

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE
COUNCIL CHAMBERS, DARLINGTON POINT ON TUESDAY 30 APRIL 2019
COMMENCING AT 10.00AM**

PRESENT

Present were Councillors R McRae (Mayor) G Smith, F Bryce, P Wells, G Gilbert, R Curphey, P Brown and C Chirgwin.

Also present were John Scarce, General Manager, Vicki Sutton, Finance Manager, Johann Pereira, Operations Manager, Stephen Goodsall, Assets Manager, Sue Mitchell, Corporate & Community Services Manager, Warwick Horsfall, Consultant, Habitat Planning, and Kellie Dissegna, Economic Development & Tourism Manager

APOLOGIES

An apology was received from Councillor Black.

76/04/19 **Resolved** on the motion of Councillors Bryce and Wells that the apology from Councillor Black be received and leave of absence be granted.

CONFIRMATION OF MINUTES

77/04/19 **Resolved** on the motion of Councillors Chirgwin and Curphey that the Minutes of the Ordinary Meeting of Council held on 26 March 2019, as printed and circulated, be confirmed.

PECUNIARY INTEREST

Pecuniary Interest Declarations were received from Councillors Bryce, Curphey and Smith:

Cr Bryce declared an interest in Item 4 - DA 39-18/19

Councillor Curphey declared an interest in Item 3 - DA 35-18/19

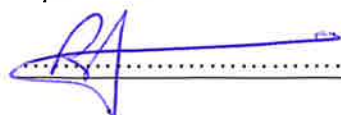
Councillor Smith declared an interest in Item 4 - DA 39-18/19

VALE MR IAN SNEDDON

Cr McRae paid respect to former Councillor and Mayor of Jerilderie Shire Council, Mr Ian Sneddon, who passed away earlier this month. Ian served as a Jerilderie Shire Councillor from 1995 to 2008. He was Mayor for the period 1998/99 to 2003/04.

Ian was Jerilderie's Citizen of the Year in 2012.

This is page 1 of 8 of the Minutes of the Ordinary Meeting of Council held on Tuesday 30 April 2019.



.....General ManagerMayor

Mayor McRae conveyed Council's sympathy to Ian's wife Robyne, children Mark and Julie, and their families, stating Ian will be sadly missed by all who knew him.

A minute's silence was held as a mark of respect.

NOTICE OF MOTION

NIL

NOTICE OF RESCISSION

NIL

MAYOR'S REPORT

78/04/19 **Resolved** on the motion of Councillors Bryce and Smith that the information contained in the Mayoral Report be noted.

DELEGATE'S REPORT

FINANCIAL ISSUES IN LOCAL GOVERNMENT WORKSHOP 03.16.06

79/04/19 Resolved on the motion of Councillors Curphey and Brown that the information contained in the Delegate's Report be noted.

GENERAL MANAGER'S REPORT

GENERAL MANAGER MONTHLY UPDATE 03.16.02

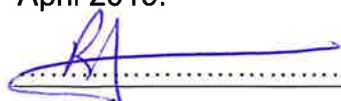
80/04/19 **Resolved** on the motion of Councillors Chirgwin and Smith that Council receive this report as information.

DEVELOPMENT APPLICATION 35-18/19 DA 35-18/19

Councillor Curphey declared a pecuniary interest and left the meeting.

81/04/19 **Resolved** on the motion of Councillors Gilbert and Chirgwin that Council grant Development Consent to Development Application No. 35-18/19 for a proposed backpackers accommodation development on Lots 3, 4, 5, 6 & 7, Section 6, DP 758340 and addressed as 20 Narrand Street, Darlington Point dated 21 February 2019, in accordance with Section 4.16 of the *Environmental Planning and Assessment Act 1979* and subject to the Conditions Of Consent provided as attachment # 1.

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.....General ManagerMayor

In favour: Councillors Wells, Smith, Chirgwin, Brown, Gilbert, Bryce and McRae
Opposed: Nil
Absent: Councillor Black

Councillor Curphey returned to the meeting.

DEVELOPMENT APPLICATION 39-18/19

DA 39-18/19

Councillor Bryce declared a pecuniary interest and left the meeting.

After a short statement as a neighbour to the development, Councillor Smith declared a pecuniary interest and left the meeting.

82/04/19 **Resolved** on the motion of Councillors Gilbert and Curphey that Council grant development consent to Development Application No. 39-18/19 for the demolition of an existing shed and construction of a new 18m x 9m storage shed and 15m x 6m verandah at 25 Powell Street, Jerilderie dated 21 February 2019, in accordance with Section 4.16 of the *Environmental Planning and Assessment Act 1979* and subject to the Conditions of Consent provided as attachment # 5.

In favour: Councillors Gilbert, Curphey, Brown, Wells and Chirgwin and McRae.
Opposed: Nil
Absent: Councillor Black

Councillors Smith and Bryce returned to the meeting.

BACKFLOW PREVENTION POLICY

03.06

83/04/19 **Resolved** on the motion of Councillors Chirgwin and Brown that the Murrumbidgee Council Backflow Prevention Policy be adopted, incorporating the amendments to Cross Connection as recommended by Council's Liquid Trade Waste Consultant.

STRONGER COMMUNITIES FUND – MARCH 2019

84/04/19 **Resolved** on the motion of Councillor Curphey and Chirgwin that any excess funds from the SCF allocation of \$800,000 for the Darlington Point Water Tower be reallocated to the development of the Young Street Subdivision.

85/04/19 **Resolved** on the motion of Councillors Curphey and Chirgwin that the contents of the Stronger Communities Fund Report be noted.

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..... General Manager Mayor

YOUTH WEEK ACTIVITIES

02.23

- 86/04/19** **Resolved** on the motion of Councillors Bryce and Smith that the information contained in the Youth Week Activities Report be noted and thanks be extended to staff member Eden Hercus for the generous amount of time given to ensure our youth enjoyed the activities provided.

COMMITTEE MINUTES

JERILDERIE TIDY TOWNS COMMITTEE MEETING

02.09

- 87/04/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that the information contained in the Jerilderie Tidy Towns Committee Minutes 4 April 2019 be noted.

RIVERINA SPRAY DRIFT STAKEHOLDER GROUP MEETING 03.16.06

- 88/04/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that the information contained in the Riverina Spray Drift Stakeholder Group Meeting Minutes 3 April 2019 be noted.

MINUTES OF THE MID MURRAY ZONE BUSH FIRE MANAGEMENT COMMITTEE MEETING

05.03

- 89/04/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that the information contained in the Mid Murray Zone Bush Fire Meeting Minutes of 27 September 2018 and 28 March 2019 be noted.

MINUTES OF THE WESTERN RIVERINA LIBRARIES COMMITTEE MEETING

07.01.01

- 90/04/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that the information contained in the Western Riverina Libraries Committee Minutes of 28 March 2019 be noted.

ITEMS FOR INFORMATION

MONTHLY CASH & INVESTMENT REPORT – MARCH 2019

05.13

- 91/04/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that Council receive this report and note the Monthly Cash & Investment Report containing the bank balances and investment schedule to 31 March 2019.

RATES AND CHARGES COLLECTION REPORT – MARCH 2019 05.33

92/04/19 Resolved on the motion of Councillors Gilbert and Curphey that the contents of the Rates and Charges Collection Report-March 2019 be noted.

LOAN BORROWINGS AS AT 31 MARCH 2019 05.14

93/04/19 Resolved on the motion of Councillors Bryce and Curphey that the information contained in the Loan Borrowings Report 31 March 2019 be noted.

NEW COUNCIL IMPLEMENTATION FUND – MARCH 2019 03.13.08A

94/04/19 Resolved on the motion of Councillors Curphey and Chirgwin that the information contained in the New Council Implementation Fund Report be noted.

ECONOMIC & TOURISM DEVELOPMENT ACTIVITIES REPORT 03.16

95/04/19 Resolved on the motion of Councillors Bryce and Brown that the information contained in the Economic & Tourism Development Activities Report be noted.

DEVELOPMENT APPLICATION APPROVED UNDER DELEGATION, MARCH 2019 04.25

96/04/19 Resolved on the motion of Councillors Curphey and Gilbert that the information contained in the Development Application Approved Under Delegation, March 2019 Report be noted.

WORKS IN PROGRESS 20/03/19 TO 16/04/19 03.16.04

97/04/19 Resolved on the motion of Councillors Brown and Curphey that the information contained in the Works in Progress Report be noted.

NOXIOUS WEEDS / SALEYARDS / TRUCKWASH / STOCK CONTROL – APRIL 2019 04.21

98/04/19 Resolved on the motion of Councillors Gilbert and Bryce that the information contained in the Noxious Weeds, Saleyards, Truckwash and Stock Control Report be noted.

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.....General ManagerMayor

CONFIDENTIAL ITEMS

PLANNING SERVICES

04.25

99/04/19

Resolved on the motion of Councillors Chirgwin and Bryce 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) 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;
 - iii. Reveal a trade secret.

TENDER-CONSTRUCTION OF LEVEE SYSTEM-AREAS 5 AND 6

04.25.15

100/04/19

Resolved on the motion of Councillors Chirgwin and Bryce 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) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

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 - i. Prejudice the commercial position of the person who supplied it;
 - iii. Reveal a trade secret.

TENDER 2019-02 - TENDER FOR CONSTRUCTION OF AMENITIES BUILDING AT JERILDERIE RACECOURSE

03.09.36

101/04/19

Resolved on the motion of Councillors Chirgwin and Bryce 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) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:-

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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;
- (d) Commercial information of a confidential nature that would, if disclosed:
 - i. Prejudice the commercial position of the person who supplied it;
 - iii. Reveal a trade secret.

TENDER 2019-03 - TENDER FOR CONSTRUCTION OF AMENITIES BUILDING AT COLEAMBALLY SPORTSGROUND No. 2 OVAL 03.09.37

102/04/19

Resolved on the motion of Councillors Chirgwin and Bryce 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) 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;
 - iii. Reveal a trade secret.

COLEAMBALLY SOLAR FARM

01.13 / 04.13 / 03.16

103/04/19

Resolved on the motion of Councillors Chirgwin and Bryce 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) 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;
 - iii. Reveal a trade secret.

Council closed its meeting to the public at 1.00pm and members of the public vacated the Chambers.


PLANNING SERVICES

04.25

104/04/19

Resolved on the motion of Councillors Chirgwin and Bryce that Council engages Habitat Planning for statutory and strategic planning services at the rate of \$140 (+GST) per hour and \$500 (+GST) per trip to the Council area (flat rate covering travel time and mileage), with rates being firm until 30 June, 2020.

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

TENDER-CONSTRUCTION OF LEVEE SYSTEM-AREAS 5 AND 6

04.25.15

- 105/04/19 Resolved** on the motion of Councillors Wells and Curphey that:
- Tender recommendation CN: 10020041 be accepted for stages 5 and 6 of the levee project, on provision that the work plan submitted to Office of Environment and Heritage is approved;
 - Delegated Authority be granted to the Mayor and General Manager to execute relevant documentation associated with the contract, and the Common Seal of Council be affixed as required.

TENDER 2019-02 - TENDER FOR CONSTRUCTION OF AMENITIES BUILDING AT JERILDERIE RACECOURSE

03.09.36

- 106/04/19 Resolved** on the motion of Councillors Bryce and Smith that the tender for Construction of Amenities Building at Jerilderie Racecourse be awarded to Kennedy Builders, Mulwala for the tender sum of \$369,790.30 as recommended by the Tender Assessment Panel, in accordance with clause 178(l)(a) of the Local Government (General) Regulation 2005. Further, the source of funds allocated from the Stronger Country Communities Fund Round 1 (\$252,000), Major Projects component of the Stronger Communities Fund (\$91,000) and (\$26,790.30) of interest accumulated from investing these funds.

TENDER 2019-03 - TENDER FOR CONSTRUCTION OF AMENITIES BUILDING AT COLEAMBALLY SPORTSGROUND No. 2 OVAL

03.09.37

- 107/04/19 Resolved** on the motion of Councillors Bryce and Smith that the tender for Construction of Amenities Building at Coleambally Sportsground No. 2 Oval be awarded to Kennedy Builders, Mulwala for the tender sum of \$434,400.00 as recommended by the Tender Assessment Panel, in accordance with clause 178(1)(a) of the Local Government (General) Regulation 2005. Further, the source of funds allocated from the Stronger Country Communities Fund Round 1 (\$134,000), Major Projects component of the Stronger Communities Fund (\$300,000).

COLEAMBALLY SOLAR FARM

01.13 / 04.13 / 03.16

- 108/04/19 Resolved** on the motion of Councillors Chirgwin and Wells that Delegated Authority be granted to the General Manager to execute a Deed of Release and waiver in order to finalise the contract.

Open Council resumed at 1.25pm.

There being no further business, the meeting closed at 1.25pm.

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Cr R E McRae
MAYOR

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..... General Manager Mayor