



# LEETON SHIRE COUNCIL

## MINUTES OF THE EXTRAORDINARY COUNCIL MEETING

### LEETON SHIRE COUNCIL

WEDNESDAY 7 OCTOBER 2015

COMMENCING AT 6.05PM

COUNCIL CHAMBERS

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**Present:**

**Councillors:** Cr. Paul Maytom (Mayor), Cr. Peter Davidson, Cr Tracey Morris, Cr. Emerson Doig, Cr. Tracey Valenzisi, Cr Greg O'Callaghan and Cr Michael Kidd

**Staff:** Jackie Kruger (General Manager), Duncan McWhirter (Director Corporate Services), Barry Heins (Director Engineering and Technical Services), Garry Stoll (Director Environmental and Community Services), Peter McFarlane (Financial Services Manager) and Kathy McMahon (Executive Support Officer)

**Press:** Nil

**CIVIC PRAYER** Cr. Tracey Morris

**ACKNOWLEDGEMENT OF COUNTRY** Cr. Paul Maytom

## **APOLOGIES**

**15/205**

### **Resolved**

That the apology submitted by Cr. George Weston be accepted and leave of absence from the meeting be granted.

An apology for Cr Steve Dowling was also noted.

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

## **MAYORAL REPORTS**

### **Item 1 MAYORAL MINUTE - Murrumbidgee Local Health District Restructure**

Cr. Michael Kidd declared a pecuniary interest in relation to this item as he is a current employee of the Murrumbidgee Local Health District and was not present for the consideration of the report.

**15/206**

### **Resolved**

That Council:

1. Endorse the importance of locally based and appropriately staffed health services for the wellbeing of the people of Leeton Shire.
2. Authorise the Mayor and General Manager to seek clarification on the proposed organisational restructure of the Murrumbidgee Local Health District in order to understand fully how this will impact local health services and the retention of key staff in the Leeton Shire.
3. Authorise the Mayor and General Manager, in the event that there are ongoing concerns about health services and the retention of key staff, to collaborate with other affected Councils to advocate for a reconsideration of the Murrumbidgee Local Health District organisational restructure proposal.

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

Cr. Michael Kidd entered the meeting 6.20pm.

**SUSPENSION OF STANDING ORDERS**

**15/207**

**Resolved**

That Standing Orders be suspended at 6.20pm to allow for a presentation by representatives from the Leeton Motor Cycle Club and that Item 1 of the Environmental & Community Services reports be considered following the presentation.

**(Moved Cr Doig, seconded Cr. Valenzisi)**

The Mayor welcomed Mr Dan Pettersson, Secretary Leeton Motor Cycle Club to Council. Mr Pettersson gave a presentation on the proposed future expansion of the Leeton Motor Cycle Club facility at Brobenah Hall Road with a view to attracting State Titles to the facility.

The Mayor thanked the Leeton Motor Cycle Club for their presentation.

**RESUMPTION OF STANDING ORDERS**

**15/208**

**Resolved**

That the meeting resume at 6.45pm to deal with the remaining matters on the agenda.

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

## **ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS**

### **Item 1 USE OF FORMER BROBENAH WASTE DEPOT**

Cr. Tracey Valenzisi declared a Non-Significant Non-Pecuniary Interest in relation to this matter as she is a member of the Leeton Motor Cycle Club. Cr. Valenzisi made the declaration stayed in the Chamber and participated in the debate and voted.

**15/209**

#### **Resolved**

That a further report be submitted to the November Council meeting following consultation with the Brobenah Aerodrome Committee before Council formally considers the request from the Leeton Motorcycle Club to extend their current site.

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

## **CORPORATE SERVICES MATTERS**

### **Item 1 FINANCIAL STATEMENTS AND AUDITORS REPORTS FOR YEAR ENDED 30 JUNE, 2015**

**15/210**

#### **Resolved**

That the 2014/15 Financial Statements and Auditors Reports be received.

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

**CLOSED COUNCIL – CONFIDENTIAL ITEMS**

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.

**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.

**15/211**

**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 Davidson, seconded Cr Valenzisi)**

**Item 1 PHOTON ENERGY DEVELOPMENT PROPOSAL**

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).

**Item 2 CONTRACT NO 1-15/16 TENDER TO CONSTRUCT LEETON WASTE DISPOSAL TRENCH**

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).

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 7.05pm and the public and press left the Chambers.

## **Item 1 PHOTON ENERGY DEVELOPMENT PROPOSAL**

**15/212**

### **Resolved**

That Council:

1. Provide a letter of support to Photon Energy for the development of solar farms by Photon Energy at the following Council sites;
  - Lot 570, DP 751745, Research Road, Yanco
  - Lot 278, DP 723199, Brobenah Hall Road, Leeton
  - Lot 1, DP 1056420 and Lot 91, 751742, Fivebough Road, Leeton

**(Moved Cr O'Callaghan, seconded Cr Doig)**

## **SUSPENSION OF STANDING ORDERS**

**15/213**

### **Resolved**

That Standing Orders be suspended at 7.30pm to allow for the preparation of a rescission motion to be considered by the Council in relation to Minute No15/189 Tender of Fivebough Road land.

**(Moved Cr Doig, seconded Cr Valenzisi)**

**RESUMPTION OF STANDING ORDERS**

**15/214**

**Resolved**

That the meeting resume at 7.40pm to deal with the remaining matters on the agenda.

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

**Item 1 PHOTON ENERGY DEVELOPMENT PROPOSAL (CONTINUED)**

A rescission motion was put forward by Councillors O'Callaghan, Valenzisi and Doig in relation to the rescission of Minute 15/189 – Tender of Fivebough Road land that was resolved at the Council Meeting on 26 August 2015 being:

**15/215**

**Resolved**

Council rescind Minute 15/189 from the Ordinary Council Meeting of 26 August 2015 being:

- a) Council undertake a tender process to sell Fivebough Road, Leeton (Lot 1, DP 1056420 and Lot 91, DP 751742). The existing 169 ML general security water allocation be retained by Council.
- b) A further report be presented to Council at the end of the tender period.

**(Moved Cr O'Callaghan, seconded Cr Kidd)**

**15/216**

**Resolved**

That Council:

- 1 Advise all adjacent land user groups that Council has provided Photon Energy a letter of support in relation to their proposal to develop solar farms on the land mentioned in Recommendation 1
- 2 Require a further report to be submitted to Council at a later date prior to any final arrangements being formalised.

**(Moved Cr O'Callaghan, seconded Cr Doig)**

**Item 2 CONTRACT NO 1-15/16 TENDER TO CONSTRUCT LEETON  
WASTE DISPOSAL TRENCH**

**15/217**

**Resolved**

That Council resolve to accept the tender of Boots Constructions Pty Ltd for Contract No1-15/16 subject to the signing of the Acceptance of Tender Form (refer attached).

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

**REVERSION TO OPEN COUNCIL**

**15/218**

**Resolved**

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.00pm.

**(Moved Cr O'Callaghan, seconded Cr Kidd)**

The Mayor advised that during the Closed Council seven (7) resolutions were passed. The General Manager read out the resolutions made in Closed Council for Items 1 & 2.

There being no further business the meeting closed at 8.01pm.

..... signed by  
the Chairman of the meeting held on  
28/10/2015 at which meeting the  
signature hereon was subscribed.