



5 April, 2016

Council Meeting Notice

I hereby give notice that an Extraordinary Meeting of the Murrumbidgee Shire Council is to be held in the Murrumbidgee Shire Council Meeting Rooms at Coleambally on Tuesday, 5 April, 2016 commencing at 4.30pm.

Phil Pinyon
Interim General Manager

AGENDA

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EXTRAORDINARY MEETING

4 APRIL, 2016

GENERAL MANAGER'S REPORT

1. RESCISSION MOTION

Extraordinary Meeting 5 April, 2016 PP:IGM – Rescission Motion

EXECUTIVE SUMMARY

Following the Extraordinary Meeting of Council on Monday, 4 April, 2016, a duly signed Motion to Rescind Resolution 16057 was received.

RECOMMENDATION

For Council's determination

BACKGROUND

Council held an Extraordinary Meeting at the Council Chambers in Darlington Point on Monday, 4 April commencing at 7pm. The purpose of this meeting was for Councillors to determine a position in relation to the proposed Whole of Jerilderie Shire merger following community consultation. A report in relation to this consultation as considered with Council resolving as follows:

16057. Resolution

Moved Cr Chirgwin, Seconded Cr Black

That Council:

- a) Note the information contained with the phone, paper-based and online survey reports.**
- b) Present this information together with the financial analysis reports considered at the March 16 Ordinary meeting as its submission to the Delegate's Inquiry into the whole of Jerilderie Shire merger proposal.**
- c) Include as a covering letter, information to outline Council's position in relation to the whole of Jerilderie merger proposal, that being that the Council and the Community's position on the matter is divided.**
- d) Formally write to the Mayor of Jerilderie Shire Council, Cr Ruth McRae advising of Council's decision and submission details.**

The motion was put with the vote being tied (3:3). The Mayor used his casting vote to pass the motion. Councillors Curphey, Wells and Gilbert requested that their votes against the motion be recorded.

Carried (4:3)

Following the meeting's close at 7.30pm, a Rescission Motion signed by Councillors Gilbert, Curphey and Wells, was given to the Interim General Manager. The form stated:

MURRUMBIDGEE SHIRE COUNCIL

EXTRAORDINARY MEETING

4 APRIL, 2016

We, the undersigned, hereby request that the Council rescind Resolution Number 16057 and that this matter be dealt with as a matter of urgency by an Extraordinary Meeting to be held prior to Friday, 8 April, 2016. (Attachment A)

COMMENT

The Rescission Motion was lodged in accordance with Section 372(4) of the Local Government Act and is considered a legal motion to rescind.

CONSIDERATIONS (Statutory Compliance/Policy, Financial, Integrated Plan, Risk Management)

STATUTORY COMPLIANCE/POLICY
Local Government Act 1993 - Sect 372(4)

FINANCIAL
N/A

INTEGRATED PLANS

D1.1 – Council leads the community by example demonstrating a high level of leadership and accountability

RISK MANAGEMENT
N/A

CONSULTATION / ENGAGEMENT

Councillors
ELT

OPTIONS

- a) For the determination of Council

ATTACHMENTS

Attachment A: Rescission Motion and suggested alternate motion

Phil Pinyon
INTERIM GENERAL MANAGER

MURRUMBIDGEE SHIRE COUNCIL

EXTRAORDINARY MEETING

4 APRIL, 2016

Attachment A: Rescission Motion and suggested alternate motion



RESCISSION MOTION

General Manager
Murrumbidgee Shire Council
DARLINGTON POINT NSW 2706

Dear General Manager,

We, the undersigned, hereby request that the Council rescind Resolution Number 16057 and that this matter be dealt with as a matter of urgency by an Extraordinary Meeting to be held prior to Friday, 8 April, 2016.

Yours sincerely

.....
Councillor Gavin Gilbert

(Date) 4.4.16

.....
Councillor Robert Curphey

(Date) 4.4.16

.....
Councillor Phillip Wells

(Date) 4.4.16

Excerpt from Practice Note 16 - Meeting Practice quoting the NSW Local Government Act 1993

Section 372(4) of the Act requires notice of a rescission motion to have the signatures of three (3) councillors if less than three (3) months has passed since the original resolution was made.

Excerpt from Murrumbidgee Shire Council's Code of Meeting Practice

Notice of Motion

Notices of Motion are to be submitted in writing no later than 12 noon on the seventh day preceding the meeting at which they are to be presented and are to be signed by the Councillor or Councillors submitting the motion. Councillors should use the "Notice of Motion" Form provided to submit the notice of motion electronically using a similar format.

MURRUMBIDGEE SHIRE COUNCIL

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Alternative Motion:

In the event that the rescission motion is carried, it is proposed to put the following alternative motion:

That Council:

- a) Note the information contained with the phone, paper-based and online survey reports.
- b) Present this information together with the financial analysis reports considered at the March 16 Ordinary meeting as its submission to the Delegate's Inquiry into the whole of Jerilderie Shire merger proposal.
- c) Include as a covering letter, information to outline Council's position in relation to the whole of Jerilderie merger proposal, that being that the Council is divided and the Community's expressed position is a marginal preference against the whole of Jerilderie merger proposal and in favour of the Minister's proposal to merge with the part of Jerilderie Shire north of Yanco Creek.
- d) Formally write to the Mayor of Jerilderie Shire Council, Cr Ruth McRae advising of Council's decision and submission details.