



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 28 SEPTEMBER 2022
COMMENCING AT 7.00PM
AT THE COUNCIL CHAMBERS**

Present:

Councillors:

Acting Mayor Cr. Michael Kidd, Cr. Tony Reneker (via videoconference), Cr. Paul Smith (via video conference), Cr. Krystal Maytom, 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), Brendan Steele (Process and Project Performance Coordinator), Angela Stevens (Governance and Records Officer), and Sarah Graham (Customer Service and Governance Coordinator) and Consultant Greg Smith (Morrison Low).

Press: Nil

LEETON SHIRE COUNCIL

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

Nil

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

22/129

Resolved

THAT the minutes of the Ordinary Council meeting held on Wednesday 24 August 2022, as circulated, be taken as read and CONFIRMED.

(Moved Cr Morris, seconded Cr Ciccia)

22/130

Resolved

THAT the minutes of the Extraordinary Council meeting held on Wednesday 14 September 2022, as circulated, be taken as read and CONFIRMED.

(Moved Cr Weston, seconded Cr Maytom)

ADDITIONAL/LATE ITEMS

22/131

Resolved

THAT the following items, namely:

8.1. PROPOSED SPECIAL RATE VARIATION

is accepted as a late item onto this agenda for discussion and brought forward in the agenda due to presenter availability.

(Moved Cr Weston, seconded Cr Maytom)

Item 8.1 PROPOSED SPECIAL RATE VARIATION

22/132

Resolved

THAT Council:

1. Notes and acknowledges the Background Paper on the Special Rate Variation, prepared by Morrison Low.
2. Approves the DRAFT Updated Long Term Financial Plan 2022-2033 for the

purpose of community consultation on the Special Rate Variation, with an amendment to include the details regarding rating structure equity between the farmland, residential and business ratepayer categories, in accordance with the Background Paper.

3. Notes and acknowledges the DRAFT Communication/Engagement Plan for the purpose of community consultation on the Special Rate Variation.

(Moved Cr Ciccia, seconded Cr Weston)

Greg Smith left the meeting at 7.33pm.

Lawrence Amato left the meeting at 7.33pm.

5. DISCLOSURES OF INTERESTS

Nil

6. MAYORAL MINUTES

Nil

7. REPORTS TO COUNCIL

GENERAL MANAGER'S MATTERS

Item 7.1 POLICY POSITION ON THE TREATMENT OF RFS ASSETS

22/133

Resolved

THAT Council adopts a Policy Position on its Accounting Treatment of RFS Assets as follows:

1. In accordance with the provisions of the Australian Accounting Standards and associated pronouncements and the Local Government Code of Accounting Practice, Council has determined that it does not control any rural firefighting equipment that has been vested to Council under the *Rural Fires Act 1997* and, as such, does not recognise RFS assets in its Annual Financial Statements. Council will include in its Annual Financial Statements a notation to this effect. Council will not undertake any stocktake of such assets either given it does not control the RFS assets.
2. Separately, Council has sought and accepted a professional opinion from BDO that confirms under Australian Accounting Standards that the RFS, as lessee (as per the perpetual RFS District Service Agreement), has full rights to control the use of all underlying assets and Council should therefore not recognise such assets as receivables. In the interim, Council will continue to account for RFS buildings on Council land while the wider matter is resolved but Council reserves the right to not account for RFS buildings on Council land either in future years.

3. Council will join with LGNSW to advocate for the immediate updating of the RFS Act to accurately reflect that the management and control of RFS assets is indeed undertaken by the NSW Government (via the RFS or any associated NSW department) and to remove from the Act any reference to local government being the entity in which RFS Assets are vested.

(Moved Cr Morris, seconded Cr Ciccia)

Item 7.2 MINUTES OF COUNTRY MAYORS MEETING - 5 AUGUST 2022

22/134

Resolved

THAT Council receives for information the minutes of the Country Mayors Association meeting held on Friday 5 August 2022.

(Moved Cr Weston, seconded Cr Maytom)

CORPORATE MATTERS

Item 7.3 INVESTMENTS REPORT FOR AUGUST 2022

22/135

Resolved

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

(Moved Cr Morris, seconded Cr Ciccia)

Item 7.4 DRAFT PLAN OF MANAGEMENT - VILLAGE RECREATION RESERVES AND HALLS

22/136

Resolved

THAT Council:

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management for Village Reserves.
2. Requests approval from the Minister Administering the *Crown Land Management Act 2016* to approve the annexed Draft Plan of Management for Village Reserves.
3. Upon approval from the Minister Administering the *Crown Land Management Act 2016*, Council amends the Draft Plan of Management if required by the Minister and places it on public exhibition as per Section 38 of the *Local Government Act 1993*.

(Moved Cr Weston, seconded Cr Maytom)

Item 7.5 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 22 AUGUST 2022

22/137

Resolved

THAT Council:

1. Notes the Chairman's Report and the minutes of the Audit, Risk and Improvement Committee meeting held on 22 August 2022.
2. Endorses the ARIC recommendation that the Committee continues under the existing Committee Charter until the Office of Local Government Guidelines are finalised.
3. Notes in relation to Item 5.10 of the ARIC Minutes, the Media Release that was approved by the Mayor and General Manager.

(Moved Cr Morris, seconded Cr Nardi)

OPERATIONAL MATTERS

Item 7.6 MINUTES OF THE LEETON TREE ADVISORY COMMITTEE MEETING - 4 AUGUST 2022

22/138

Resolved

THAT Council endorses the minutes of the Leeton Tree Advisory Committee meeting held on 4 August 2022.

(Moved Cr Maytom, seconded Cr Nardi)

Item 7.7 MINUTES OF THE LEETON LOCAL AREA TRAFFIC COMMITTEE MEETING - 31 AUGUST 2022

22/139

Resolved

THAT Council notes the minutes and endorses the recommendations of the Local Area Traffic Committee meeting held on 31 August 2022.

(Moved Cr Ciccio, seconded Cr Weston)

ACTIVATION MATTERS

Item 7.8 DRAFT DISABILITY INCLUSION ACTION PLAN

22/140

Resolved

THAT Council:

1. Endorses the DRAFT Disability Inclusion Action Plan 2022-2025 for placement on public exhibition for a period of 28 days.
2. Adopts the DRAFT Disability Inclusion Action Plan 2022-2025 on completion of the public exhibition period if no formal submissions requiring substantive changes are received.

(Moved Cr Weston, seconded Cr Maytom)

Item 7.9 PLANNING PROPOSAL TO AMEND LAND USE TABLE FOR RU5 VILLAGE ZONE

22/141

Resolved

THAT Council resolves to:

1. Endorse the Planning Proposal to amend the land use table associated with zone RU5 Village in Leeton Local Environmental Plan 2014
2. Forward the Planning Proposal to the Minister for Planning to request a Gateway determination pursuant to section 3.34 of the *Environmental Planning and Assessment Act 1979* and to request that authorization be granted to enable Council to exercise delegation as the local plan-making authority under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

(Moved Cr Nardi, seconded Cr Morris)

For the Motion

Cr G Weston
Cr M Kidd
Cr T Morris
Cr T Ciccio
Cr S Nardi
Cr T Reneker
Cr P Smith
Cr M Holt
Cr K Maytom

Against the Motion

Unanimous

**Item 7.10 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMITTEE MEETING
- 5 SEPTEMBER 2022**

22/142

Resolved

THAT Council receives for information the minutes of the Yanco Town Improvement Committee meeting held on Monday 5 September 2022.

(Moved Cr Maytom, seconded Cr Smith)

8. NOTICES OF MOTION

Nil

9. CONFIDENTIAL MATTERS

Nil

10. COUNCILLOR ACTIVITY REPORTS

Item 9.1 COUNCILLOR ACTIVITY REPORT

22/143

Resolved

THAT Council notes the Councillor Activity Reports for the period 25 August 2022 to 28 September 2022.

(Moved Cr Morris, seconded Cr Weston)

11. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 8.24pm.

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