

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL  
HELD IN THE IAN GILBERT ROOM, JERILDERIE CIVIC HALL  
ON TUESDAY 28 JULY 2020, COMMENCING AT 1.00PM**

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**OPENING OF MEETING**

**RECORDING & WEBCASTING OF MEETING**

Mayor McRae advised those present the meeting is being recorded and the audio recording will be placed on Council's website. By speaking at a Council or Committee Meeting, members of the public agree to being recorded and webcast.

**PRESENT**

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

Also present was John Scarce, General Manager, Vicki Sutton, Finance Manager, Sue Mitchell, Manager, Corporate & Community Services, Kelly Tyson, Manager, Planning & Environment, William Wade, Operations Manager Maintenance, Stephen Goodsall, Assets Manager and Kellie Dissegna, Manager Economic & Tourism Development

**APOLOGIES**

NIL

**CONFIRMATION OF MINUTES**

**151/07/20** **Resolved** on the motion of Councillors Curphey and Chirgwin that the Minutes of the Ordinary Meeting of Council held on 23 June 2020 and Extraordinary Meeting of Council held on 14 July 2020, as printed and circulated, be confirmed.

**CARRIED**

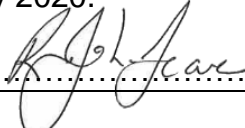
**PECUNIARY INTEREST DECLARATIONS**

A pecuniary interest declaration was received from Councillor Bryce in relation to item 29 – Organisational Structure.

A pecuniary interest declaration was received from Councillor Wells in relation to Item 25 – Backpacker Accommodation.

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

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A pecuniary interest declaration was received from Councillor Curphey in relation to Item 25 – Backpacker Accommodation.

**NOTICE OF RESCISSION**

NIL

**NOTICE OF MOTION**

NIL

**MAYORAL MINUTE**

**LOCAL GOVERNMENT EXCLUSION FROM NATIONAL CABINET  
SC217/SC60/SC208**

**152/07/20** **Moved** Councillor McRae that the Council:

1. Agrees to send a letter to the NSW State Premier and to Hon Sussan Ley, MP, Federal Member for Farrer, the State Member for Albury Mr Justin Clancy and the State Member for Murray Mrs Helen Dalton respectively which highlights the critical necessity for Local Government representation on the newly formed National Cabinet, and seeks their assistance in requesting that First Ministers review the decision to exclude Local Government;
2. Seeks a meeting with our local Federal and State Members to discuss in more detail the importance of having Local Government representation on National Cabinet and the value of partnerships with Councils in achieving the objectives of the National Cabinet and the national reform agenda;
3. Notes that the Australian Local Government Association, Local Government NSW and other state/territory Local Government Associations will continue to advocate for Local Government representation on the National Cabinet and for Local Government's interests in all relevant forums.

**CARRIED**

**MAYORAL REPORT**

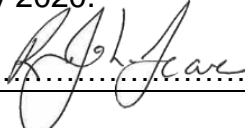
**SC217**

**153/07/20** **Resolved** on the motion of Councillors Curphey and Smith that the information contained in the Mayoral Report be noted.

**CARRIED**

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

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## DELEGATES' REPORTS

NIL

## OFFICERS' REPORTS FOR CONSIDERATION

### GENERAL MANAGER'S MONTHLY REPORT

SC218

**154/07/20** **Resolved** on the motion of Councillors Black and Gilbert that the information contained in the General Manager's Monthly Report be noted.

**CARRIED**

### LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2020

SC208

**155/07/20** **Resolved** on the motion of Councillors Curphey and Gilbert that:

1. The Mayor, Deputy Mayor and General Manager attend the Local Government NSW Conference to be held at the Crowne Plaza Hunter Valley, Lovedale, 22-24 November 2020, with out of pocket expenses met by Council;
2. Motions for submission to the Local Government NSW Annual Conference be provided to the General Manager by 28 September 2020.

**CARRIED**

### REVITALISATION PROJECT

SC135/SC136

**156/07/20** **Moved** Councillor Curphey, Seconded Councillor Smith that the Murrumbidgee Council Drought Support Officer organise the implementation of the works as recommended in the Revitalisation Project Report, according to the identified priorities and as funds become available.

#### **Amendment to the Motion**

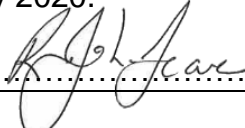
**Moved** Councillor Smith, Seconded Councillor Chirgwin that prior to works priorities being finalised, Councillors workshop town project priorities as identified in the Revitalisation Project Report, with the Murrumbidgee Council Drought Support Officer to organise the implementation of prioritised works, and as funds become available.

The amendment became the motion and was put to the meeting.

**CARRIED**

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

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**MOBILE FOOD VANS ON PUBLIC LAND**

**SC49**

**157/07/20** **Resolved** on the motion of Councillors Chirgwin and Smith that a draft Approvals Policy for mobile food vans on public land be prepared and placed on public exhibition for 28 days.

**CARRIED**

**DEVELOPMENT APPLICATION – DA23-2020 – STEELE ROAD  
COLEAMBALLY DA20/0023**

**158/07/20** **Resolved** on the motion of Councillors Gilbert and Curphey that Murrumbidgee Council grant consent to Development Application No: DA 23-2020 for a farm building being a hay and machinery shed at Lot 2 DP 1024864, 12 Steele Road Coleambally subject to the conditions included in Attachment # 8.

**CARRIED**

In Favour: Councillors Wells, Chirgwin, Curphey, Brown, Black, Gilbert, Bryce and McRae  
Opposed: Councillor Smith

**PLAYGROUND SOFTFALL WORKS**

**SC218**

**159/07/20** **Resolved** on the motion of Councillors Black and Brown that grant funding for replacement of rubber soft fall surface under the play equipment at the CWA Park, Darlington Point, Youth and Sports Centre, Coleambally and Monash Park, Jerilderie be sourced. In the interim, continue to monitor surfaces and repair where possible.

**CARRIED**

**ESTABLISHMENT OF BUSINESS MURRUMBIDGEE**

**SC39**

**160/07/20** **Resolved** on the motion of Councillors Gilbert and Black that Council support the establishment of Business Murrumbidgee, with three Chapters - Jerilderie, Coleambally and Darlington Point. Joint initiatives to be held across the three Chapters. The allocated budget of \$20,000 to be divided across each Chapter for the establishment of the Chapters, support for Executive Officer role for each Chapter and implementation of joint initiatives.

**CARRIED**

# REPORTS/MINUTES OF COUNCIL COMMITTEES

NIL

## OFFICERS' REPORTS FOR NOTING

### MONTHLY CASH & INVESTMENT REPORT – JUNE 2020 SC133

**161/07/20** **Resolved** on the motion of Councillors Curphey and Brown that Council note the monthly Cash & Investment Report containing the bank balances and schedule of investments as at 30 June 2020.

**CARRIED**

### LOAN BORROWINGS AS AT 30 JUNE 2020 SC214

**162/07/20** **Resolved** on the motion of Councillors Chirgwin and Smith that the information contained in the Loan Borrowings Report be noted.

**CARRIED**

### NEW COUNCIL IMPLEMENTATION FUND – JUNE 2020 SC59

**163/07/20** **Resolved** on the motion of Councillors Smith and Black that the contents of the New Council Implementation Fund-June 2020 Report be noted.

**CARRIED**

### STRONGER COMMUNITIES FUND – JUNE 2020 SC137

**164/07/20** **Resolved** on the motion of Councillors Brown and Curphey that the contents of the Stronger Communities Fund Report June 2020 be noted.

**CARRIED**

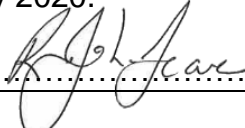
### RATES AND ANNUAL CHARGES COLLECTION REPORT – JUNE 2020 SC165

**165/07/20** **RESOLVED** on the motion of Councillors Curphey and Smith that the contents of the Rates and Annual Charges Collection Report as at 30 June 2020 be noted.

**CARRIED**

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

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**NEW BUILDING & DEVELOPMENT CERTIFIERS ACT**

**SC231**

**166/07/20** **RESOLVED** on the motion of Councillors Chirgwin and Curphey that the information contained in the New Building & Development Certifiers Act Report be noted.

**CARRIED**

**FINANCE MANAGER – MONTHLY REPORT**

**SC218**

**167/07/20** **Resolved** on the motion of Councillors Black and Smith that the information contained in the Finance Manager Monthly Report be noted.

**CARRIED**

**MANAGER PLANNING & ENVIRONMENT – MONTHLY REPORT SC218**

**168/07/20** **Resolved** on the motion of Councillors Curphey and Chirgwin that the information contained in the Manager, Planning & Environment Monthly Report be noted.

**CARRIED**

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

**169/07/20** **Resolved** on the motion of Councillors Curphey and Chirgwin that the information contained in the Manager, Corporate & Community Services Monthly Report be noted.

**CARRIED**

**MANAGER, ECONOMIC & TOURISM DEVELOPMENT – MONTHLY REPORT SC218**

**170/07/20** **Resolved** on the motion of Councillors Brown and Smith that the information contained in the Manager, Economic & Tourism Development Monthly Report be noted.

**CARRIED**

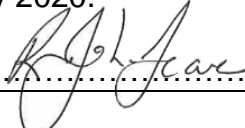
**ASSET MANAGER – MONTHLY REPORT**

**SC218**

**171/07/20** **Resolved** on the motion of Councillors Bryce and Curphey that the information contained in the Asset Manager Monthly Report be noted.

**CARRIED**

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

**OPERATIONS MANAGER, MAINTENANCE – MONTHLY REPORT**

**SC218**

**172/07/20** **Resolved** on the motion of Councillors Chirgwin and Curphey that the information contained in the Operations Manager – Maintenance, Monthly Report be noted.

**CARRIED**

**OPERATIONS MANAGER, CONSTRUCTION – MONTHLY REPORT**

**SC218**

**173/07/20** **Resolved** on the motion of Councillors Brown and Black that the information contained in the Operations Manager – Construction, Monthly Report be noted.

**CARRIED**

**DEVELOPMENT APPLICATION APPROVED UNDER DELEGATION,  
JUNE 2020**

**SC210**

**174/07/20** **Resolved** on the motion of Councillors Curphey and Black that the information contained in the Development Application Approved Under Delegation Report, June 2020, be noted.

**CARRIED**

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

**SC92**

**175/07/20** **Resolved** on the motion of Councillors Chirgwin and Brown that the information contained in the Biosecurity, Saleyards, Truckwash and Stock Control Report be noted.

**CARRIED**

**WORKS IN PROGRESS 15/06/20 TO 20/07/20**

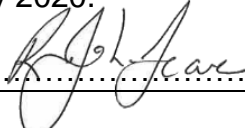
**SC218**

**176/07/20** **Resolved** on the motion of Councillors Brown and Curphey that the information contained in the Works in Progress Report be noted.

**CARRIED**

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

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## CONFIDENTIAL ITEMS

### BACKPACKER ACCOMMODATION

DA18/0061

**177/07/20** **RESOLVED** on the motion of Councillors Black 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) (a) (d) and (g) 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);
- (d) Commercial information of a confidential nature that would, if disclosed:
  - i) prejudice the commercial position of the person who supplied it;
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege

**CARRIED**

### STRATEGIC LAND PURCHASE

SC87

**178/07/20** **RESOLVED** on the motion of Councillors Black 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) 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.

**CARRIED**



**PROPERTY INSPECTION**

**SC168**

**179/07/20** **RESOLVED** on the motion of Councillors Black 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) (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

**CARRIED**

**ROAD CLOSURES**

**SC177**

**180/07/20** **RESOLVED** on the motion of Councillors Black 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) (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)

**CARRIED**

**ORGANISATIONAL STRUCTURE**

**SC329**

**181/07/20** **RESOLVED** on the motion of Councillors Black 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) (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)

Council closed its meeting to the public at 3.34pm. Recording was stopped.

**BACKPACKER ACCOMMODATION**

**DA18/0061**

Councillors Wells and Curphey declared their pecuniary interest in this item and vacated the building.

**182/07/20 Resolved** on the motion of Councillors Black and Chirgwin that in relation to the information as detailed in the tabled Backpacker Accommodation report:

- a) Neither an Occupation Certificate nor Building Information Certificate be issued by Council.
- b) The applicant be requested to submit an Independent Building Code of Australia Compliance Audit Report, to be prepared by an A1 (unconditional) Accredited Certifier, that includes information to demonstrate that all buildings are compliant with the National Construction Code - Building Code of Australia (BCA).

A checklist is to form part of the report, which is to detail all the requirements of the BCA and, for any identified non-compliance, the reason and recommendation to achieve compliance.

**CARRIED**

Councillors Wells and Curphey returned to the meeting.

**STRATEGIC LAND PURCHASE**

**SC87**

This report was withdrawn from the Agenda.

**PROPERTY INSPECTION**

**SC168**

**183/07/20 Resolved** on the motion of Councillors Curphey and Gilbert that the information contained in the tabled Property Inspection Report be noted.

**CARRIED**

**ROAD CLOSURES**

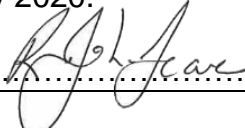
**SC177**

**184/07/20 Resolved** on the motion of Councillors Curphey and Gilbert that:

- (a) Council refuse the closure of laneways adjacent to allotments at Kulkie Street North Darlington Point;
- (b) Should the closure and sale of road reserve area adjacent to Lot 139 DP 750908 proceed, the previously agreed purchase price, as detailed in the report, be honoured;

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

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- (c) Council advise the other parties that they will consider the closure and sale of the public road(s) subject to the required process, no objections being received, a purchase price commensurate with the unimproved land value and a written prior commitment to pay all costs involved;
- (d) Council publically notify the proposals to close the public road and sell them, including advising all adjoining owners and notifiable public authorities, giving them 28 days to make a submission to the Council. Should no objection be received, Council make an application with Crown Lands to close the road and progress the sale.

**CARRIED**

**ORGANISATIONAL STRUCTURE**

**SC329**

Councillor Bryce declared a pecuniary interest in this item and departed the meeting at 4.50pm.

**185/07/20 Resolved** on the motion of Councillors Gilbert and Brown that Council proposes to make a new Organisational Structure at the September 2020 meeting of Council, following the undertaking of consultation with staff and relevant Unions, with the attached Organisational Structure to guide and initiate consultation. Further Council provide budgeted funds, based on the implementation plan, to achieve the new structure, with new funds for staffing and equipment where required. Noting that the implementation will be over multiple financial years, and milestones to be met prior to implementation of the next phase.

**CARRIED**

**186/07/20 RESOLVED** on the motion of Councillors Chirgwin and Curphey that Council move into Open Council.

**CARRIED**

Open Council resumed at 5.10pm. Recording resumed.

The Mayor informed the meeting of resolutions 182/07/20, 183/07/20, 184/07/20 and 185/07/20, as adopted in the Confidential section of the meeting.

There being no further business, the meeting closed at 5.12pm

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 Cr R E McRae  
**MAYOR**

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