



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 24 AUGUST 2022
COMMENCING AT 7.00PM
AT THE COUNCIL CHAMBERS**

Present:

Councillors:

Cr Tony Reneker (Mayor), Cr. Michael Kidd (Deputy Mayor), Cr Paul Smith,
Cr Krystal Maytom (via video conference), Cr Tony Ciccia, Cr Matt Holt, Cr Sandra
Nardi, Cr Tracey Morris, and Cr George Weston

Staff:

Jackie Kruger (General Manager), Mandy Rogers (Group Manager Corporate),
Tom Steele (Group Manager Operations), Andrew Reilly (Group Manager Shire
Activation), Lawrence Amato (Manager Finance), Angela Stevens (Governance
and Records Officer), Sarah Graham (Customer Service and Governance
Coordinator) and Emily Goodall (Community Planner – via video conference)

Press: Nil

LEETON SHIRE COUNCIL

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1. **CIVIC PRAYER** Cr Nardi
2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Reneker
3. **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE**

Nil

4. **CONFIRMATION OF MINUTES AND MATTERS ARISING**

22/106

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 27 July 2022, as circulated, be taken as read and CONFIRMED.

(Moved Cr Ciccia, seconded Cr Nardi)

ADDITIONAL/LATE ITEM

22/107

Resolved

THAT the following item, namely:

- 6.1. MAYORAL MINUTE - SUBMISSION TO OLG ON THE LOBBYING OF COUNCILLORS

is accepted as a late item onto this Agenda for discussion.

(Moved Cr Weston, seconded Cr Holt)

5. **DISCLOSURES OF INTERESTS**

Item 7.1 - Cr Nardi declared a less than significant non-pecuniary conflict of interest in this item under the Local Government Act, as family member is part of the Leeton Men's Shed Committee.

Item 7.1 - Cr Reneker declared a less than significant non-pecuniary conflict of interest in this item under the Local Government Act, as he is a financial member of the Leeton Men's Shed.

Item 9.3 - Cr Smith declared a less than significant non-pecuniary conflict of interest in this item under the Local Government Act, as a family is employed by the company mentioned in the confidential.

Item 9.3 – General Manager Jackie Kruger declared a less than significant non-pecuniary conflict of interest in this item under the Local Government Act, as her husband works for Rice Growers Association (RGA) who receive sponsorship by the company mentioned in the confidential

PROCEDURAL MOTION

22/108

Resolved

Item 7.1 – moved ahead of Agenda Item 6.1 due to the presence of the public in Council Chambers.

Item 9.1 – moved ahead of Agenda Item 6.1 due to the presenter availability.

(Moved Cr Smith, seconded Cr Holt)

GENERAL MANAGER'S MATTERS

Item 7.1 LEETON SHIRE MEN'S SHED SECTION 355 COMMITTEE INCORPORATION AS A STANDALONE ORGANISATION

22/109

Resolved

THAT Council:

1. Formally notifies the Leeton Shire Men's Shed of its intention to dissolve them as a Section 355 Committee under the *Local Government Act (1993)* by 30 September 2022, (with the General Manager authorised to extend if administratively necessary) and offers to make staff available to support their immediate transition to an incorporated association.
2. Further supports the immediate transition of the Leeton Shire Men's Shed to an incorporated association by way of:
 - a. Issuing a short-term (2 year) licence for \$1 per annum (plus rates and charges) until such time as the plan of subdivision for the site is registered which will facilitate a longer-term lease.
 - b. Allowing the Leeton Shire Men's Shed to retain ownership of the funds and non-fixed assets it currently holds as a Section 355 Committee, and, at settlement, passes over to the Leeton Shire Men's Shed the proceeds of the sale (less costs and GST) of 3 Pendula Street.
 - c. Funding the Leeton Shire Men's Shed incorporation fee, land rates and charges, ASMA ISR1 and ISR11 insurance up to a combined maximum of \$5,000 for each of the years 2022/23 and 2023/24 only.
3. Agrees to grant a 3 x 10-year peppercorn lease to the Leeton Shire Men's Shed after they are incorporated and on registration of the sub-division over part of Lot 330 DP 751742 on the basis that Council will cover all subdivision and legal costs and the Leeton Shire Men's Shed will be responsible for all ongoing rates and charges, and authorises the Mayor and General Manager to complete the negotiation and sign the lease agreement, generally in accordance with the terms contained in this report, with this longer term lease to take effect as soon as title is issued.

4. Offers, post incorporation and dissolution of the Section 355 Committee, staff support to the Leeton Shire Men's Shed to help them achieve Charitable status if they wish to see their ongoing operational costs reduced.

(Moved Cr Morris, seconded Cr Kidd)

CONFIDENTIAL MATTERS

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Item 9.1 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

This report is considered confidential in accordance with the *Local Government Act 1993*, as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret (Section 10A(2)d).

Note: Pursuant to Section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

The Mayor asked the gallery if there were any objections to Council going into Closed Session to consider the matters listed.

No objections were received from the Gallery.

22/110

Resolved

- 1 That Council moves into Closed Council to consider business identified, together with any late reports tabled at the meeting.
- 2 That in accordance with Section 10A(2) of the *Local Government Act 1993*, the Public and Press be excluded from the meeting to enable Council to determine items listed in Confidential Matters for the reasons indicated.
- 3 That the report relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

(Moved Cr Smith, seconded Cr Kidd)

Council closed its meeting at 7.26 PM and the public left the Council Chambers.

CLOSED COUNCIL - CONFIDENTIAL ITEM

**Item 9.1 ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022
22/111**

Resolved

THAT Council:

1. Notes that the General Purpose Financial Statements and the Special Purpose Financial Statements for the year ended 30 June 2022 (together the Statements) have been compiled in accordance with:
 - a. The *Local Government Act 1993* (as amended) and the regulations made thereunder
 - b. The Australian Accounting Standards (AAS) and professional pronouncements
 - c. The Local Government Code of Accounting Practice and Financial Reporting.
2. Endorses the Statements as fairly presenting the Council's operating result and financial position for the year ended 30 June 2022 and that the Statements accord with Council's accounting and other records.
3. States that it is not aware of any matter that would render the Statements false and misleading in any way.
4. Refers the Statements for audit in accordance with Section 413 (1) of the *Local Government Act 1993*.
5. In accordance with Section 413 (2) (c) of the *Local Government Act 1993* authorises the Mayor, the Deputy Mayor, the General Manager and the Responsible Accounting Officer to sign the required statements by Councillors and Management relating to the Statements.
6. Delegates to the General Manager the authority to lodge the signed Statements and Audit Reports (as noted below) and Special Schedules with the NSW Office of Local Government (OLG) and to put the Statements and Audit Reports and Special Schedule on public display upon receipt of the Audit Reports.
7. In anticipation of receiving the Audit Reports in October 2022, sets the Ordinary Council Meeting to be held on 23 November 2022 as the meeting date that the Statements and Audit Reports and Special Schedules will be presented to the public for review and comment. Note: The meeting date must be at least 7 days after the date on which notice is given, but not more than 5 weeks after the Audit Reports are given to Council.

(Moved Cr Weston, seconded Cr Kidd)

REVERSION TO OPEN COUNCIL

22/112

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 7.42 PM.

(Moved Cr Smith, seconded Cr Weston)

The Mayor advised that during the Closed Council one resolution was passed. The General Manager read out the resolution made in Closed Council for Item 9.1.

6. MAYORAL MINUTE

Item 6.1 MAYORAL MINUTE - SUBMISSION TO NSW OFFICE OF LOCAL GOVERNMENT (OLG) ON THE LOBBYING OF COUNCILLORS

22/113

Resolved

THAT the General Manager make a submission to OLG on the lobbying of Councillors based on:

1. Strengthening the current model Code of Conduct as being more than adequate for improving transparency related to the lobbying of Councillors, and
2. Strongly resisting local government's inclusion in the LOGO Act.

(Moved Cr Reneker)

7. REPORTS TO COUNCIL

CORPORATE MATTERS

Item 7.2 INVESTMENTS REPORT FOR JULY 2022

22/114

Resolved

THAT Council notes the information contained in the Investments Report for July 2022.

(Moved Cr Weston, seconded Cr Kidd)

Item 7.3 POLICY REVIEW - 2022

22/115

Resolved

THAT Council endorses the following policies for public exhibition for 28 days, and, if no feedback is received, the policies will be considered adopted after the exhibition period:

UPDATED DRAFT:

- Applications for the Waiving of Building and Development Application Fees and Charges
- Onsite Sewage Management Policy
- Swimming Pools Policy
- Building in the Vicinity of Sewer and Trunk Water Mains Guidelines
- Private Assets on Road Reserves Policy

MAKE OBSOLETE:

- Trees (Issue of Vouchers) Policy
- Water Allocation Access Policy

(Moved Cr Kidd, seconded Cr Smith)

OPERATIONAL MATTER

Item 7.4 LEETON GOLF COURSE UPDATE 1 JULY 2021 TO 30 JUNE 2022

22/116

Resolved

THAT Council noted the updated information on the operation of the Leeton Golf Course, including the Income and Expenses Report, for the period 1 July 2021 to 30 June 2022.

(Moved Cr Smith, seconded Cr Nardi)

ACTIVATION MATTERS

Item 7.5 "AMBITION 2030" ECONOMIC DEVELOPMENT, TOURISM AND EVENTS STRATEGIC PLAN

22/117

Resolved

THAT Council:

1. Endorses the DRAFT Economic Development, Tourism, and Events Strategic Plan "Ambition 2030" for placement on public exhibition for a period of at least 28 days.

2. Adopts the DRAFT Economic Development, Tourism, and Events Strategic Plan "Ambition 2030" on completion of the public exhibition period if no formal submissions requiring substantive changes are received.

(Moved Cr Weston, seconded Cr Kidd)

Item 7.6 LEETON SHIRE LIBRARY REVISED OPENING HOURS PROPOSAL

22/118

Resolved

THAT Council:

1. Endorses the revised opening hours of 9.30am to 5.30pm (Monday to Friday) and 9am to 12noon (Saturday) for a six-month trial period effective from Monday 26 September 2022.
2. Presents a further report to Council at the March 2023 Ordinary Council Meeting to review results from the revised opening hours trial.

(Moved Cr Kidd, seconded Cr Nardi)

Item 7.7 QUICK RESPONSE GRANT APPLICATION - LEETON DISTRICT DRESSAGE CLUB

22/119

Resolved

THAT Council awards the Leeton District Dressage Club a \$2,000 Quick Response Grant to go towards slashing and weed spraying of the arenas and surrounds in preparation for the October 2022 competition.

(Moved Cr Kidd, seconded Cr Weston)

Item 7.8 MINUTES OF THE LEETON SHIRE MENS SHED COMMITTEE - APRIL TO JULY 2022

22/120

Resolved

THAT Council receives the minuted information of the Leeton Men's Shed Committee meetings held on Wednesday 13 April, 11 May, 8 June and 13 July 2022.

(Moved Cr Kidd, seconded Cr Ciccia)

**Item 7.9 MINUTES OF THE YANCO COMMUNITY HALL AND MARKET
COMMITTEE MEETING - 11 JULY 2022**

22/121

Resolved

THAT Council:

1. Receives the minuted information of the Yanco Community Hall and Market Committee meeting held on Monday 11 July 2022.
2. Adopts the Terms of Reference for the Yanco Community Hall and Market Committee.

(Moved Cr Weston, seconded Cr Nardi)

**Item 7.10 MINUTES OF THE WHITTON TOWN IMPROVEMENT COMMITTEE
MEETING - 20 JUNE 2022**

22/122

Resolved

THAT Council receives the minuted information of the Whitton Town Improvement Committee meeting held on Monday 20 June 2022.

(Moved Cr Smith, seconded Cr Weston)

**Item 7.11 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMITTEE MEETING
- 1 AUGUST 2022**

22/123

Resolved

THAT Council receives the minuted information of the Yanco Town Improvement Committee meeting held on Monday 1 August 2022.

(Moved Cr Smith, seconded Cr Morris)

**Item 7.12 MINUTES OF THE LEETON SHIRE COUNCIL WEEDS COMMITTEE 23 MAY
2022**

22/124

Resolved

THAT Council receives the minuted information of the Weeds Committee held on 23 May 2022.

(Moved Cr Ciccia, seconded Cr Kidd)

8. NOTICES OF MOTION

Nil

9. CONFIDENTIAL MATTERS

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, the following business is of a kind as referred to in Section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Item 9.2 WR CONNECT EXPRESSION OF INTEREST

This report is considered confidential in accordance with the *Local Government Act 1993*, as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business (Section 10A(2)c).

Item 9.3 SUNRICE OUTSTANDING LIQUID TRADE WASTE CHARGES

This report is considered confidential in accordance with the *Local Government Act 1993*, as the report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege (Section 10A(2)g).

Note: Pursuant to Section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed

The Mayor asked the gallery if there were any objections to Council going into Closed Session to consider the matters listed.
No objections were received from the Gallery.

.22/125

Resolved

- 1 That Council moves into Closed Council to consider business identified, together with any late reports tabled at the meeting.
- 2 That in accordance with Section 10A(2) of the *Local Government Act 1993*, the Public and Press be excluded from the meeting to enable Council to determine items listed in Confidential Matters for the reasons indicated.
- 3 That the report relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

(Moved Cr Weston, seconded Cr Ciccia)

Council closed its meeting at 8.24 PM and the public left the Council Chambers.

CLOSED COUNCIL - CONFIDENTIAL ITEMS

Item 9.2 WR CONNECT EXPRESSION OF INTEREST

22/126

Resolved

THAT Council submits a Stage 1 expression of interest for allotment 7/1231806 that is non-binding and generally in accordance with the terms and conditions detailed in Option 1 of this report.

(Moved Cr Ciccio, seconded Cr Holt)

Customer Service and Governance Coordinator left the meeting, the time being 8.56 PM

Cr Nardi left the meeting, the time being 8.57 PM

Cr Nardi returned to the meeting, the time being 9.00 PM

General Manager left the meeting, the time being 9.01 PM

Group Manager Shire Activation left the meeting, the time being 9.01 PM

Group Manager Corporate left the meeting, the time being 9.01 PM

Customer Service and Governance Coordinator returned to the meeting, time being 9.02 PM

Item 9.3 SUNRICE OUTSTANDING LIQUID TRADE WASTE CHARGES

22/127

Resolved

THAT Council:

1. Rejects the request from SunRice to reduce / waive the fees as requested by SunRice as the request does not fall into a category identified in s 610E(2) of the *Local Government Act*;
2. Declines to determine a new category of cases under s 610E(2) of the *Local Government Act*, and
3. Writes to SunRice to advise of the resolution.

(Moved Cr Kidd, seconded Cr Ciccio)

Cr Morris left the meeting, the time being 9.48 PM

Cr Morris returned to the meeting, the time being 9.50 PM

REVERSION TO OPEN COUNCIL

22/128

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.50 PM.

(Moved Cr Holt, seconded Cr Weston)

The Mayor advised that during the Closed Council two resolutions were passed. The Group Manager Operations read out the resolutions made in Closed Council for the Items 9.2 and 9.3.

10. COUNCILLOR ACTIVITY REPORTS

Item 10.1 COUNCILLOR ACTIVITY REPORT

RECOMMENDATION

THAT Council notes the Councillor Activity Reports for the period 28 July 2022 to 24 August 2022.

11. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 9.52 PM.

..... signed by
the Chairman of the meeting held on
28 Sep 2022 at which meeting the
signature hereon was subscribed.