEPTEMBER 2017

03.13.08A

204/09/17 Resolved on the motion of Councillors Black and Chirgwin that:

- (a) The report be received and the revised budget, as presented in the body of this report, be adopted; and
- (b) Quarterly reports on the New Council Implementation Fund (NCIF) be presented to Council for review and amendment as appropriate, commencing in February 2018 for the quarter ending December 2017.

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..... General Manager Mayor

ITEMS FOR INFORMATION

STATEMENT OF BANK BALANCES & SCHEDULE OF INVESTMENTS 05.13

205/09/17 **Resolved** on the motion of Councillors Gilbert and Bryce that the Statements of Bank Balances and Schedules of Investments as at 31 August 2017 be noted and received.

LOCAL GOVERNMENT AMENDMENT (GOVERNANCE AND PLANNING) ACT 2016 03.14

206/09/17 **Resolved** on the motion of Councillors Chirgwin and Black that the *Local Government Amendment (Governance and Planning) Act 2016* Report be noted.

PROGRESS REPORT ON DARLINGTON POINT STRUCTURE PLAN 04.25.16

207/09/17 **Resolved** on the motion of Councillors Bryce and Gilbert that the Darlington Point Structure Plan Progress Report be received and the Assistant General Manager, Infrastructure and Environment, report to the October meeting of Council on Darlington Point town signage.

PRIORITY PROJECTS REGISTER-SEPTEMBER 2017 - UPDATE 03.13.08A

208/09/17 **Resolved** on the motion of Councillors Gilbert and Curphey that the Priorities Projects Register Report be received.

UPDATE ON PROJECT MANAGEMENT OFFICE (PMO) 03.13.08

209/09/17 **Resolved** on the motion of Councillors Chirgwin and Black that the information on the activities of the Project Management Office be received and noted.

WORKS IN PROGRESS 7/08/17 to 10/09/2017 03.16.04

210/09/17 **Resolved** on the motion of Councillors Chirgwin and Gilbert that the Works in Progress Report be adopted.

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 General Manager Mayor

CONFIDENTIAL ITEMS

ILLEGAL OCCUPATION OF PROPERTY

04.25

211/09/17 **Resolved** on the motion of Councillors Smith and Black 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 (b) 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);*
- (b) the personal hardship of any resident or ratepayer.*

SALE OF LAND

C-8

212/09/17 **Resolved** on the motion of Councillors Curphey 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) (c) and (d) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- (d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it;*
 - or*
 - (ii) confer a commercial advantage on a competitor of the Council.*

MURRUMBIDGEE COUNCIL SALARY STRUCTURE

05.28

213/09/17 **Resolved** on the motion of Councillors Wells and Smith 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).*

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..... General Manager Mayor

Council closed its meeting to the public at 1.22pm and members of the public vacated the Chambers.

ILLEGAL OCCUPATION OF PROPERTY

04.25

214/09/17 Resolved on the motion of Councillors Bryce and Smith that:

1. Council issue a Notice of Intention to Issue an Order under clause 121B Order 1 to cease using the shed on the property as a dwelling on the subject land;
2. A cover letter be provided with the Notice of Intention, recommending that:
 - The property owner be encouraged to meet with Council officers to discuss the occupation of the shed, and options that are available regarding the proposed Order;
 - The Council officers investigate the potential for assistance in finding alternative accommodation;
 - The Council's contractor from BESTODAY be utilised as a neutral third party for potential meetings and site visits.

SALE OF LAND

C-8

215/09/17 Resolved on the motion of Councillors Black and Chirgwin that:

1. Lot 483 DP854920 be sold to the applicants for the market value as provided by the Registered Valuer;
2. The Common Seal of Council be affixed to all relevant documents associated with the proposed sale of land.

MURRUMBIDGEE COUNCIL SALARY STRUCTURE

05.28

Councillor Bryce declared a pecuniary interest in this matter and departed the building.

216/09/17 Resolved on the motion of Councillors Gilbert and Curphey that Council:

- (a) Receive the report;
- (b) Agree to the request by the Murrumbidgee Council Consultative Committee and the United Services Union to undertake further discussions to inform a further report to Council on the preferred Salary Structure for Council.

Councillor Bryce returned to the meeting.

Open Council resumed at 1.45pm

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..... General Manager Mayor

NOTICE OF MOTION BY CR CHIRGWIN

TOURISM COMMITTEE

01.06

That Murrumbidgee Council have a dedicated Tourism Committee to facilitate tourism within our Council area in conjunction with Council's Economic, Tourism and Community Development Manager.

217/09/17 **Resolved** on the motion of Councillors Chirgwin and Black that a report be presented to the October meeting of Council on the formation of a dedicated Tourism Committee to facilitate and promote tourism within our Council area, in conjunction with Council's Economic, Tourism and Community Development Manager.

COUNCILLOR QUESTION TIME

Councillor Chirgwin submitted two questions:

Four Corners Road-poorly graded and in need of maintenance
Assistant General Manager, Infrastructure & Environment advised that work had been undertaken on Four Corners Road to correct the problems.

Parking Bay at St Peter's Catholic School, Coleambally-seeking an update on progress
Assistant General Manager, Infrastructure & Environment advised he will report to the October meeting of Council.

There being no further business the meeting closed at 2.00pm.

.....
Cr McRae
MAYOR