



MINUTES

OF THE

ORDINARY MEETING

OF

GILGANDRA SHIRE COUNCIL

HELD ON

16 AUGUST 2022

PRESENT

Councillors

D Batten (Mayor)  
A Walker (Deputy Mayor)  
G Babbage  
A Bunter  
P Mann  
B Mockler  
N Mudford  
G Peart

Employees

D J Neeves  
General Manager  
N J Alchin  
Director Corporate Services  
D Colwell  
Director Infrastructure  
J Prout  
Executive Assistant  
G McAnally-Elwin  
Finance Manager

Proceedings of the meeting commenced at 4.05pm.

ATTENDANCE VIA AUDIO-VISUAL MEANS

Cr Freeth has requested to be able to attend the meeting via audio visual means.

<b>RESOLVED 150/22</b>	Cr Mann/Cr Babbage
That approval be granted for Cr Freeth to attend the meeting via audio visual means.	

LEAVE OF ABSENCE

Nil

ADJOURNMENTS

Nil

DECLARATIONS OF INTEREST

Nil

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CONFIRMATION OF MINUTES

<b>RESOLVED 151/22</b>	Cr Babbage/Cr Bunter
That the minutes of the Ordinary meeting held on 19 July 2022, which were circulated to members prior to this meeting, be hereby confirmed as a faithful record of the meeting referred to.	

LISTING OF MATTERS  
TO BE CONSIDERED IN CLOSED COUNCIL

<b>RESOLVED 152/22</b>	Cr Mockler/Cr Peart
That Council note the following matters to be listed as specified under Section 10 (2) of the Local Government Act 1993:	
<ul style="list-style-type: none"><li>• EOI 30/22 – Design &amp; Construct 10 Residential Properties (d)</li><li>• OROC Tender – Supply and Delivery of Concrete Pipes (d)</li></ul>	

<b>RESOLVED 153/22</b>	Cr Mockler/Cr Peart
That the Press and Public be excluded from the meeting by reason of the confidential nature of the matters to be considered in line with the confidentiality policy of Council and Clause 10 (2) of the Local Government Act, 1993, relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate at 4.07pm.	

<b>RESOLVED 157/22</b>	Cr Bunter/Cr Mudford
That the General Manager, Mr David Neeves, in line with Clauses 9(3), 377 and 335 of the Local Government Act, 1993, list all business relating to financial matters, staff matters, industrial matters, acceptance of tenders, personal affairs of private individuals, possible or pending litigation and such other matters considered appropriate in line with the confidentiality policy of Council and Clause 10 (2) of the Act for consideration by the next meeting of the Council as such matters are deemed to be of confidential nature or such that Council's interest may be prejudiced by publicity, that the press and public be excluded from the meeting, provided however that, at the discretion of the Mayor, interested parties and/or their agents be granted approval to address the Council so that they are provided with the opportunity to substantiate any proposals under consideration and answer any questions from Councillors in relation thereto.	

(PE.1071.1)

**MAYORAL MINUTE - 13/22**  
**GENERAL MANAGER'S PERFORMANCE REVIEW**

**SUMMARY**

To report on the Annual Performance Review of the General Manager.

<b>RESOLVED 158/22</b>	Cr Batten
That the report be noted.	

(GO.CO.1)

**MAYORAL MINUTE - 14/22**  
**MAYORAL COMMITMENTS**

**SUMMARY**

To advise of the Mayor's activities for the past month.

<b>RESOLVED 159/22</b>	Cr Batten
That the report be noted.	

(GO.CO.1)

**MAYORAL MINUTE - 15/22**  
**ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET')**  
**ASSETS**

**SUMMARY**

To seek the support of Councillors on the financial accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'.

RESOLVED 160/22	Cr Batten
<p>1. That Council write to the local State Member, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:</p> <ul style="list-style-type: none"><li>a) Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;</li><li>b) Advising of the impact of the Government's position on Council finances of this accounting treatment;</li><li>c) Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Gilgandra Shire Council's financial statements;</li><li>d) Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and</li><li>e) Amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils.</li></ul> <p>2. That Council write to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:</p> <ul style="list-style-type: none"><li>a) Advising Members of Gilgandra Shire Council's position, including providing copies of correspondence to NSW Government Ministers; and</li><li>b) Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.</li></ul> <p>3. That Council write to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Gilgandra Shire Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.</p> <p>4. That these messages be promoted via Council's digital and social media channels and via its networks.</p> <p>5. That Council re-affirm its complete support of and commitment to local RFS brigades noting that Gilgandra Shire Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical</p>	

financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.

6. That Council affirm its support to Local Government NSW (LGNSW) and request LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.

(FM.FR.1)

## **CAPITAL WORKS QUARTERLY UPDATE**

### **SUMMARY**

To provide an update on progress with the 2021-22 Capital Works Program as at 30 June 2022.

<b>RESOLVED 161/22</b>	Cr Bunter/Cr Peart
That the report be noted.	

## **MOTIONS FOR LOCAL GOVERNMENT NSW CONFERENCE (LGNSW)**

### **SUMMARY**

To consider motions for submission to the LGNSW Conference.

### **Proceedings in Brief**

The Mayor advised he would be unable to attend the LGNSW conference and it was determined, that due to current workloads, Council not send representatives this year.

<b>RESOLVED 162/22</b>	Cr Mudford/Cr Walker
That Council submit a motion to the LGNSW conference in relation to roads within State controlled non-rateable areas (National Parks and State Forests)	

(CM.PL.1)

## **2021/22 QUARTERLY OPERATIONAL PLAN REVIEW TO 30 JUNE 2022**

### **SUMMARY**

To consider progress with Council's 2021/22 Operational Plan as at 30 June 2022.

<b>RESOLVED 163/22</b>	Cr Mockler/Cr Peart
That the 2021/22 Operational Plan Review for the quarter ended 30 June 2022 be adopted.	

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**QUARTERLY BUDGET REVIEW AS AT 30 JUNE 2022**

**SUMMARY**

To detail the major variances to the original estimates for the 2021/22 financial year as presented in the Quarterly Budget Review as at 30 June 2022. In addition, to report as to whether the Quarterly Budget Review indicates that the financial position of Council is satisfactory, having regard to the original estimates adopted by Council.

<b>RESOLVED 164/22</b>	Cr Walker/Cr Babbage
That the Quarterly Budget Review document and report as at 30 June 2022 be adopted.	

(CM.PL.1)

**MEETING WITH SPORTING USER GROUPS – COUNCIL FACILITIES**

**SUMMARY**

To provide a summary of a meeting held on 1 August 2022 with representatives of local sporting groups that are regular users of Council provided sporting facilities

<b>RESOLVED 165/22</b>	Cr Mann/Cr Walker
1. That the meeting with Sporting User Groups on 1 August 2022 be noted.	
2. That issues identified and suggestions put forward be addressed by staff and/or included in future budget considerations.	
3. That Junior Rugby League and Netball requests for accessible pathway, portable grandstand and rail seating be subject to a reasonable contribution (up to 15%) from Junior League and Netball to the projects.	

(RD.PR.1)

**SUMMARY OF CAPITAL ROAD WORKS**

**SUMMARY**

To provide a summary of outstanding capital works relating to roads and their associated funding sources.

<b>RESOLVED 166/22</b>	Cr Bunter/Cr Mudford
That the report be noted.	

**FIXING LOCAL ROADS ROUND 4 APPLICATION**

**SUMMARY**

To provide an overview of the Fixing Local Roads Round 4 (FLR4) grant opportunity and gain direction from Council regarding any application that they may wish to submit.

<b>RESOLVED 167/22</b>	Cr Walker/Cr Mockler
1. That Council lodge an application under the Fixing Local Roads Round 4 program for the extension of the sealed road portion of National Park Road Stage 1 (segments 30-34 and part segments 44-52 where funding is successful).	
2. That Council seek the services and support of a consultant to help put together an application for up to \$3m from the state and \$1m from council (total 4m). for National Park Road	
3. That Council allocate \$100,000 to complete a detailed design and costs estimates for the reconstruction of Baronne Creek Crossing.	
4. That the \$1m contribution towards the Fixing Local Rounds Round 4, the funding for a consultant and the design of Baronne Creek Crossing be funded from the \$1.98m unallocated Road Reserve.	

**MINUTES – COMMITTEE MEETINGS FOR ADOPTION**

**SUMMARY**

To present the minutes of the Economic Development Committee meeting, held on 2 August 2022, for consideration and adoption.

<b>RESOLVED 168/22</b>	Cr Walker/Cr Bunter
That the Economic Development Committee minutes be adopted.	

**REPORTS FOR INFORMATION AND NOTATION**

**SUMMARY**

To present reports for information and notation.

<b>RESOLVED 169/22</b>	Cr Mudford/Cr Peart
That the reports be noted.	

**PRECIS OF CATEGORY A CORRESPONDENCE – EVERYAGE COUNTS**

**SUMMARY**

To consider correspondence from EveryAGE Counts.



<b>RESOLVED 170/22</b>	Cr Walker/Cr Mudford
That the report be noted	

**PRECIS OF CATEGORY B CORRESPONDENCE**

SUMMARY

To pass on relevant information from correspondence received.

<b>RESOLVED 171/22</b>	Cr Bunter/Cr Mudford
That receipt of the Category B correspondence be noted.	

LATE REPORT

(GO.CO.1)

**MAYORAL MINUTE - 16/22**

**CSU TONY MCGRANE MEMORIAL SCHOLARSHIP FUND DINNER**

SUMMARY

To consider attendance at the CSU Tony McGrane Memorial Scholarship Fund Dinner.

Proceedings in Brief

Crs Mann, Batten, Mudford, Babbage and Bunter indicated their willingness to attend, along with Mr Neeves.

<b>RESOLVED 172/22</b>	Cr Walker/Cr Babbage
That Council sponsor a table of at least ten attendees.	

QUESTION FOR NEXT MEETING

CR FREETH:	<b><u>BERIDA INNISFAIL/ LEECHES CREEK INTERSECTION</u></b> Could an update be provided on the design and timeframe for the improvements to the Berida Innisfail / Leeches Creek intersection?
MAYORAL RESPONSE:	A report will be presented to Council's October meeting regarding this matter.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.00PM.

Cr D Batten  
Mayor