



LEETON SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

LEETON SHIRE COUNCIL

WEDNESDAY 27 MAY 2015

COMMENCING AT 7.08PM

COUNCIL CHAMBERS

Present:

Councillors: Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Peter Davidson, Cr Tracey Morris, Cr. Emerson Doig, Cr. Tracey Valenzisi, Cr Steve Dowling, and Cr Michael Kidd

Staff: Tony Hayward (Acting General Manager), Duncan McWhirter (Director Corporate Services), Barry Heins (Director Engineering and Technical Services), Garry Stoll (Director Environmental and Community Services), Peter McFarlane (Finance Services Manager) and Val Harrison (Executive Support Officer)

Press: Talia Pattison (The Irrigator)

CIVIC PRAYER Cr George Weston

ACKNOWLEDGEMENT OF COUNTRY Cr Paul Maytom

APOLOGIES

15/091

Resolved

That the apology received on behalf of Cr Greg O'Callaghan be accepted and that leave of absence from the meeting be granted.

(Moved Cr Doig, seconded Cr Davidson)

CONFIRMATION OF THE MINUTES

15/092

THAT the Minutes of the Ordinary Council Meeting held on Wednesday, April 22 2015, as circulated, be taken as read and CONFIRMED.

(Moved Cr Dowling, seconded Cr Morris)

Note: The Mayor welcomed Acting General Manager Tony Hayward and newly appointed Executive Support Officer Kathy McMahon to the meeting.

NOTICES OF MOTION

Item 1 NOTICE OF MOTION

Reporting of Vehicle Crashes to Police

15/093

Resolved

That Council:

- 1** Contact NSW Police with regards to the changes in reporting/recording and investigation of vehicle crashes in NSW that were implemented on 15 October 2014 and request that NSW Police reconsider these changes.
- 2** Take this matter to the next RAMROC meeting for discussion.

(Moved Cr Maytom, seconded Cr Weston)

GENERAL MANAGER'S MATTERS

Item 1 INTEGRATED PLANNING AND REPORTING 2014/2015 Quarterly Review as at 31 March 2015

15/094

Resolved

That Council note the progress in relation to the Council Delivery Plan and Operational Plan for the quarter ended 31 March 2015.

(Moved Cr Kidd, seconded Cr Valenzisi)

CORPORATE SERVICES MATTERS

Item 1 HUMAN RESOURCES Employment Update

15/095

Resolved

That the report on Human Resources – Employment Update be noted.

(Moved Cr Dowling, seconded Cr Kidd)

Item 2 INVESTMENTS - DIVIDENDS Investments - April 2015

15/096

Resolved

That the information contained in the report on Investments be noted.

(Moved Cr Valenzisi, seconded Cr Morris)

Item 3 COMMUNITY SURVEY Customer Satisfaction Survey

15/097

Resolved

That Council receive the results of the 2015 Customer Satisfaction survey and request that the results of the survey be posted on Council's website.

(Moved Cr Doig, seconded Cr Davidson)

Item 4 RECRUITMENT - GM/SENIOR STAFF
General Manager - Recruitment

15/098

Resolved

That Council:

1. Endorse the actions already undertaken to engage Local Government NSW Management Solutions to assist Council with the recruitment process.
2. Appoint in consultation with Local Government NSW Management Solutions, the General Manager's Performance Review Committee (Mayor, Deputy Mayor, Cr Valenzisi and Cr Kidd) to review and shortlist the applicants for the General Manager's position.

(Moved Cr Kidd, seconded Cr Weston)

Item 5 GRANTS COMMISSION
Financial Assistance Grants to Local Government

15/099

Resolved

That Council:

- 1 Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure;
- 2 Acknowledges that Leeton Shire Council will receive \$3,862,501 in 2014-2015 via the Financial Assistance Grants Program; and
- 3 Will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in Council publications, including annual reports.

(Moved Cr Kidd, seconded Cr Morris)

Item 6 DISCLOSURES OF INTEREST
Annual Disclosure by Councillors and Designated Persons

15/100

Resolved

That Council:

- (a) Request all Councillors complete a disclosure of interest to the General Manager by 30 September 2015 for the year 1 July 2014 to 30 June 2015.
- (b) Require the persons occupying the below positions be formally declared designated persons by Council in accordance with Section 441 of the Local Government Act, 1993 and be required to lodge disclosures of interest to the General Manager by 30 September 2015 for the year 1 July 2014 to 30 June 2015:
- General Manager
 - Director of Engineering and Technical Services
 - Director Environmental and Community Services
 - Director of Corporate Services
 - Internal Auditor
 - Environmental Health and Building Surveyor
 - Manager Planning and Environment
 - Planning Officer
 - Manager Engineering Services
 - Manager Design and Construction
 - Economic Development, Tourism and Events Manager.
- (c) Note the return lodged in accordance with Section 449 of the Local Government Act 1993 by Acting General Manager, Mr Tony Hayward.

(Moved Cr Kidd, seconded Cr Valenzisi)

Item 7 COUNCILLOR ALLOWANCES
Local Government Remuneration Tribunal
2015 Annual Review

15/101

Resolved

That from 1 July 2015 Council pay the maximum annual fees of:

- \$24,030 to the Mayor
- \$11,010 to Councillors

(Moved Cr Weston, seconded Cr Valenzisi)

CHANGE TO ORDER OF BUSINESS

15/102

Resolved that Corporate Services Matters Items 9 and 10 be brought forward and dealt with at this time.

(Moved Cr Dowling, seconded Cr Doig)

**Item 9 INTEGRATED PLANNING AND REPORTING 2014/15
Quarterly Budget Review - March Quarter 2015**

15/103

Resolved

That the review of Council's Operational Budget as at 31 March, 2015 be noted and variations contained in the quarterly budget review statement be voted.

(Moved Cr Dowling, seconded Cr Kidd)

**Item 10 INTEGRATED PLANNING AND REPORTING
Delivery Program 2014/2018, Resourcing Strategy and
Operational Plan 2014-2015**

15/104

Resolved

That Council:

- 1 Adopt the changes to the draft Fees and Charges as outlined in the Report including the revised Landfill Charges, the Roxy Theatre ticketing fee, the Sec 603 fee and Interest on Overdue Rates and Charges.
- 2 Formally adopt the Operational Plan for 2015/16 (including Fees and Charges) and Delivery Program 2015/16-2018/19 and the Resourcing Strategy (including the Long Term Financial Plan (2015/16 to 2024/25), Asset Management Plan (2015/16 to 2024/25) and Workforce Management Plan (2015/16 -2018/19) with the alterations noted above.

(Moved Cr Dowling, seconded Cr Kidd)

Note: Director Corporate Services advised that a change had been made to photocopier charges in the Fees and Charges for 2015/16.

Item 8 2015/16 OPERATIONAL PLAN
Making of Rates and Charges

15/105

Resolved

i) That Council authorise the General Manager to prepare and serve the 2015/16 rate notices or in his absence they may be served by the Director Corporate Services.

ii) **Ordinary Rates**

a) **Ordinary Rate – Residential**

In accordance with Section 494 of the Local Government Act 1993, Council make the Base Amount of \$427.00 for ordinary rates for the year 2015/16 which represents 48% of the total revenue for the Residential Rating Category, and make the Ad Valorem component of the rate at 0.79495900 cents in the dollar on all the land value of all rateable land within the Residential Rating Category.

b) **Ordinary Rate – Farmland**

In accordance with Section 494 of the Local Government Act 1993, Council make the Base Amount \$675.00 for ordinary rates for the year 2015/16 which represents 20% of the total revenue for the Farmland Rating Category, and make the Ad Valorem component of the rate at 1.19869500 cents in the dollar on all the land value of all the rateable land within the Farmland Rating Category.

c) **Ordinary Rate – Business**

In accordance with Section 494 of the Local Government Act 1993, Council make the Base Amount \$290.00 for ordinary rates for the year 2015/16 which represents 25% of the total revenue for the Business Rating Category, and make the Ad Valorem component of the rate at 0.80275700 cents in the dollar on all the land value of all the rateable land within the Business Rating Category.

iii) **Charges – Sewerage Local Fund**

a) **Sewerage Annual Charge – Residential**

That Council make the Sewerage Annual Charge – Residential for 2015/16 at \$519.00 for each parcel of land categorized as Residential land within the Leeton, Yanco and Whitton Sewerage Local Rate Areas in accordance with Section 501 of the Local Government Act 1993.

b) Sewerage Annual Charge – Non Residential

That Council make a usage charge of 87 cents per kilolitre with a minimum charge equivalent to the Residential Sewerage Annual Charge of \$519.00 calculated in accordance with the Guidelines for Best Practice Pricing as set down by the NSW Office of Water. This charge is to apply to each water meter attached to the assessment categorised as Non Residential land within the Leeton, Yanco and Whitton Sewerage Local Rate Areas in accordance with Section 501 of the Local Government Act 1993.

The Non Residential Sewer Access charge be as follows:

Meter Size	Access Charge \$
20mm	110.21
25mm	172.20
32mm	282.14
40mm	440.84
50mm	688.81
80mm	1,763.36
100mm	2,755.25
150mm	6,199.31

iv) Interest Rate on Overdue Rates and Charges

That the interest rate to be charged on all overdue rates and charges and arrears during 2015/16 will be 8.5%.

v) Domestic Waste Management Charge

That Council make the following Domestic Waste Management Charge:

That the Domestic Waste Management Charge, on all rateable parcels of land for which there is a full service, be \$242.00 under Section 496 of the Local Government Act, 1993.

vi) Waste Management Charge

That Council make a Waste Management Charge under Section 501 of the Local Government Act 1993 of \$242.00 to the non-residential and non-rateable parcels of land in Leeton Shire Council being rendered a full service.

vii) **Landfill Access Charge**

That Council make a Landfill Access Charge under Section 501 of the Local Government Act 1993 of \$43.00 to all parcels of land not having access to the Domestic Waste Collection Service under Section 496, and Waste Collection Service under Section 501 of the Local Government Act.

viii) **Recycling Service Charge**

That Council make a Recycling Service Charge under Section 501 of the Local Government Act 1993 of \$121.00 on all parcels of land for which there is a full Domestic Waste Collection Service.

Recycling Services for non-residential and non-rateable properties will be optional and those properties wishing to use the Service will be charged at the rate of \$2.33 per week per service.

ix) **Water Charges**

That Council make the following water charges:

a) **Access Charges**

<u>Meter Size</u>	\$
20mm	264.00
25mm	264.00
32mm	676.00
40mm	1,056.00
50mm	1,650.00
65mm	2,639.00
80mm	3,674.00
100mm	4,600.00
150mm	7,550.00

b) **Consumption Charges – Residential**

- for the first 300 kilolitres = \$0.91 per kl
- from 301 kilolitres to 600 kilolitres = \$1.33 per kl
- thereafter = \$2.31 per kl

c) **Consumption Charges – Non Residential**

- for the first 300 kilolitres = 0.91 per kl
- thereafter = 1.33 per kl

x) Stormwater Management Charge

That Council make a Stormwater Management Charge under Section 496A of the Local Government Act 1993 of \$25.00 for developed residential properties, \$12.50 for each residential strata title unit, and \$25.00 for eligible properties within the Ordinary Business Rating Category area and \$12.50 for each business strata title unit.

xi) Fees and Charges

That Council adopt the fees and charges for 2015/16 as advertised in the draft fees and charges.

(Moved Cr Kidd, seconded Cr Weston)

ENGINEERING AND TECHNICAL SERVICES MATTERS

Item 1 MATTERS/BUSINESS PAPER

15/106

Resolved

That the information regarding matters arising from former meetings contained within the report be received and noted.

(Moved Cr Doig, seconded Cr Kidd)

**Item 2 ROADS - PROGRAMS - ADMINISTRATION AND
IMPLEMENTATION - NATURAL DISASTER RELIEF PROGRAM
Leeton Flood Study Status Report**

15/107

Resolved

That Council:

1. Place the finalised Leeton Flood Study on public display for 28 days.
2. Request a further report be tabled detailing the outcome of the public display process and to formally adopt the policy.

(Moved Cr Kidd, seconded Cr Weston)

Item 3 TRAFFIC AND TRANSPORT - MEETINGS - INTERNAL & EXTERNAL

Traffic Committee Meeting - Tuesday, 19 May 2015

15/108

Resolved

That the information contained within the report regarding the Local Area Traffic Committee Meeting held on 19 May 2015 be received and noted and that the following recommendations be adopted:

Item 1 Share the Road Signage – Brobenah Road, Vance, MR 80

That the Committee endorses the following:

- (a) The placement of “*Share the Road*” signage at suitable locations on Vance Road, MR80 between Leeton and Narrandera and Brobenah Road
- (b) Council promote the Share the Road Signage to the local community to raise awareness of cyclists on the road.

Item 2 Disabled Parking – Wade Avenue South and Church Street – Madonna Place and St Joseph’s Catholic Church

That the Committee endorses:

- a) The installation of a disabled parking space outside Madonna Place on Wade Avenue and the construction of an access ramp.
- b) Construction of an access ramp on Church Street and implement a “Pick Up and Set Down Area” or “No Parking Zone” in this area.
- c) That Council works with the church notifying them on the no parking areas and the function of the areas.
- d) Look at changing signage location and thermal for school zone.

Item 3 Speed Zone Review Corbie Hill Road

That the Committee endorses that Roads and Maritime Services review the speed zoning of Corbie Hill Road.

Item 4 Traffic Arrangements Leeton Eisteddfod 2016

- a) That the Committee endorses the temporary relocation of the taxi zone from Wade Avenue South to Chelmsford Place for the duration of the Leeton Eisteddfod from 7 August 2015 to 30 August 2015 inclusive.

- b) That the Committee endorses the provision of a loading zone and no parking zone for the duration of the Leeton Eisteddfod from 7 August 2015 to 30 August 2015 inclusive.
- c) That Council rangers undertake regulator monitoring of the parking area and enforce when necessary.

Item 5 Removal of Bus Shelter at the Intersection of MacCauley Road and Saunderson Road on MR80

That the Committee endorses:

- a) The removal of the bus bay and shelter on MR80 between MacCauley Road and Saunderson Road.
- b) That a new bus bay be constructed on Henry Lawson Drive and funded by RMS.
- c) That RMS find an alternate location to satisfy both bus operators and parents.

Item 6 Wade Avenue South Improvements to Parking and Pedestrian Activities

Council look at treatment options available in Wade Avenue South to improve the current parking and pedestrian facilities in the area.

Item 7 Matters Arising From Former Meetings

That the information regarding matters arising from former meetings contained within the report be received and noted.

(Moved Cr Valenzisi, seconded Cr Weston)

Note: Director Environmental and Community Services Garry Stoll declared a Pecuniary Interest in Item 4 as his mother-in-law is the owner of one of the properties subject to discussion in the report and left the Chambers at 7.49pm and took no part in the discussion.

**Item 4 WATER SUPPLY - FEES & CHARGES - WATER RATES, WATER ACCOUNTS - SEWERAGE SUPPLY & DISTRIBUTION - SEWER MAINS NEW CONNECTIONS
Leeton Water & Sewer Main Gazettals**

15/109

Resolved

That Council:

1. Endorse the action taken to Gazette Council's water and sewer mains.

2. Levy water charges as provided under Section 552 and 553 of the Local Government Act for water and sewer, commencing from 1 July 2015.
3. Grant an exemption for the levying of charges for the following:
 - a. Land with a minimum area of 8000 square metres, which has an existing approved on-site aerated sewerage disposal system and not requiring disposal of sewage to Council's sewerage system.
 - b. Land which cannot be connected to water in accordance with Council, ie where a water connection cannot be provided normal, or at a right angle, to a water main.
 - c. Land which cannot be connected to a sewer main directly adjacent and within close proximity, into which sewage could not be discharged by gravity means.
 - d. Land which cannot be connected to water or sewer without open trenching across the road and damaging the road.
 - e. Land that cannot be connected to water or sewer without crossing rail corridors or main roads controlled by Roads and Maritime Services.
 - f. Land that cannot be connected to sewer without crossing Murrumbidgee Irrigation supply or drainage reserves where there are existing channels and structures.
4. Property owners adjacent to all new subdivisions be advised of any extension of water and/or sewer mains that may result in future rating charges being applied to their property as a result of the subdivision.

(Moved Cr Doig, seconded Cr Weston)

Director Environmental and Community Services, Garry Stoll returned to the Chambers at 7.55pm.

**Item 5 ROADS - DESIGN & CONSTRUCTION - FUNDING - LOCAL ROAD FUNDING
2015/2016 Roads Capital Renewal Project Weightings**

15/110

Resolved

That Council adopt the

1. Weightings used to develop priority lists for the Sealed Road Rehabilitation, Bitumen Reseal and Footpath Reconstruction Programs for the 2015/16 financial year.
2. Gravel Resheeting methodology used to develop priority lists for the 2015/16 financial year.

(Moved Cr Davidson, seconded Cr Dowling)

ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS

Item 1 MATTERS/BUSINESS PAPER

15/111

Resolved

That the information regarding matters arising from former meetings contained within the report be received and noted.

(Moved Cr Weston, seconded Cr Valenzisi)

Item 2 LANDFILL & RECYCLING DEPOT - HYDROGEOLOGICAL INVESTIGATION

15/112

Resolved

That Council:

1. Accept Coffey's quote to undertake the following works:
 - (a) Preliminary site investigations and development of specifications for the next trench in the most suitable and benign location, and
 - (b) Hydrogeological investigations of the remainder of the site
 - (c) Review of LEMP, and
 - (d) Capping of finished trenches.
2. Source expenditure for the above works to be sourced from Waste Management Landfill Trenching Expenses with the balance of the remaining required funds to be sourced from the Internal Waste Reserves.

(Moved Cr Kidd, seconded Cr Weston)

**Item 3 DEVELOPMENT APPLICATION - DA36/2015
BILL ARNOLD PTY LTD - SIGNAGE 82 KURRAJONG AVENUE -
LOT 1, SECTION 10, DP 758606**

15/113

Resolved

That Council approve the application as lodged with relevant conditions applying except those previously applied relating to the size and colour of the proposed signs.

(Moved Cr Valenzisi, seconded Cr Morris)

**Upon being put to the meeting, the motion was declared carried.
For the Motion were Crs E Doig, P Davidson, T Valenzisi, G Weston, M Kidd, S Dowling, P Maytom and T Morris. - Total (8)**

Against the Motion was Nil. - Total (0)

Item 4 NOMINATIONS FOR STATE HERITAGE LISTING

15/114

Resolved

That Council commission Noel Thomson Architecture to prepare a nomination to State Heritage Listing for the Henry Lawson Cottage and that the \$3,190 required for the project be funded from the Town Planning administration budget in the 2015/2016 Management Plan.

(Moved Cr Weston, seconded Cr Doig)

Item 5 AMENDMENT TO LEETON LOCAL ENVIRONMENTAL PLAN 2014

15/115

Resolved

That Council amend the Local Environmental Plan 2014 in accordance with the planning proposal that was exhibited from 22 April 2015 to 20 May 2015.

(Moved Cr Dowling, seconded Cr Weston)

Item 6 COMMUNITY SERVICES UPDATE OF ACTIVITIES

15/116

Resolved

That Council note the information provided in the Community Services update on activities report.

(Moved Cr Davidson, seconded Cr Morris)

Item 7 COUNCIL'S COMMUNITY GRANTS ROUND 2 2014/2015

15/117

Resolved

That Council approve the following applications for assistance to Round 2 2014-15 Community Strengthening Grants Scheme:

Brilliant & Resilient	1,000
Goodstart Early Learning Leeton	800
Calo's Riders Club	<u>2,500</u>
	\$4,300

and that the balance of the remaining funds of \$390 be donated to the Leeton Motorsports Club to compact road base to create suitable access at the venue.

(Moved Cr Kidd, seconded Cr Weston)

Item 8 OPERATIONAL DUTIES & FUNCTION OF RANGERS

15/118

Resolved

That the information on the operational and functional duties of the Rangers be noted.

(Moved Cr Doig, seconded Cr Valenzisi)

STATEMENTS BY COUNCILLORS

1 **Cr Tracey Morris**

Congratulated Council on the new outdoor gym equipment and bike training facility that has recently been installed near Rotary Park.

2 **Cr Steve Dowling**

Has received concerns from a number of residents regarding high water accounts. He also noted that his water account was higher than previous years. Director Corporate Services advised that this is the trimester whereby users often fall into the higher usage charge category. The Director stated that Council may have to review the introduction of a single fee structure for water charges.

3 **Cr Michael Kidd**

- Noted that the new bicycle training area is getting a lot of use which is great to see. He also noted that it was pleasing to see the new tree plantings in Palm Avenue.
- Suggested that the Leeton Multipurpose Community Centre should be re-named the 'Henry Lawson Community Centre'.

4 Cr Paul Maytom

Informed Council that he plans to include information on his meetings etc in the Weekly Report. The report on Mayoral Activities is always included in the monthly Information Circulate. The Murray Darling Association - Murrumbidgee Region 9 is holding a meeting in Leeton on Friday 29 May 2015 and he will be attending as Chair of Murrumbidgee Region 9. Minutes from this meeting and other meetings that he attends will be made available to Councillors.

5 Director Environmental and Community Services – Garry Stoll

Informed Council that the Councillor Workshop/Briefing Session to be held on Wednesday 10 June 2015 will include a presentation from Riverina Regional Tourism and Mr Col Rees from Ettamogah Rail Hub will also be attending the Workshop.

Note: V Harrison and P McFarlane left the meeting at this time.

CLOSED COUNCIL – CONFIDENTIAL ITEMS

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the Acting 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.

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.

15/119

Resolved

- 1 That Council move 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 Valenzisi, seconded Cr Dowling)

Item 1 LAND MATTER

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).

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.

Council closed its meeting at 8.20pm and the public and press left the Chambers.

Item 1 LAND MATTER

15/120

Resolved

- 1 That Council authorise the Mayor and General Manager to negotiate with Government Property NSW for the purchase of Lot 2 and Lot 4, DP1184875 as outlined in the report.
- 2 A further report be presented to Council following the outcome of the negotiations.

(Moved Cr Valenzisi, seconded Cr Weston)

REVERSION TO OPEN COUNCIL

15/121

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.28pm.

(Moved Cr Morris, seconded Cr Davidson)

The Mayor advised that during Closed Council one (1) resolution was passed.

There being no further business the meeting closed at 8.30pm.

..... signed by
the Chairman of the meeting held on
24/06/2015 at which meeting the
signature hereon was subscribed.