



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 24 OCTOBER 2018
COMMENCING AT 7.03PM
IN THE COUNCIL CHAMBERS**

Present:

Councillors:

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

Staff:

Jackie Kruger (General Manager), Craig Bennett (Director Corporate and
Community), Peter Keane (Director Environment and Engineering) and Alison
Balind (Governance and Corporate Planning Coordinator)

Press:

Nil

LEETON SHIRE COUNCIL

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1. **CIVIC PRAYER** Cr George Weston

2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Paul Maytom

3. **APOLOGIES**

18/185

Resolved

That Council note the apologies of Councillor Tony Reneker and Cr Michael Kidd and a leave of absence be granted.

(Moved Cr Smith, seconded Cr Davidson)

4. **CONFIRMATION OF THE MINUTES**

18/186

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 26 September 2018, as circulated, be taken as read and CONFIRMED.

(Moved Cr Morris, seconded Cr Davidson)

5. **DECLARATIONS OF INTEREST**

Nil

6. **MAYORAL MINUTES**

Nil

7. **NOTICES OF MOTION**

Nil

8. **OFFICER'S REPORT**

GENERAL MANAGER'S MATTERS

Item 8.1 ROXY THEATRE ADVISORY COMMITTEE MINUTES

18/187

Resolved

THAT Council notes the Roxy Theatre Advisory Committee Minutes from the meeting held on Tuesday 25 September 2018.

(Moved Cr Ciccia, seconded Cr Smith)

CORPORATE AND COMMUNITY MATTERS

**Item 8.2 DRAFT ANNUAL FINANCIAL STATEMENTS FOR THE YEAR ENDING 30
JUNE 2018**

18/188

Resolved

THAT:

1. Council notes that the amended Draft Annual Financial Statements for the 2017/2018 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; and
 - c) The Local Government Code of Accounting Practice and Financial Reporting.
2. Council 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 accord with Council's accounting and other records.
3. Council states that it is not aware of any matter that would render this report false and misleading in any way.
4. Council's Financial Reports be formally referred to audit in accordance with Section 413 (1) of the Local Government Act 1993 subject to clarification of the Note relating to Rural Fire Service Assets.
5. Council, 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. Council delegates to the General Manager the authority to issue the Financial Statements upon receipt of the Auditor's Reports.
7. Council endorses the internal cash restrictions as at 30 June 2018 as detailed in **Attachment 1**.
8. In anticipation of receiving the Auditor's Reports, Council sets the Ordinary Council Meeting to be held on Wednesday 28 November 2018 as the meeting and date that the 2017/2018 Annual Financial Statements and the Auditor's Reports will be presented to the public.
9. Council staff prepare a report to Council on the Asset Register in relation to Assets on non-Council land.

(Moved Cr Morris, seconded Cr Smith)

Item 8.3 INVESTMENTS REPORT SEPTEMBER 2018

18/189

Resolved

THAT the information contained in the Investments Report for September 2018 be noted.

(Moved Cr Smith, seconded Cr Ciccia)

Item 8.4 PRIMARY DISCLOSURE OF INTEREST RETURNS SUBMITTED BY DESIGNATED PERSONS FROM 1 JULY 2018 TO 30 SEPTEMBER 2018

18/190

Resolved

THAT Council notes that:

All Primary Disclosure of Interest Returns for Designated Persons from 1 July 2018 to 30 September 2018 have been submitted in accordance with the requirements of the Local Government Act 1993 and are tabled at this Ordinary Council Meeting for the following positions:

- Director Environment & Engineering
- Manager Library
- Asset Management Coordinator
- GIS & IT Systems Engineer
- Ranger
- Building Services Officer

(Moved Cr Weston, seconded Cr Morris)

Item 8.5 ORDINARY DISCLOSURE OF INTEREST RETURNS SUBMITTED BY COUNCILLORS AND DESIGNATED PERSONS FOR THE PERIOD FROM 1 JULY 2017 TO 30 JUNE 2018

18/191

Resolved

THAT:

1. The following additional staff who occupied the positions below be formally declared Designated Persons by Council for the 1 July 2017 to 30 June 2018 Financial Year in accordance with Section 441 of the Local Government Act 1993:

- Regulatory Services Coordinator
- Building Services Officer
- Events Officer
- Community Development Co-ordinator

2. Council notes:

All Ordinary Disclosure of Interest Returns for Councillors and Designated Persons from 1 July 2017 to 30 June 2018 have been submitted in accordance with the requirements of Section 449 (3) of the Local Government Act 1993 (except that 3 Councillor Returns and 8 Designated Person Returns were lodged 15 days outside the required lodgement date of 30 September 2018) and are tabled at this Ordinary Council Meeting.

(Moved Cr Davidson, seconded Cr Weston)

Item 8.6 NATIVE TITLE MANAGER - REPORT TO COUNCIL

18/192

Resolved

That Council notes the Native Title Manager's written advice in relation to the following activities on Crown Reserves:

RESERVE	RESERVE NAME	ACTIVITY 'FUTURE ACT'	SUMMARY – NATIVE TITLE ADVICE
Reserve 55234	Leeton Ovals Complex	The installation of a Kiosk area on No 1 Oval.	The installation and operation of the Kiosk may affect Native Title. The installation of a kiosk on a Crown Reserve which is wholly consistent with the Reserve purpose may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 70849	Lake Paddock Reservoir	The installation of a rain water pump and housing to Golf Course Basin 1 & 2 and connecting below ground pipe network for watering Leeton Golf Links.	The installation of a rain water pump and connecting below ground pipe network may affect Native Title.
Reserve 75463	Leeton Golf Links	The installation of a rain water pump and housing to Golf Course Basin 1 & 2 and connecting below ground pipe network for watering Leeton Golf Links.	<p>The installation of a rain water pump is not considered a public work as it is not a fixture.</p> <p>The associated earthworks for the installation of a below ground pipe network has been considered. Major earthworks is defined in s253 of the Native Title Act, 1993 as earthworks whose construction causes major disturbance to the land.</p> <p>In <i>Banjima People v State of Western Australia [No2] [2013]</i> Justice Barker concluded that where earthworks did not constitute a major disturbance to the land and, did not constitute a major earthwork, they were not public works.</p> <p>As the pipe network will be below ground and the surface restored to the original surface following installation the pipe network cannot be considered a public work.</p> <p>The future act provisions that validate the installation of a rain water pump and pipe network are validated by the provisions of Subdivision K of the Native Title Act, 1993.</p>

Reserve 61839	Leeton Racecourse	The issue of a short term licence to the Murray Darling Association for recreational activities.	The issue of a licence may affect Native Title. The issue of a short term licence to the Murray Darling Association under s.2:20 of the Crown Lands Management Act, 2016 for recreation purposes is consistent with the Reserve purpose and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73115	Multi-Purpose Centre	The issue of a short term licence under s.2:20 of the Crown Land Management Act, 2016 to the Western Riverina Community College.	The issue of a licence may affect Native Title. The issue of a short term Licence to the Western Riverina Community College under s.2:20 of the Crown Lands Management Act, 2016 for office space for general community purposes is consistent with the Reserve purpose of Community purposes and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73115	Multi-Purpose Centre	The issue of a short term licence under s.2:20 of the Crown Land Management Act, 2016 to Western Riverina Arts Inc	The issue of a licence may affect Native Title. The issue of a short term Licence to Western Riverina Arts Inc under s.2:20 of the Crown Lands Management Act, 2016 for office space for general community purposes is consistent with the Reserve purpose of Community purposes and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73115	Multi-Purpose Centre	The issue of a short term licence under s.2:20 of the Crown Land Management Act, 2016 to Temora Shire Council (Pinnacle Community Services)	The issue of a licence may affect Native Title. The issue of a short term Licence to Temora Shire Council (Pinnacle Community Services) under s.2:20 of the Crown Lands Management Act, 2016 for office space for general community purposes is consistent with the Reserve purpose of Community purposes and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73115	Multi-Purpose Centre	The issue of a short term licence under s.2:20 of the Crown Land Management Act, 2016 to Narrandera Shire Council (Narrandera Leeton Community Transport)	The issue of a licence may affect Native Title. The issue of a short term Licence to Narrandera Shire Council (Narrandera Leeton Community Transport) under s.2:20 of the Crown Lands Management Act, 2016 for office space for general community purposes is consistent with the Reserve purpose of Community purposes and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73115	Multi-Purpose Centre	The issue of a short term licence under s.2:20 of the Crown Land Management Act, 2016 to Action Kids Therapy	The issue of a licence may affect Native Title. The issue of a short term Licence to Action Kids Therapy under s.2:20 of the Crown Lands Management Act, 2016 for office space for general community purposes is consistent with the Reserve purpose of Community purposes and may be validated under Subdivision J of the Native Title Act, 1993.
Reserve 73235	Leeton Shire Council	The issue of a short term licence under s.2:20 to the NSW Electoral	The issue of a licence may affect Native Title. The issue of a short term Licence to the NSW Electoral Commission under s.2:20 of the Crown

		Commission for the operation of an early polling voting centre.	Lands Management Act, 2016 for the operation of an early polling voting centre for general community use is consistent with the Reserve purpose of Shire Council Chambers and may be validated under Subdivision J of the Native Title Act, 1993.
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(Moved Cr Morris, seconded Cr Nardi)

9. STATEMENTS BY COUNCILLORS

CR GEORGE WESTON

LGNSW Conference: Provided information to Councillors about projects and education around waste reduction, use of rivers as roads to transport freight, free camping site identification, web casting of Council meetings and whether Councillors would be covered for slander and libel claims.

Discussions with Hornsby Council: Met with representatives from Hornsby Council, a Council which Leeton has had a previous relationship with. There was discussion about the possibility of working on projects and exchange opportunities.

Mayor Paul Maytom said that he hoped the General Manager would bring information to Council on the resolutions passed at the Conference that were relevant to Leeton Shire Council.

Chill & Grill: It was a great night and thanks goes to those who worked behind the scenes to get things to happen, particularly Events Officer Hannah Fitzsimon and her crew.

Inside Water: It was entertaining and Council's sponsorship was acknowledged.

Sunrice Committee: AGM was held tonight and hopefully we will get people coming forward to help with the festival.

Yanco Powerhouse Museum: Would Councillors be interested in having a visit to the facility?

CR SANDRA NARDI

Chill & Grill: I highly enjoyed the event and thought it was run very well. Events Officer Hannah Fitzsimon and Manager Communications and Marketing Brent Lawrence with their small group of volunteers have done an amazing job. The move from the park to the new venue was well done. The committee from the Leeton Harmony Bike Muster raised \$1600 which was donated to Country Hope. For us it was very good from Country Hope's side of things. There are some new ideas which we would like to see incorporated next year.

Inside Water: Well done to the crew for Inside Water. They ran a very nice night. I think that it spoke quite clearly to all farmers or anyone of those suffering from the effects of the drought.

CR PETER DAVIDSON

Chill & Grill: Was a great night and he received praise from the jumping castle operator. He couldn't commend Council enough for the help he received. He spoke about the amount of support that was received from Council's Parks and Gardens staff and he was interested in coming back for a future event.

Inside Water: You don't realise how much effort goes into producing a 15 minute movie until you see the documentary after it. The other thing I got out of it was how the community of Leeton really helped – Jake was very appreciative of the help from the community and Council.

CR TONY CICCIA

Contour Road: It is good to see this road at Murrami finally being widened.

Water Park, Yanco: Do we have a date for the official opening of the water park? Should we start to organise a bit of a sausage sizzle?

The Director Environment & Engineering advised that the opening would be held on 3 November 2018. The Lions Club and the school have taken on responsibility for organising the event, we are just facilitating. They will also do some fundraising in accordance with that.

Local Events: As previous Councillors have said there have been a lot of events on recently and one in particular, Relay for Life, raised \$40,000 for the Cancer Council.

Murrami Hall: There has not been much information coming about the Murrami Hall Committee and I am wondering whether there are any issues which we need to be aware of.

General Manager responded that to her knowledge there were no particular issues. A review of the Council Committee structure will be brought to a future Council workshop.

CR TRACEY MORRIS

It is interesting listening to all the wonderful events in the last month that are held in our town and the amount of money that has been raised. It never ceases to amaze me.

Fit for the Future: After we saw the protest at the Local Government Conference this week regarding amalgamations and mergers, foremost in my mind is Fit for the Future. We want to do our best and be very prudent in decision making. We have such a great community, they put in such hard work and support everything that's on and we don't want to lose our Fit for the Future status.

Visits to Local Organisations: If we could reinvigorate visiting some of the bigger businesses within our town every two or three months. It really does help to keep us up to date with how businesses are travelling.

The Mayor responded that the key issue is finding a time that is most suitable for the businesses and for Councillors to attend.

The General Manager advised that the Economic Development Coordinator has organised a visit for Councillors to a local Murray Cod Farm in November.

Web Casting: Cr Morris said that she would be continuing to ask questions even if Council meetings are webcast. I think we have a responsibility to do that.

CR PAUL SMITH

Inside Water: Disappointed he couldn't attend the Inside Water movie at the weekend as he was away at an emergency services forum. Are we able to get a copy of the movie?

The General Manager advised that the movie has not been officially released and a copy is not available locally.

Chill & Grill: What a fantastic event, to think you can put a tent in a carpark and attract 1,000 people is fantastic.

CR PAUL MAYTOM

LGNSW Conference: We have a new LGNSW President, Cr Linda Scott and I acknowledge the excellent way she managed the meeting. It was well controlled without being harsh and hard hitting. She did an incredible job of running the meeting and I congratulated her before I left. Mayor David O'Loughlin President of the Australian Local Government Association also made people feel comfortable and gave an excellent presentation. Will await the GM's report on the motions because I need to know exactly what amendments were made. One interesting one was the stormwater levy where the motion was to have that indexed.

I also attended the RMS Stand and collected some brochures that say that audio tactile linemarking can reduce accidents by 35%. I intend to follow up at the upcoming RMS Forum to make sure that we get some audio tactile lines in our area.

Carol Collins Funeral: I attended the service and passed on Council's condolences. It was well attended. To hear the eulogy and see what she has done, all the care she had given to a lot of children through her work at Kalinda. Her heart and soul was in it and it was a very sad time.

Relay for Life: I also represented Council at the event and clearly it was quite an impressive thing to see the people that gave their time to fundraise for those who have had families who have lost members to cancer. I also went on the Walk of Remembrance.

Golf Vets Week: The whole of RAPPS was full. Participation went from 65 to 95 this year and there were people who had travelled from as far as Mullumbimby. Congratulations to Leeton locals who did a good job advertising the event on their travels around the country.

There being no further business the meeting closed at 9.15 pm.

..... signed by
the Chairman of the meeting held on
28/11/2018 at which meeting the
signature hereon was subscribed.