

**MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD IN THE
COUNCIL CHAMBERS, DARLINGTON POINT ON FRIDAY, 13 DECEMBER 2019
COMMENCING AT 9.30AM**

PRESENT

Present were Councillors R McRae (Mayor) , R Black (Deputy Mayor), G Smith, P Wells, G Gilbert, P Brown and C Chirgwin.

Also present were Kelly Tyson, Manager, Planning & Environment, Vicki Sutton, Finance Manager, Stephen Goodsall, Assets Manager, Sue Mitchell, Corporate & Community Services Manager, Ben Nash, Development Officer and Anne Lyons, Media and Communications Officer.

APOLOGIES

Apologies were received from Councillors Faith Bryce and Robert Curphey, General Manager John Scarce, Operations Managers William Wade and Johann Pereira.

- 307/12/19** **Resolved** on the motion of Councillors Chirgwin and Gilbert that the apologies from Councillors Bryce and Curphey, General Manager Mr John Scarce, Operations Managers Mr William Wade and Mr Johann Pereira be received and leave of absence be granted.

CONFIRMATION OF MINUTES

- 308/12/19** **Resolved** on the motion of Councillors Gilbert and Smith that the Minutes of the Ordinary Meeting of Council held on Tuesday 26 November 2019, as printed and circulated, be confirmed.

PECUNIARY INTEREST

Councillor Black declared a less than significant non-pecuniary interest in Confidential Item 22 – Yarrabee Solar Project.

Councillor Gilbert declared a significant non-pecuniary interest in Confidential Item 22 - Yarrabee Solar Project.

NOTICE OF MOTION

NIL

NOTICE OF RESCISSION

NIL

This is page 1 of 7 of the Minutes of the Ordinary Meeting of Council held on Friday 13 December 2019

 Manager, Planning & Environment Mayor

MAYOR'S REPORT

309/12/19 **Resolved** on the motion of Councillors Chirgwin and Brown that the information contained in the Mayoral Report be noted.

GENERAL MANAGER'S REPORTS

GENERAL MANAGER MONTHLY REPORT SC218

310/12/19 **Resolved** on the motion of Councillors Brown and Black that the contents of the General Manager's Monthly Report be noted, and Council endorse the submission to the Office of Local Government in relation to the Audit Risk & Improvement Committee (ARIC) framework.

At 9.42am Councillor Bryce joined the meeting.

SALE OF COUNCIL LAND SC88

311/12/19 **Resolved** on the motion of Councillors Black and Brown that Council:

1. Place on public exhibition the proposal to consider sale of the land, being Lot 126 DP 790745, Showground Road, Jerilderie, and invite submissions;
2. Refer the proposal to the local Aboriginal Land Council and Roads and Maritime Services (RMS) prior to further consideration.

FIRE HYDRANTS, COLEAMBALLY SC116

312/12/19 **Resolved** on the motion of Councillors Brown and Chirgwin that the information contained in the Fire Hydrants, Coleambally Report be noted, and updates on the progress of necessary works be provided to Council as they become available.

COMMITTEE MINUTES

NEWELL HIGHWAY TASK FORCE COMMITTEE MEETING-12 NOVEMBER 2019 SC12

313/12/19 **Resolved** on the motion of Councillors Black and Smith that the information contained in the Newell Highway Task Force Committee Meeting Minutes be noted.

This is page 2 of 7 of the Minutes of the Ordinary Meeting of Council held on Friday 13 December 2019

.......... Manager, Planning & Environment Mayor

**JERILDERIE TIDY TOWNS COMMITTEE MEETING-7 NOVEMBER 2019
SC21**

314/12/19 Resolved on the motion of Councillors Bryce and Smith that the information contained in the Jerilderie Tidy Towns Committee Meeting Minutes be noted.

**COLEAMBALLY TOWN LIFE COMMITTEE MEETING-3 DECEMBER
2019 SC22**

315/12/19 Resolved on the motion of Councillors Brown and Gilbert that the information contained in the Coleambally Town Life Committee Meeting Minutes be noted, and the appointment to the Committee of Bob Thornton and Monica Whelan be acknowledged by Council.

**HERITAGE DARLINGTON POINT COMMITTEE MEETING-1 DECEMBER
2019 SC24**

316/12/19 Resolved on the motion of Councillors Gilbert and Chirgwin that the information contained in the Heritage Darlington Point Committee Meeting Minutes be noted.

ITEMS FOR INFORMATION

MONTHLY CASH & INVESTMENT REPORT – NOVEMBER 2019 SC133

317/12/19 Resolved on the motion of Councillors Bryce and Smith that Council note the monthly Cash and Investment Report containing the bank balances and schedule of investments as at 30 November 2019.

HOLIDAY PERIOD CONTACTS SC218

318/12/19 Resolved on the motion of Councillors Chirgwin and Gilbert that the information contained in the Holiday Period Contacts Report be noted.

MANAGER, PLANNING & ENVIRONMENT – MONTHLY REPORT SC218

319/12/19 Resolved on the motion of Councillors Bryce and Smith that the information contained in the Manager, Planning & Environment - Monthly Report be noted.

FINANCE MANAGER – MONTHLY REPORT SC218

320/12/19 Resolved on the motion of Councillors Bryce and Brown that the information contained in the Finance Manager - Monthly Report be noted.

MANAGER CORPORATE & COMMUNITY SERVICES – MONTHLY REPORT **SC218**

321/12/19 **Resolved** on the motion of Councillors Chirgwin and Smith that the information contained in the Manager, Corporate & Community Services - Monthly Report be noted.

OPERATIONS MANAGER, MAINTENANCE– MONTHLY REPORT **SC218**

322/12/19 **Resolved** on the motion of Councillors Bryce and Black that the information contained in the Operations Manager, Maintenance - Monthly Report be noted.

OPERATIONS MANAGER, CONSTRUCTION– MONTHLY REPORT **SC218**

323/12/19 **Resolved** on the motion of Councillors Brown and Chirgwin that the information contained in the Operations Manager, Construction - Monthly Report be noted.

ASSET MANAGER – MONTHLY REPORT **SC218**

324/12/19 **Resolved** on the motion of Councillors Wells and Smith that the information contained in the Asset Manager - Monthly Report be noted, and:

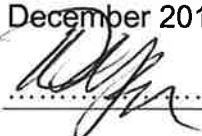
1. The Terms of Reference for the Darlington Point Floodplain Risk Management Committee be adopted;
2. The Minutes from the Darlington Point Floodplain Risk Management Study and Plan meeting be noted.

DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATION, NOVEMBER 2019 **SC210**

325/12/19 **Resolved** on the motion of Councillors Bryce and Smith that the information contained in the Development Application Approved Under Delegation, November 2019 Report be noted.

BIOSECURITY / SALEYARDS / TRUCKWASH / STOCK CONTROL **SC92**

326/12/19 **Resolved** on the motion of Councillors Bryce and Chirgwin that the information contained in the Biosecurity, Saleyards, Truckwash and Stock Control Report be noted.



327/12/19 Resolved on the motion of Councillors Brown and Black that the information contained in the Works in Progress Report be noted.

CONFIDENTIAL ITEMS

TENDER 12-2020 – DESIGN AND CONSTRUCT JERILDERIE 25M POOL REPLACEMENT **SC251**

328/12/19 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) 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 13-2020 – CONSTRUCTION OF DISPLAY AND AMENITIES BUILDING AT DARLINGTON POINT LIONS PARK **SC252**

329/12/19 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) 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.

YARRABEE SOLAR PROJECT

SC212

330/12/19 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) 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.
- (f) Matters affecting the security of the Council, Councillors, Council staff or Council property.

Council closed its meeting to the public at 11.11am.

TENDER 12-2020 – DESIGN AND CONSTRUCT JERILDERIE 25M POOL REPLACEMENT

SC251

331/12/19 Resolved on the motion of Councillors Gilbert and Bryce that the tender be awarded to Total Creations and Services for Design and Construct Jerilderie 25m Pool Replacement for a cost of \$1,963,940 in accordance with clause 178 (l) (a) of the Local Government (General) Regulation 2005 and additional funds required, as per the report, be sourced from the Major Projects component of the Stronger Communities Fund Grant.

TENDER 13-2020 – CONSTRUCTION OF DISPLAY AND AMENITIES BUILDING AT DARLINGTON POINT LIONS PARK

332/12/19 Resolved on the motion of Councillors Black and Gilbert that the tender be awarded to Adaptive Interiors at a cost of \$580,712.00 for the construction of display and amenities building at Darlington Point Lions Park, Narrand Street, Darlington Point in accordance with clause 178 (l) (a) of the Local Government (General) Regulation 2005.

YARRABEE SOLAR PROJECT

SC212

Councillor Black declared a less than significant non-pecuniary conflict of interest and remained in meeting.

Councillor Gilbert declared his pecuniary interest in the matter and departed the building.

This is page 6 of 7 of the Minutes of the Ordinary Meeting of Council held on Friday 13 December 2019

.....Manager, Planning & EnvironmentMayor

333/12/19 Resolved on the motion of Councillors Chirgwin and Smith that Council lodge a submission to the Department of Planning, Industry & Environment on the Yarrabee Solar Farm modification proposal.

334/12/19 Resolved on the motion of Councillors Chirgwin and Brown that Open Meeting resume.

Open Council resumed at 11.59am

Councillor Gilbert returned to the meeting.

There being no further business, the meeting closed at 11.59am

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Cr R E McRae
MAYOR

This is page 7 of 7 of the Minutes of the Ordinary Meeting of Council held on Friday 13 December 2019

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..... Manager, Planning & Environment Mayor