

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL  
HELD IN THE COUNCIL CHAMBERS, DARLINGTON POINT  
ON TUESDAY 28 MARCH 2023, COMMENCING AT 11.00AM**

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**ACKNOWLEDGEMENT OF COUNTRY**

Mayor McRae

**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), F Bryce, T Mauger, C Chirgwin, T Strachan, R Curphey and J Saxvik.

Also present was General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke.

**APOLOGIES**

An apology was received from Councillor Gavin Gilbert.

**33/03/23**     **Resolved** on the motion of Councillors Mauger and Curphey that the apology from Councillor Gilbert be received and leave of absence be granted.

**CARRIED**

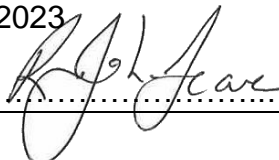
**CONFIRMATION OF MINUTES**

**34/03/23**     **Resolved** on the motion of Councillors Curphey and Strachan that the Minutes of the Ordinary Meeting of Council held on 28 February 2023, as printed and circulated, be confirmed.

**CARRIED**

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This is page 1 of 7 of the Minutes of the Ordinary Meeting of Council held on Tuesday 28 March 2023.

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

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## PECUNIARY INTEREST DECLARATIONS

NIL

## MAYORAL REPORT

SC217

**35/03/23** **Resolved** on the motion of Councillors Black and Chirgwin that the information contained in the Mayoral Report be noted.

**CARRIED**

## DELEGATES' REPORTS

NIL

## OFFICERS' REPORTS FOR CONSIDERATION

### GENERAL MANAGER'S MONTHLY REPORT

SC218

**36/03/23** **Resolved** on the motion of Councillors Mauger and Strachan that the information contained in the General Manager's Monthly Report be noted, and fees for additional 240L bins, as part of the three stream waste collection service, be set at FOGO \$72 per annum, Recycling \$108 per annum, General \$200 per annum for the financial year 2023/24.

**CARRIED**

### FEES & CHARGES PRICING POLICY

SC49

**37/03/23** **Resolved** on the motion of Councillors Mauger and Chirgwin that the Fees & Charges Pricing Policy be adopted by Council.

**CARRIED**

### DRAFT MURRUMBIDGEE COUNCIL COMPANION ANIMALS MANAGEMENT POLICY

SC49

**38/03/23** **Resolved** on the motion of Councillors Curphey and Saxvik that:

1. The draft Murrumbidgee Council Companion Animals Management Policy be endorsed by Council, and placed on public exhibition for a minimum period of 28 days, seeking public comment.

2. At the completion of the exhibition period, the draft Murrumbidgee Council Companion Animals Management Policy be presented for adoption.

**CARRIED**

**COUNCIL HOUSING REPLACEMENT STRATEGY**

**SC88**

**39/03/23**     **Resolved** on the motion of Councillors Mauger and Strachan that:

1. GJ Gardner Homes be engaged by Council to construct a dwelling (Hamilton 266) as the replacement General Manager's residence at Lot 43, 10 Argoon Avenue, Jerilderie;
2. Under Section 55 (3) (i) of the Local Government Act 1993, GJ Gardner Homes be awarded the contract for the construction of the Hamilton 266 design, due to the remoteness of our locality and the unavailability of competitive tenderers.

**CARRIED**

**REPORTS/MINUTES OF COUNCIL COMMITTEES**

**AUDIT RISK & IMPROVEMENT COMMITTEE MEETING**

**SC130**

**40/03/23**     **Resolved** on the motion of Councillors Black and Curphey that the information contained in the Audit Risk & Improvement Committee Meeting Minutes be noted.

**CARRIED**

**MINUTES OF THE MURRUMBIDGEE COUNCIL TRAFFIC COMMITTEE MEETING**

**SC20**

**41/03/23**     **Resolved** on the motion of Councillors Bryce and Curphey that the information contained in the Murrumbidgee Council Traffic Committee Meeting Minutes be noted.

**CARRIED**

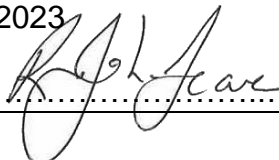
**JERILDERIE TIDY TOWNS COMMITTEE MEETING**

**SC21**

**42/03/23**     **Resolved** on the motion of Councillors Bryce and Chirgwin that the information contained in the Jerilderie Tidy Towns Committee Meeting Minutes be noted.

**CARRIED**

This is page 3 of 7 of the Minutes of the Ordinary Meeting of Council held on Tuesday 28 March 2023

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

## OFFICERS' REPORTS FOR NOTING

### MONTHLY INVESTMENT REPORT - FEBRUARY 2023

SC133

- 43/03/23** **Resolved** on the motion of Councillors Mauger and Strachan that the Monthly Investment Reports - February 2023 be noted, identifying all money Council has invested under section 625 of the *Local Government Act 1993*.

**CARRIED**

### DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATION, FEBRUARY 2023

SC210

- 44/03/23** **Resolved** on the motion of Councillors Chirgwin and Mauger that the information contained in the Development Applications Approved Under Delegation Report, February 2023, be noted.

**CARRIED**

## ITEM WITHOUT NOTICE

### GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL

- 45/03/23** **Resolved** on the motion of Councillors Bryce and Black that this item without notice be accepted and referred to the March 2023 meeting of Council, as it requires resolution before the next scheduled meeting.

**CARRIED**

## CONFIDENTIAL ITEMS

### CONVERSION OF LEASE

SC79

- 46/03/23** **Resolved** on the motion of Councillors Chirgwin and Saxvik 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 (c) 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 particulars individuals (other than Councillors);

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**

**ILLEGAL OCCUPATION OF A CARAVAN**

**SC168**

**47/03/23** **Resolved** on the motion of Councillors Chirgwin and Saxvik 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 particulars individuals (other than Councillors).

**CARRIED**

**GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL**

**48/03/23** **Resolved** on the motion of Councillors Chirgwin and Saxvik 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 particulars individuals (other than Councillors).

**CARRIED**

Council closed its meeting to the public at 11.34am. Recording was stopped.

**CONVERSION OF LEASE**

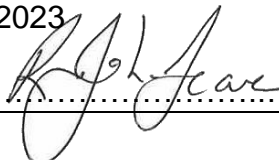
**SC79**

**49/03/23** **Resolved** on the motion of Councillors Mauger and Curphey that:

1. Council authorise the General Manager to negotiate the conversion of Lease Number L268351 at the 1 July 2022 land value, with Council's legal fees and stamp duty to be paid by the lessee;
2. The conversion settlement is to be paid in full.

**CARRIED**

This is page 5 of 7 of the Minutes of the Ordinary Meeting of Council held on Tuesday 28 March 2023

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

**50/03/23** **Resolved** on the motion of Councillors Curphey and Strachan that an Order under Clause 8 of Part 6 of Schedule 5 of the Environmental Planning & Assessment Act 1979, be issued on the owner of the land and the occupier of the caravan, as identified within this report, to cease the occupation of the caravan at the subject address for residential purposes.

**CARRIED**

General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke departed the meeting.

**GENERAL MANAGER'S CONTRACT OF EMPLOYMENT PERSONNEL**

**51/03/23** **Resolved** on the motion of Councillors Black and Chirgwin that:

1. Council offer Rodney John Scarce General Manager a contract renewal of five (5) years commencing on 9 October 2023 and terminating on 8 October 2028;
2. The salary package as proposed and agreed by Council will comprise the following components:
  - Salary
  - Superannuation contribution
  - Housing
  - Full private use of motor vehicle in Australia
  - Fringe benefits tax obligations
  - Retention bonus;
3. In accordance with clause 7, Council and the General Manager develop the performance agreement for commencement on 9 October 2023;
4. Council further authorise the Mayor, Councillor Ruth McRae, to sign the renewed contract of employment upon Mr Scarce accepting the offer.

**CARRIED**

General Manager, John Scarce, Director of Infrastructure, Tom Dimec, Director Planning, Community & Development, Garry Stoll and Chief Financial Officer, Kaitlin Salzke returned to the meeting.

**52/03/23** **Resolved** on the motion of Councillors Curphey and Chirgwin that open Council resume.

**CARRIED**

Open Council resumed at 12.06pm, with the meeting re-opened to the public. Recording resumed.

The Mayor informed the meeting of resolutions 49/03/23; 50/03/23 and 51/03/23 as adopted in the Confidential section of the meeting.

There being no further business, the meeting closed at 12.08pm.

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Cr R E McRae  
**MAYOR**