

**MINUTES OF THE ORDINARY MEETING OF MURRUMBIDGEE COUNCIL
HELD IN THE SPORTS STADIUM, COLEAMBALLY
ON TUESDAY 26 JULY 2022, COMMENCING AT 3.00PM**

OPENING OF MEETING

RECORDING & WEBCASTING OF MEETING

Mayor McRae advised those present the meeting is being recorded and the 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 (via video link), T Mauger, C Chirgwin, T Strachan, R Curphey, G Gilbert 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

NIL

CONFIRMATION OF MINUTES

91/07/22 **Resolved** on the motion of Councillors Saxvik and Curphey that the Minutes of the Ordinary Meeting of Council held on 28 June 2022, as printed and circulated, be confirmed.

CARRIED

PECUNIARY INTEREST DECLARATIONS

A pecuniary interest declaration was received from Councillor Robert Curphey in relation to item 3 - DA 19/2022 - Small Motel Complex 34 Hay Road Darlington Point.

NOTICE OF RESCISSION

NIL

NOTICE OF MOTION

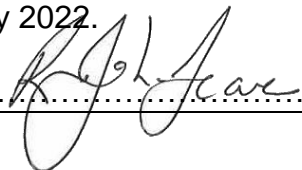
NIL

MAYORAL MINUTE

ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS SC218, SC129, SC130

92/07/22 Resolved on the motion of Councillor McRae that the information contained in the Mayoral Minute be noted and:

1. Council write to the local State Member(s) Mr Justin Clancy, MP, Member for Albury and Mrs Helen Dalton, MP, Member for Murray, 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:
 - a. Expressing Council’s objection to the NSW Government’s determination on ownership of Rural Fire Service assets;
 - b. Advising of the impact of the Government’s position on Council finances of this accounting treatment;
 - c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Murrumbidgee Council’s financial statements;
 - 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
 - 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.
2. 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:

.....General ManagerMayor

- a. Advising Members of Murrumbidgee Council's position, including providing copies of correspondence to NSW Government Ministers; and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Murrumbidgee 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 Murrumbidgee 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.
4. Council promotes these messages via its digital and social media channels and via its networks.
5. Re-affirms its complete support of and commitment to local RFS brigades noting that Murrumbidgee 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 financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.
6. That Murrumbidgee Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification finally from the State Government about the accounting treatment of RFS assets.

CARRIED

MAYORAL REPORT

SC217

93/07/22 Resolved on the motion of Councillors Black and Strachan that the information contained in the Mayoral Report be noted.

CARRIED

DELEGATES' REPORTS

NIL

OFFICERS' REPORTS FOR CONSIDERATION

GENERAL MANAGER'S MONTHLY REPORT

SC218

94/07/22

Resolved on the motion of Councillors Chirgwin and Saxvik that the contents of the General Manager's Monthly Report be noted, and Council:

1. Adopt the Policies, Codes and Plan as presented:
 - Staff Recognition Policy
 - Time in Lieu and Flexible RDO Policy
 - Staff Education and Training Policy
 - Code of Meeting Practice
 - Councillors Code of Conduct
 - Council Staff Code of Conduct
 - Council Committee Members, Delegates of Council and Council Advisors Code of Conduct
 - Enterprise Risk Management Plan
2. Adopt the Murrumbidgee Council Energy Strategy as presented.
3. Write to the Murray Darling Association Inc. Chair (cc to Murray Darling Association Region 9 Chair) supporting the resolution adopted by Griffith City Council on 14 June 2022 in relation to the Murray Darling Basin Plan 450GL – Up Water.
4. Approve the General Manager's annual leave request for 1 – 5 September, 2022 (inclusive). Further authorising the private use of Council's vehicle in the State of Queensland, 1 – 5 September 2022 (inclusive).

CARRIED

**DEVELOPMENT APPLICATION 19/2022 – SMALL MOTEL COMPLEX 34
HAY ROAD DARLINGTON POINT DA 19/2022**

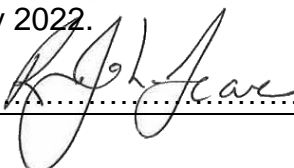
Councillor Robert Curphey declared his pecuniary interest in this matter and departed the building.

95/07/22

Resolved on the motion of Councillors Mauger and Strachan that:

- a) Murrumbidgee Council, as the consent authority pursuant to Section 4.16(3) of the Environmental Planning & Assessment Act 1979, grant consent to Development Application No: DA 19/2022 for a motel development on part of Lot 241 and 242 DP 750908, 34 Hay Road, Darlington Point, subject to the conditions, including those set out in Attachment # 11;

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.....General ManagerMayor

- b) That the development application be delegated to the Director Planning, Community & Development for issue of the notice of determination; and
- c) Condition 44 - Operation of Motel – Additional subclause (f) *that all vehicles associated with the use of the motel must be parked onsite.*

CARRIED

In favour: Councillors McRae, Bryce, Mauger, Gilbert, Saxvik, Black, Chirgwin and Strachan.

Opposed: Nil

Absent: Councillor Robert Curphey (declared pecuniary interest)

Councillor Curphey returned to the meeting.

COMMUNITY TRANSPORT BUS

CY10

96/07/22 PROCEDURAL MOTION

Resolved on the motion of Councillors Black and Bryce that this item be taken from the table, as additional information on the matter is required. The item will be placed before the August meeting of Council.

CARRIED

LIQUID TRADE WASTE REGULATION POLICY REVIEW

SC49

97/07/22 Resolved on the motion of Councillors Chirgwin and Mauger that the revised Murrumbidgee Council Liquid Trade Waste Regulation Policy, as presented, be adopted by Council.

CARRIED

INVESTMENT POLICY REVIEW

SC49

98/07/22 Resolved on the motion of Councillors Curphey and Gilbert that the revised Investment Policy, as presented, be adopted by Council.

CARRIED

**RATES & CHARGES HARDSHIP POLICY AND COVID-19 FINANCIAL
HARDSHIP POLICY REVIEW** **SC49**

99/07/22 **Resolved** on the motion of Councillors Saxvik and Gilbert that the revised Rates, Fees & Charges Hardship Policy be endorsed and placed on public exhibition for a period of 28 days, before reconsidering for final adoption at the September Council meeting, along with rescission of the Covid-19 Financial Hardship Policy.

CARRIED

REPORTS/MINUTES OF COUNCIL COMMITTEES

AUDIT RISK & IMPROVEMENT COMMITTEE MEETING MINUTES SC130

100/07/22 **Resolved** on the motion of Councillors Strachan and Curphey that the information contained in the Audit Risk & Improvement Committee Minutes be noted.

CARRIED

OFFICERS' REPORTS FOR NOTING

MONTHLY CASH & INVESTMENT REPORT – JUNE 2022 **SC133**

101/07/22 **Resolved** on the motion of Councillors Mauger and Chirgwin that Council note the monthly Cash & Investment Report containing the bank balances and schedule of investments as at 30 June 2022.

CARRIED

NEW COUNCIL IMPLEMENTATION FUND – JUNE 2022 **SC59**

102/07/22 **Resolved** on the motion of Councillors Gilbert and Curphey that the contents of the New Council Implementation Fund - June 2022 Report be noted.


CARRIED

RATES AND ANNUAL CHARGES COLLECTION REPORT - JUNE 2022
SC165

103/07/22 **Resolved** on the motion of Councillors Curphey and Chirgwin that the contents of the Rates and Annual Charges Collection Report at 30 June 2022 be noted.

CARRIED

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.....General ManagerMayor

STRONGER COMMUNITIES FUND – JUNE 2022

SC137

104/07/22 **Resolved** on the motion of Councillors Strachan and Bryce that the contents of the Stronger Communities Fund Report be noted.

CARRIED

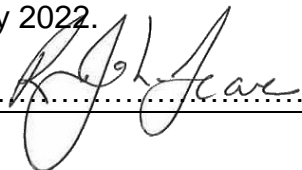
**DEVELOPMENT APPLICATION APPROVED UNDER DELEGATION,
JUNE 2022** **SC210**

105/07/22 **Resolved** on the motion of Councillors Black and Gilbert that the information contained in the Development Application Approved Under Delegation Report, June 2022, be noted.

CARRIED

There being no further business, the meeting closed at 4.02pm.

.....
Cr R E McRae
MAYOR

.....General ManagerMayor
