



**LEETON**  
SHIRE COUNCIL

**MINUTES OF THE ORDINARY  
COUNCIL MEETING  
WEDNESDAY 23 SEPTEMBER 2020  
COMMENCING AT 7.00PM  
AT THE COUNCIL CHAMBERS**

**Present:**

**Councillors:**

Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Paul Smith,  
Cr. Peter Davidson, Cr. Tony Ciccia, Cr. Tony Reneker, Cr. Sandra Nardi,  
Cr. Tracey Morris and Cr. Michael Kidd

**Staff:**

**Present:** Jackie Kruger (General Manager), Brendan Leary (Director Business and Investment), Peter Keane (Director Environment and Engineering), Kerrie-Anne Hare (Manager IPR and Governance), Jackie Hawkins (Manager Finance), Francois Van Der Berg (Manager Planning, Building and Health) and Monica Armanini (Communications Coordinator)

**Attended via video link:** Adrian Edgcome-Lucas (Manager Special Projects), Donna O'Bryan (Property Coordinator and Native Title Manager), Matthew Vogele (Drainage and Development Engineer)

**Press:** Talia Pattinson

**LEETON SHIRE COUNCIL**

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1. **CIVIC PRAYER** Tony Reneker
2. **ACKNOWLEDGEMENT OF COUNTRY** Mayor Cr Paul Maytom
3. **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE**  
Nil

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

**20/125**

**Resolved**

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 26 August 2020, as circulated, be taken as read and CONFIRMED.

**(Moved Cr Kidd, seconded Cr Reneker)**

#### 5. **DISCLOSURES OF INTERESTS**

##### **Less than Significant Non-Pecuniary Interest**

**Item 8.4** – Mayor Cr Paul Maytom and Cr George Weston declared a less than significant non-pecuniary interest in item 8.4 – New Christmas Decorations for Leeton Main Street.

The reason for these declaration is that their wives are on the Light Up Leeton Committee.

Having made the declarations, Councillors Maytom and Weston advised of their intent to remain in the meeting, participate in the debate and vote on this matter as they do not believe that the interest is significant enough to affect their ability to make a decision on the matter.

**Item 8.4** – Cr Peter Davidson declared a less than significant non-pecuniary interest in item 8.4 – New Christmas Decorations for Leeton Main Street.

The reason for this declaration is that he is a member of the Light Up Leeton Committee.

Having made the declaration, Cr Davidson advised of his intent to remain in the meeting, participate in the debate and vote on this matter as he does not believe that the interest is significant enough to affect his ability to make a decision on the matter.

**Item 8.14** – Cr Tony Ciccia declared a significant non-pecuniary interest in Item 8.14 – Local Heritage Places Grants 2020/21, 5 Maple Street specifically.

The reason for this declaration is that he is related to one of the applicants for a Local Heritage Places Grant.

Having made the declaration, Cr Ciccia advised of his intent to vacate the meeting for the discussion on 5 Maple Street specifically, not participate in the debate and not vote on this particular application.

## 6. PUBLIC REPRESENTATIONS

Kerry Maguire, representative of Fivebough Road residents requesting town water connection – Item 8.7 – Town Water Connection to Fivebough Road Residents.

**20/126**

**Resolved**

THAT Item 8.7 be brought forward to accommodate the public representative.

**(Moved Cr Weston, seconded Cr Smith)**

**20/127**

**Resolved**

THAT Council move into Committee of the Whole for the purpose of a public forum.

**(Moved Cr Ciccia, seconded Cr Morris)**

Kerry Maguire addressed the Council.

**20/128**

**Resolved**

THAT the meeting move back into Full Council.

**(Moved Cr Weston, seconded Cr Nardi)**

### **Item 8.7 TOWN WATER CONNECTION TO FIVEBOUGH ROAD RESIDENTS**

**20/129**

**Resolved**

THAT Council defers making a decision and requests the General Manager to:

1. Consult all 24 landowners as to the extent of their willingness to contribute to the estimated costs of the capital works and operations associated with the extension of the water main.
2. Present a report to Council at the November 2020 Ordinary Council Meeting on the findings of the consultation.

**(Moved Cr Weston, seconded Cr Davidson)**

## **7. MAYORAL MINUTES**

Nil

## **8. REPORTS TO COUNCIL**

### **GENERAL MANAGER'S MATTERS**

The General Manager advised that she has delegated the Manager IPR and Governance to be the Returning Officer for the election of the Mayor and Deputy Mayor in accordance with the provisions of the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

### **Item 8.1 ELECTION OF THE MAYOR**

As the sole nominee for the position of Mayor, Cr Paul Maytom was declared the elected Mayor for the ensuing year by the Returning Officer.

The newly re-elected Mayor, Cr. Paul Maytom said he is honoured to serve another 12 months on Council as Mayor and that he remains 100% committed to the role.

### **Item 8.2 ELECTION OF THE DEPUTY MAYOR**

**20/130**

#### **Resolved**

THAT:

1. The method of electing the Deputy Mayor be by the Ordinary Ballot Voting Method.

**(Moved Cr Smith, seconded Cr Kidd)**

Cr George Weston and Cr Tony Reneker were both nominated for the position of Deputy Mayor by the Returning Officer.

An ordinary ballot was conducted. Cr Weston received the highest number of votes and was declared Deputy Mayor for the ensuing year.

Deputy Mayor Cr George Weston thanked fellow councillors for their support, acknowledged Cr Reneker for standing, and said he was honoured and grateful to be once again elected as Deputy Mayor.

**20/131**

**Resolved**

THAT no fees be paid to the Deputy Mayor

. (Moved Cr Weston, seconded Cr Kidd)

**Item 8.3 MOTIONS FOR SUBMISSION TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE**

**20/132**

**Resolved**

THAT Council:

1. Approves registration of up to nine Councillors for the 2020 LGNSW Annual Conference.
2. Confirms the two voting delegates at the LGNSW Conference to be the Mayor and Deputy Mayor and the substitute voting delegate, should one be required, to be the General Manger.
3. Adopts the following proposed motions for submission to the 2020 LGNSW Business Paper:
  - a. That LGNSW lobbies the Auditor General and the NSW Government to:
    - i. Acknowledge that the Rural Fire Service (RFS) is the Controlling Authority for rural fire service plant and equipment assets and that these assets should be recognised in the RFS Financial Statements and not local council General Purpose Financial Statements
    - ii. Cease the current practice of labelling the financial statements of Councils that do not recognise RFS Plant and Equipment as an "Uncorrected monetary misstatement" in the Auditors' Engagement Closing Report.
  - b. That LGNSW advocates for the Local Health Advisory Committee (LHAC) model to be revised to give local residents a far greater say in the scope and delivery of health services in their local communities.
  - c. That LGNSW advocates for rural and regional state electoral districts to more accurately reflect Local Government Area 'communities of interest' and for larger districts to be reduced in area.
  - d. That LGNSW calls for NSW Health to retain ownership of its National Disability Insurance Scheme (NDIS) and State-owned Aged Care Facilities.
  - e. That LGNSW supports the recently announced NSW parliamentary inquiry into the state of healthcare in rural and regional NSW.

4. Affords the Mayor delegated authority to submit any further proposed motions after consulting with Councillors prior to the deadline for submitting motions.

**(Moved Cr Morris, seconded Cr Kidd)**

#### **Item 8.4 NEW CHRISTMAS DECORATIONS FOR LEETON MAIN STREET**

**20/133**

**Resolved**

THAT Council approves the purchase of new Christmas decorations for the Leeton CBD, with funding to be sourced from the reallocation of \$25,000 from the 2020/21 Events and Culture Budget and \$17,000 from the Infrastructure Reserve (internal restriction).

**(Moved Cr Nardi, seconded Cr Reneker)**

#### **BUSINESS AND INVESTMENT MATTERS**

#### **Item 8.5 DRAFT ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30 JUNE 2020**

**20/134**

**Resolved**

THAT Council:

1. Notes that the Draft Annual Financial Statements for the 2019/20 Financial Year have been compiled in accordance with:
  - a) The *Local Government Act 1993* (as amended) and the regulations made thereunder
  - b) The Australian Accounting Standards and Professional pronouncements
  - c) The Local Government Code of Accounting Practice and Financial Reporting.
2. Endorses the Draft Annual Financial Statements as fairly presenting the Council's operating result and financial position for the year and that the Financial Reports accords with Council's accounting and other records.
3. States that it is not aware of any matter that would render this report false and misleading in any way.
4. Formally refers the Financial Reports 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 relating to the General Purpose Financial Statements and the Special Purpose Financial Statements.

6. Delegates to the General Manager the authority to issue the Financial Statements upon receipt of the Auditor's Reports.
7. Endorses the Internal Cash Restrictions as at 30 June 2020 as detailed in **Attachment 1** of the report..
8. In anticipation of receiving the Auditor's Reports, sets the Ordinary Council Meeting to be held on Wednesday 25 November 2020 as the meeting date that the 2019/20 Annual Financial Statements and the Auditor's Reports will be presented to the public for review and comment.

**(Moved Cr Morris, seconded Cr Ciccia)**

Cr Paul Maytom left the meeting, the time being 8.44pm. Deputy Mayor George Weston took the Chair

Cr Paul Maytom returned to the meeting, the time being 8:47pm. Cr George Weston vacated the Chair.

#### **Item 8.6 INVESTMENTS REPORT FOR AUGUST 2020**

**20/135**

**Resolved**

THAT the information contained in the Investments Report for August 2020, including the correction to page 104 (June should read August), be noted.

**(Moved Cr Kidd, seconded Cr Smith)**

#### **OPERATIONAL MATTERS**

#### **Item 8.8 FAILING SEPTIC TANKS AND PUBLIC HEALTH RISK IN GREVILLIA STREET**

**20/136**

**Resolved**

THAT Council:

1. Installs a new sewer main extension to connect all residential properties from 29-41 Grevillia Street with the Council sewer located near Kindred Place.
2. Installs the main sewer line extension at no cost to the residents, with funds to be sourced from the sewer restriction.

3. Requires residents to connect immediately at their cost, with time payment available for a 4-year term to those who cannot afford connection costs, and with no deposit required up front but interest to accrue
4. Requires council officers to take all necessary steps to ensure that any debt to Council related to connection to the new sewer main extension is covered in the event of the sale of properties.

**(Moved Cr Kidd, seconded Cr Nardi)**

**Item 8.9 MINUTES CBD ENHANCEMENT COMMITTEE HELD ON 6 AUGUST 2020  
AND 15 SEPTEMBER 2020**

**20/137**

**Resolved**

THAT Council:

1. Notes the CBD Enhancement Committee minutes from 6 August 2020 and 15 September 2020.
2. Endorses for public exhibition (of at least 20 days) the draft design for Phase 3 of the CBD Enhancement – Chelmsford Place, noting it may need to be staged based upon available funding.
3. Requests the General Manager to provide a report to the October 2020 Council meeting detailing the responses from residents about the endorsed Phase 3 CBD Enhancement – Chelmsford Place designs.
4. Notes that minor works such as the footpath at the Cenotaph end of the Chelmsford Plan, heritage lamp post repairs and plans for a pedestrian crossing on Sycamore Street will commence while public consultation is underway.

**(Moved Cr Weston, seconded Cr Davidson)**

**Item 8.10 QUARTERLY CAPITAL WORKS UPDATE REPORT - MAJOR PROJECTS**

**20/138**

**Resolved**

THAT Council:

1. Receives for information the September 2020 Quarterly Capital Works Update Report and notes the information contained therein.
2. Approves the allocation of Section 94a funds for the additional funding requirements for the CBD Enhancement Phase 1 (Wade Avenue South)



project, being \$200,000.

3. Approves the allocation of Swimming Pool Restriction funds for the additional funding requirements for the Leeton Swimming Pool Upgrade project, being \$135,000.

**(Moved Cr Morris, seconded Cr Davidson)**

**Item 8.11 PROPOSED ROAD CLOSURE AND SALE - PART MAHER ROAD LEETON  
20/139**

**Resolved**

THAT Council:

1. Notes the further advice in relation to operational aspects of the road closure process.
2. Supports in principle the closure of a Council public road being Maher Road Leeton as shown on the map at Attachment 2.
3. Provided that no objections are received from notifiable authorities for the closure of the section of road, authorises the sale to the adjoining owner Mr and Mrs P Draper for market value.

**(Moved Cr Smith, seconded Cr Weston)**

**Item 8.12 ADOPTION OF A PLAN OF MANAGEMENT FOR RESERVES 89629 and  
97727 - CHILDREN'S SERVICES LANDS**

**20/140**

**Resolved**

THAT Council adopts the Plan of Management for Reserves 89629 and 97727 – Children's Services Lands.

**(Moved Cr Weston, seconded Cr Kidd)**

**Item 8.13 HENRY LAWSON COTTAGE COMMITTEE - TERMS OF REFERENCE**

**20/141**

**Resolved**

THAT Council:

1. Adopts the Henry Lawson Cottage Committee Terms of Reference as tabled, noting that the Committee is a Section 355 Committee.
2. Approves Cr George Weston, Cr Tony Ciccia, Wendy Senti and Peter Woods as the voting members of the Committee.
3. Notes that Council's Property Coordinator and Native Title Manager is

Council's non-voting representative and responsible officer for the Committee and that Council's Heritage Advisor and Events and Cultural Coordinator will provide support as required.

**(Moved Cr Weston, seconded Cr Ciccia)**

**Item 8.14 LOCAL HERITAGE PLACES GRANT 2020/2021**

**20/142**

**Resolved**

THAT Council approves the following Local Heritage Places Grant offers for 2020/21:

<b>Applicant</b>	<b>Address/ Property</b>	<b>Work to be done</b>	<b>Total project cost</b>	<b>Funding requested</b>	<b>Funding recom- mended</b>	<b>Applicant's contribution</b>
A Boots	Hydro Hotel, Chelmsford Pl, Leeton	Front Entry Tiling	\$9,600	\$5,000	\$3,500	\$6,100
R Mackenzie	12 Wade Ave, Leeton	Repairs to stained glass window	\$1,490	\$745	\$700	\$790
JM Clark	104 Kurrajong Ave, Leeton	External painting of residence	\$4,620	\$2,310	\$2,000	\$2,620
A Boots and S Tiffen	Hydro Hotel, Chelmsford Pl, Leeton	Interpretive Signage in first floor foyer	\$25,000 (\$4,800) Graphic Design	\$5,000	\$1,800	\$3,000
K Camilleri	9 Main Ave, Yanco	External painting of former post office	\$6,380	\$3,080	\$2,600	\$3,780

**(Moved Cr Weston, seconded Cr Nardi)**

Cr Tony Ciccia left the meeting, the time being 9:34pm.

**20/143**

**Resolved**

THAT Council approves the following Local Heritage Places Grant offer for 2020/21:

<b>Applicant</b>	<b>Property</b>	<b>Work to be done</b>	<b>Total project cost</b>	<b>Funding requested</b>	<b>Funding recommended</b>	<b>Applicant's contribution</b>
M Fiumara	5 Maple Street, Leeton	Replace/reconstruct damaged fence	\$3,685	\$1,842.50	\$1,500	\$2,185

**(Moved Cr Weston, seconded Cr Reneker)**

Cr Tony Ciccia returned to the meeting, the time being 9:38pm.

**Item 8.15 LEETON GOLF COURSE 1 JULY 2019 TO 30 JUNE 2020 UPDATE**

**20/144**

**Resolved**

THAT Council notes the Income and Expenses Report from 1 July 2019 to 30 June 2020 on the operation and events at the Leeton Golf Course.

**(Moved Cr Kidd, seconded Cr Smith)**

**Item 8.16 GOGELDRIE WEIR ACCESS ROAD - SHARP BEND PROTECTION MEASURES**

**20/145**

**Resolved**

THAT Council installs safety barriers and upgrades existing warning signage and delineation of Gogeldrie Weir Park private driveway to meet Australian Standards including installing Chevron Alignment Markers, with funding of up to \$35,000 to be sourced from Council's Infrastructure Reserve.

**(Moved Cr Maytom, seconded Cr Weston)**

**9. NOTICES OF MOTION**

Nil

**10. COUNCILLOR ACTIVITY REPORTS**

**Item 10.1 COUNCILLOR ACTIVITY REPORT**

**20/146**

**Resolved**

THAT Council notes the Councillor Activity Reports for 27 August 2020 to 23 September 2020.

**(Moved Cr Ciccia, seconded Cr Weston)**

**11. CONCLUSION OF THE MEETING**

There being no further business the meeting closed at 9.55pm.

..... signed by  
the Chairman of the meeting held on  
28 Oct 2020 at which meeting the  
signature hereon was subscribed.