



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 22 MAY 2019
COMMENCING AT 7.16PM
IN THE COUNCIL CHAMBERS**

Present:

Councillors:

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

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

3. **APOLOGIES**

19/096

Resolved

THAT the apology of Councillor Weston be accepted and a leave of absence be granted.

(Moved Cr Smith, seconded Cr Nardi)

4. **CONFIRMATION OF THE MINUTES**

19/097

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 1 May 2019, as circulated, be taken as read and CONFIRMED.

(Moved Cr Kidd, seconded Cr Reneker)

ADDITIONAL/LATE ITEMS

19/098

Resolved

THAT the following item, namely:

- 6.2. Mayoral Minute: EMERGENCY SERVICES LEVY INCREASE is accepted as a late items onto this Agenda for discussion.

(Moved Cr Morris, seconded Cr Reneker)

5. **DECLARATIONS OF INTEREST**

SIGNIFICANT NON-PECUNIARY INTEREST

Item No 8.18: Councillor Ciccia declared a Significant Non-Pecuniary Interest in Item 8.18 DA 15/2019 Application For Boarding House At Lot 27 Sec 23 DP 758606.

The reason for the declaration is that Cr Ciccia has employed staff of the developer (fruit pickers).

Councillor Ciccia intends to vacate the meeting, not participate in the debate and not vote on this matter.

Item No 8.7: Councillor Reneker declared a Significant Non-Pecuniary Interest in part of Item No 8.7 Round 2 of the 2018/2019 Community Strengthening Grants Allocations, specifically the application of St Vincent de Paul.

The reason for this declaration is that Councillor Reneker assisted in the application of St Vincent de Paul.

Councillor Reneker intends to vacate the meeting, not participate in the debate and not vote on the matter relating to St Vincent de Paul.

6. MAYORAL MINUTES

Item 6.1 WATER POLICY POSITION STATEMENT

19/099

Resolved

1. Council supports the aspiration to achieve a Murray Darling Basin River System that is healthy and can sustainably support a prosperous, diverse irrigated agricultural sector and its communities.
2. Council endorses the recommendations of the Productivity Commission's 5-year assessment inquiry into the implementation of the Murray Darling Basin Plan and asks that Ministerial Council and Governments respond expeditiously.
3. Council endorses the 'neutrality testing' criteria agreed by Ministerial Council for the 450GL 'upwater' and seeks the routine and accurate application of these criteria to ALL Basin Plan actions together with genuine and timely engagement with local communities by officials who have the appropriate authority to make decisions.
4. Council seeks immediate State and Federal Government action to claw back public confidence in the Basin Plan and arrest any circumstances working against its intent:
 - a) Governments need to commit to the cap on water buybacks. Irrigation communities cannot endure further loss of productive water through direct buybacks. Additional water recovery should focus on on-farm and off-farm efficiency measures and diversion adjustment mechanisms that will see agricultural productivity sustained or improved using less water, with the contracted 'savings' redirected to the environment.
 - b) Governments need to commission an inquiry into the water market and water trading rules to achieve greater transparency, 'real time' market information, appropriate regulation and fairer systems. Water should be traded to optimise agricultural endeavour and should not be treated as a commodity for speculation. Water pricing should be free from investor or market manipulation and non-competitive

conduct. Water trading rules should optimise the use of established off-farm irrigation infrastructure to ensure the sustainability of these schemes and the most efficient application of available water for agricultural production.

- c) Governments need to acknowledge and formalise the relationship between responsible land-use planning and water policy. Diversity of agricultural endeavour and value adding manufacturing is our strength as communities. A moratorium must be applied on all new water use licences for greenfield irrigation developments pending a review of the system's capability to deliver water to support more development without adverse third party and/or environmental impacts. It is counter-productive to develop off-farm irrigation infrastructure schemes to water new permanent plantings if they jeopardise the efficiency and effectiveness of existing ones and undermine the resilience of local economies to withstand market fluctuations and drought or harness extra opportunities in good rain years.
- d) Governments need to adjust Water Recovery Plans to accommodate new science. This includes reviewing the currency of the modelling assumptions for the 450GL 'upwater' recovery target and the overall system's capacity to deliver the water.
- e) Governments need to commit to ongoing and effective monitoring of environmental water projects and the outcomes of efficiency projects (both on and off farm) and routinely make these findings public.

(Moved Cr Maytom, seconder not required for Mayoral Minutes)

Item 6.2 EMERGENCY SERVICES LEVY INCREASE

19/100

Resolved

THAT Council:

1. Notes that:

- a) Last December, the NSW Government enacted laws to provide better workers compensation coverage for firefighters who are diagnosed with one of twelve specific work-related cancers.
- b) In many areas of NSW, fire services are made up of elected and staff members of local government and that local governments strongly support this expanded workers compensation scheme.
- c) As a result of these changes, the State Government has decided to implement the new scheme by charging local governments an increased Emergency Services Levy, without consultation.

- d) The expected increase in costs to local governments will be \$19m in the first year alone and that there is little or no time to enshrine this charge in Council's 2019/2020 budgets.
 - e) Local Government NSW has long advocated for the Emergency Services Levy to be significantly modified to ensure it is transparent, equitable and accountable.
2. Supports Local Government NSW's calls for the:
- a) NSW Government to cover the initial additional \$19m increase to local governments for the first year and
 - b) NSW Government to work with NSW local governments to redesign the funding mechanism for the scheme to ensure fairness into the future.
3. Requests that the General Manager liaise with Local Government NSW to provide information on:
- a) The impact on Council Budgets and
 - b) Council advocacy actions undertaken.
4. Requests that the Mayor:
- a) Write to the NSW Premier and NSW Interim Opposition Leader, NSW Minister for Customer Services, NSW Minister for Emergency Services, Minister for Local Government and local state member to:
 - i) Call upon the NSW Government to fund the 12 months of this extra cost rather than require Councils to find the funds at short notice when budgets have already been allocated.
 - ii) Explain how this sudden increase will impact Council services/the local community.
 - iii) Highlight that Councils were not warned of the increased cost until May 2019, despite the new laws being passed in November 2018.
 - iv) Explain that the poor planning and implementation of the increase is inconsistent with the Government's commitment to work in partnership with the sector.
 - v) Ask the Government to work with local governments to redesign the implementation of the scheme to ensure it is fairer for Councils and communities into the future.
 - b) Copy the above letter to Local Government NSW.

(Moved Cr Maytom, seconded Cr Morris)

7. NOTICES OF MOTION

Nil

8. OFFICER'S REPORT

ENVIRONMENT AND ENGINEERING MATTERS

19/101

Resolved

THAT Item 8.18 DA 15/2019 APPLICATION FOR BOARDING HOUSE AT LOT 27 SEC 23 DP 758606 be brought forward in the agenda.

(Moved Cr Morris, seconded Cr Kidd)

19/102

Resolved

THAT the following be brought forward in the agenda:

1. Item 8.13 ADOPTION OF THE LEETON SHIRE COUNCIL CODE OF MEETING PRACTICE, and
2. Item 8.16 ADOPTION OF THE LEETON SHIRE COUNCIL PEDESTRAIN ACCESS AND MOBILITY PLAN (PAMP)

(Moved Cr Nardi, seconded Cr Morris)

Item 8.18 DA 15/2019 APPLICATION FOR BOARDING HOUSE AT LOT 27, SECTION 23, SP 758606

Cr Tony Ciccia declared a Non-Pecuniary interest in this item.

The reason for the declaration is that Cr Ciccia has employed staff of the developer (fruit pickers).

Cr Tony Ciccia vacated the meeting at 7.25pm, did not participate in the debate and did not vote on this matter.

Suspension of Standing Orders

19/103

Resolved

THAT Standing Orders be suspended to allow Council to hear from the developer and a speaker against the development.

(Moved Cr Davidson, seconded Cr Kidd)

Having so resolved, Standing Orders were suspended at 7.26pm.

The Applicant Mr Trent Middleton addressed the Council commencing at 7.28pm.

A neighbour to the property, Mrs Jenny Brumfield addressed the Council commencing at 7.38pm.

Resumption of Standing Orders

19/104

Resolved

THAT Standing Orders be resumed.

(Moved Cr Morris, seconded Cr Nardi)

Having so resolved, Standing Orders were resumed at 7.50pm.

Item 8.18 DA 15/2019 APPLICATION FOR BOARDING HOUSE AT LOT 27 SEC 23 DP 758606

19/105

Resolved

THAT:

1. Council grants consent to Development Application 15/2019 for a change of use to convert an existing dwelling to a boarding house at Lot 27 in DP 758606, 49 Palm Avenue Leeton in accordance with the following conditions of consent;
 - i) Approval is granted for a change of use from dwelling house to a boarding house at Lot: 27 Sec: 23 DP: 758606, 49 Palm Avenue, Leeton to be undertaken generally in accordance with the stamped approved plans, Statement of Environmental Effects and other approved documentation except where modified in red or by any of the following conditions:

Title/Plan no:	Ref no:	Sheet no:	Drawn by:	Dated:
Statement of Environmental Effects	-	1-6	Applicant	8-1-19
Site Plan	2019-15-1	-	-	15/02/2019
Layout	-	1 of 1	Applicant	17/10/18

{Reason: To ensure that the development is undertaken in accordance with that assessed}

- ii) The applicant must within 28 days of this approval register the boarding house with Fair Trading NSW.

A copy of the registration approval is to be submitted to Council when issued by Fair Trading NSW.

{Reason: To comply with the NSW Boarding Houses Act 2012.}

- iii) The boarding house must comply at all times with the NSW Boarding Houses Act 2012 and the NSW Boarding Houses Regulations 2013 and in particular maintain the Standards for boarding houses set out under Schedule 1 of the NSW Boarding Houses Regulations. A copy of these requirements are attached for your information.
{Reason: To comply with the NSW Boarding Houses Act 2012.}
- iv) The maximum number of people permitted to reside in the boarding house at any one time is 15 persons, including the full time supervision staff.
{Reason: In accordance with provision of D1.13 and Table 1.3 of the Building Code of Australia boarding houses require 15m² per person. The building has a floor area of 230 m².}
- v) The maximum number of lodgers that may occupy the same bedroom in an authorised boarding house is:
 - a) one resident, or
 - b) if a resident requests shared occupation of a bedroom with a particular lodger of his or her choice – 2 lodgers.
- vi) Lodgers are required to stay for a minimum period of three (3) months at a time at the boarding house.
{Reason: Under the Leeton Local Environmental Plan a boarding house is defined as place that provides lodgers with a principal place of residence for at least 3 months. Shorter stay types of residential accommodation such as backpacker's accommodation are prohibited in this zone}.
- vii) The applicant is to apply for an extra weekly general bin service to cater for the additional domestic waste generated by the boarding house.
The number of bins at this development is to be monitored to ensure that an adequate number is available to service the boarding house on a weekly basis.
{Reason: Currently there is only weekly general bin service applying to this property which is insufficient to dispose of all waste generated from such a boarding house}.
- viii) The staff member required to be present on the premises is to ensure that, in addition to the duties outlined in Schedule 1 of the NSW Boarding Houses Regulations, the following management practises are undertaken at all times;
 - a) The general operation of the boarding house is undertaken in a manner that does not cause any nuisances to the surrounding area such as but not limited to offensive noise.
 - b) The lawns and gardens are to be kept in a neat and tidy manner.
 - c) The use of the boarding house does not result in the creation of littering on or around 49 Palm Avenue Leeton.

- ix) The applicant is to provide a minimum of three off-street carparking spaces to be accessed from Palm Avenue.
{Reason: To ensure that adequate off-street carparking is provided on-site to reduce the impact of the development on the local streetscape.}

- x) Access for people with disabilities shall be provided within the building in particular to a sole occupancy unit, the common room and kitchen area in accordance with the provisions of the Disability (Access to Premises – Buildings) Standards 2010.
{Reason: Compliance with 'Section D: Access and Egress & Section F: Health & Amenity of the Building Code of Australia}.

- xi) One of the existing bathrooms is to be retro-fitted to provide a disability compliant sanitary facility.
{Reason: Compliance with 'Section D: Access and Egress & Section F: Health & Amenity of the Building Code of Australia}.

- xii) The applicant is to provide either appropriate boundary fencing or vegetation plantings to provide an adequate visual screening along the side boundaries. This work is to be completed before and occupation certificate is issued.
{Reason: To provide a visual screening of the development from adjoining properties}.

- xiii) All building works shall be carried out in accordance with the National Construction Code, in particular the following matters;
 - a) The external wall of the garage is to be retro fitted with suitable fire resistance material to achieve a fire resistance rating of 90/90/90.
{Reason: Table 5 in Specification C1.1 Fire Resisting Construction requires that Class 3 buildings that have external walls less than 1.5 metres from boundaries must have a fire resistance rating of 90/90/90}.

 - b) The boarding house requires a minimum of two (2) exits.
{Reason: To permit adequate exits from the building in the event of a fire and to provide a choice of exits from the building. Compliance with Section D1.4 and D1.5 of the Building Code of Australia}.

 - c) The front and rear exit doors are to have a minimum width of one metre.
{Reason: To permit exit from the building in the event of a fire. Compliance with Section D1.6 of the Building Code of Australia}.

 - d) Door latches are to be openable from the inside with a single hand action.
{Reason: To permit exit from the building in the event of a fire without having to unlock the exit door from the inside. Compliance with Section D2.26 of the Building Code of Australia}.

- e) Each sole occupancy unit in the boarding house is to be fitted with a smoke alarm and detection alarm system powered by mains electricity and complying with Australian Standard 3786.

The alarms are to be fitted in each sole occupancy unit and located on or near the ceiling and the hallways forming part of a required exit.

{Reason: Ensure that notice of fire is provided to the occupants of the boarding house in accordance with Specification 2.2a of the Building Code of Australia}.

- f) Emergency lighting is to be provided in the hallway leading to the front exit to Palm Avenue, kitchen 2 and the rear area leading to the rear exit.

{Reason: To provide emergency lighting to the occupants of the boarding house in the event of a fire to enable the residents to escape the building in accordance with Clause E 4.2 of the Building Code of Australia}.

- g) Both the front and rear exits are to have an exit sign installed in accordance with E 4.5 of the Building Code of Australia}.

{Reason: To provide emergency lighting to the exits of the boarding house to guide the occupants of the boarding house to the exits in the event of a fire in accordance with Clause E 4.5 of the Building Code of Australia}.

- h) Directional exit signs are to be installed in the pathway from the kitchen 2 leading to the rear exit sign.

{Reason: To provide emergency lighting to the exits of the boarding house to guide the occupants of the boarding house to the rear exit in the event of a fire in accordance with Clause E 4.6 of the Building Code of Australia}.

- i) For every 10 occupants of the boarding house including the full time supervision staff, the following sanitary facilities are to be provided;

- One bath or shower.
- One closet pan.
- One washbasin.

{Reason: To provide adequate sanitary facilities for the occupants of the Boarding House in accordance with Clause F2.1}.

- j) Bathrooms 1 and 2 are to have mechanical ventilation and sky lights installed to provide ventilation and natural light in accordance with Clauses F 4.2 and 4.5 of the Building Code of Australia.

{Reason: Natural light and ventilation is to be provided to all habitable rooms in accordance with Clauses F 4.2 and 4.5 of the Building Code of Australia}.

- k) A report under Section J of the Building Code of Australia in relation to energy efficiency is to be undertaken by a qualified person addressing the reduction in heating or cooling loads of the boarding house.

{Reason: To comply with the requirements of Section J of the Building Code of Australia}.

2. Council conduct a division and record the votes for and against the resolution.

For the Motion

Against the Motion

Cr P Davidson
Cr M Kidd
Cr P Maytom
Cr TA Morris
Cr SN Nardi
Cr TR Reneker
Cr PS Smith

Unanimous (7 votes to Nil) – Councillor Ciccia was absent from the Chamber

(Moved Cr Morris, seconded Cr Smith)

Cr Tony Ciccia returned to the meeting at 7.51pm.

Suspension of Standing Orders

19/106

Resolved

THAT Standing Orders be suspended to allow for an address from a submission writer.

(Moved Cr Reneker, seconded Cr Davidson)

Having so resolved, Standing Orders were suspended at 7.56pm.

Mr Jason Richardson addressed the meeting on Item 81.3 ADOPTION OF THE LEETON SHIRE COUNCIL CODE OF MEETING PRACTICE, the time being 7.57pm.

Resumption of Standing Orders

19/107

Resolved

THAT Standing Orders be resumed at 8.04pm.

(Moved Cr Morris, seconded Cr Davidson)

CORPORATE AND COMMUNITY MATTERS

Item 8.13 ADOPTION OF THE LEETON SHIRE COUNCIL CODE OF MEETING PRACTICE

19/108

Resolved

THAT Council adopts the Leeton Shire Council Code of Meeting Practice as at Wednesday 22 May 2019 and that all future meetings of Leeton Shire Council be conducted in accordance with the new Code.

(Moved Cr Morris, seconded Cr Smith)

Suspension of Standing Orders

19/109

Resolved

THAT Standing Orders be suspended to allow for an address from a submission writer.

(Moved Cr Davidson, seconded Cr Ciccia)

Having so resolved, Standing Orders were suspended at 8.08pm.

Mr Jason Richardson addressed the meeting in relation to Item 8.16 ADOPTION OF THE LEETON SHIRE COUNCIL PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP) at 8.08pm.

Resumption of Standing Orders

19/110

Resolved

THAT Standing Orders be resumed.

(Moved Cr Morris, seconded Cr Reneker)

Having so resolved, Standing Orders were resumed at 8.12pm.

ENVIRONMENT AND ENGINEERING MATTERS

Item 8.16 ADOPTION OF THE LEETON SHIRE COUNCIL PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP)

19/111

Resolved

THAT the Pedestrian Access and Mobility Plan (PAMP) – May 2019 be adopted by Council, inclusive of the following amendments to the draft that was publicly exhibited:

1. A shared path/footpath along Brady Way from Valencia Street to Canal Street.
3. A footpath from Brady Way along Valencia Street connecting with the existing Leeton Preschool footpath.
4. A proposed crossing through the rail corridor at the Leeton Railway Station connecting Railway Avenue to Acacia Avenue (noting Council will need approval from John Holland for rail corridor access).

(Moved Cr Morris, seconded Cr Kidd)

GENERAL MANAGER'S MATTERS

Item 8.1 JOINT AIRPORT MANAGEMENT COMMITTEE MEETING (NARRANDERA AND LEETON COUNCILS) MINUTES

19/112

Resolved

THAT Council formally receives and notes the Minutes of the Narrandera - Leeton Airport Management Committee Meeting of 9 April 2019 and endorses the following resolutions:

1. Item 6.2 - 2019/20 Airport Budget Fees, Charges and Capital Works:
 - (a) THAT the proposed 2019/20 Airport Budget Fees, Charges and Capital Works be adopted.
 - (b) THAT both Councils approve the \$415K (50:50) allocated for the runway resealing as a co-contribution if required to grant opportunities that may arise during 2019/20 for runway pavement rehabilitation.
2. Item 6.4 - Review of Narrandera-Leeton Airport Committee Structure:
 - (a) THAT the current Memorandum of Understanding between both Councils be retained in its current format.
 - (b) THAT Narrandera-Leeton Airport Committee consider establishing a working group to discuss, plan and implement strategies in relation to the Airport and future expansion as/when required.

(c) THAT the Narrandera-Leeton Airport Committee schedule an onsite formal discussion with regular users of the Airport at a mutually convenient time.

3. Item 7 - General Business Sub Item 3 Airport Master Plan and Business Case Update:

THAT both Councils work collaboratively together to approach KPMG executives to gain a thorough understanding of their brief and opportunities for the establishment of such a facility in this region and suitability of Narrandera-Leeton Airport, and

THAT both Councils' Economic Development Managers (EDMs) consult with industry in the region to gain an understanding of their demand for produce being shipped direct to international markets from this region to strengthen a business case for this area to be prioritised as a potential location for air freight connectivity.

(Moved Cr Smith, seconded Cr Davidson)

Item 8.2 ROXY REDEVELOPMENT COMMITTEE MEETING NOTES - THURSDAY 21 MARCH 2019

19/113

Resolved

THAT Council notes the Roxy Redevelopment Committee Meeting Notes from the committee meeting held on Thursday 21 March 2019.

(Moved Cr Kidd, seconded Cr Morris)

Item 8.3 COUNTRY UNIVERSITIES CENTRE IN LEETON PROGRESS

19/114

Resolved

THAT:

1. Council notes the progress towards establishing a Country Universities Centre in the Western Riverina and confirms its investment of \$30,000 towards the capital costs of closing in the courtyard at the Leeton Major Dooley Library for the purpose of providing an expanded Universities Centre space for Leeton residents.
2. Council agrees in principle to enter into a Lease with Western Riverina Country Universities Centre for the purpose of a Country University Centre over part Lot 2 DP 1062676 Crown Reserve 159001 for a term of five (5) years with an option for a further five (5) years commencing following advertisement under Section 47 of the Local Government Act 1993, and the adoption of the Plan of Management for the Reserve.

3. Upon adoption of the Plan of Management for Crown Reserve 159001, Council advertises its intention to enter into a Lease with Western Riverina Country Universities Centre.
4. In the interim Council enters into a Short Term Licence with the Western Riverina Country University Centre under section 2.20 of the Crown Land Management Act 2016.
5. Council will charge the Western Riverina Country University the sum of \$29,500 per annum, CPI indexed annually, for the use of the area within the Leeton Major Dooley Library.
6. Council authorises the Mayor and General Manager to execute the Short Term Licence and then Lease on behalf of Council and to provide a letter of comfort to the Western Riverina Country University Board giving Council's assurance of its intent to offer tenure of five years with an option for a further five years.

(Moved Cr Kidd, seconded Cr Reneker)

Item 8.4 TRANSFER OF THE WHITTON COURT HOUSE AND GOAL MUSEUM COMPLEX AND THE ADJOINING POLICE PROPERTY FROM PROPERTY NSW TO LEETON SHIRE COUNCIL

19/115

Resolved

THAT Council:

1. Agrees to the transfer of Lot 2 DP1053043 from Property NSW to Leeton Shire Council for the nominal sum of \$1.
2. Notes that a restriction will be registered on title stating that Council must use the land for Community Purposes with the 'primary purpose' of a cultural space for a period of 15 years.
3. Agrees to classify the land as operational land.
4. Authorises the Common Seal of Leeton Shire Council to be affixed to the Deed of Agreement for the Transfer of land and the Transfer Form between Leeton Shire Council and Property NSW.
5. Authorises the Mayor and General Manager to execute all documents relating to the Deed of Agreement for the Transfer of Land and the Transfer Form between Leeton Shire Council and Property NSW.

(Moved Cr Kidd, seconded Cr Davidson)

CORPORATE AND COMMUNITY MATTERS

Item 8.5 2018/2019 BUDGET REVIEW FOR THE QUARTER ENDING 31 MARCH 2019

19/116

Resolved

THAT the review of Council's Budget as at 31 March 2019 be noted and the variations contained in the Quarterly Budget Review Statements (Budgeted Income Statement – Consolidated and Capital Expenditure Funding Source and Asset Classification included as part of Attachment 1) be adopted.

(Moved Cr Kidd, seconded Cr Ciccia)

Item 8.6 INVESTMENTS REPORT APRIL 2019

19/117

Resolved

THAT the information contained in the Investments Report for April 2019 be noted.

(Moved Cr Kidd, seconded Cr Morris)

Item 8.7 ROUND 2 OF THE 2018/2019 COMMUNITY STRENGTHENING GRANTS ALLOCATIONS

19/118

Resolved

THAT Council approves the following applications for assistance under Round 2 of the 2018/2019 Community Strengthening Grants:

Kurrajong	\$1,000
Leeton Aviators Club	\$3,000
Leeton Community Care Development Inc.	\$1,000
Leeton Whitton Football Netball Club	\$500
Lions Club of Leeton	\$3,500
TOTALS	<u>\$9,000</u>

(Moved Cr Kidd, seconded Cr Nardi)

Cr Reneker declared a Significant Non-Pecuniary Interest in part of Item No 8.7 Round 2 of the 2018/2019 Community Strengthening Grants Allocations, specifically the application from St Vincent de Paul.

The reason for this declaration is that Cr Reneker assisted in the application of St Vincent de Paul.

Cr Tony Reneker vacated the meeting at 8.41pm, did not participate in the debate and did not vote on the St Vincent de Paul allocation.

ROUND 2 OF THE 2018/2019 COMMUNITY STRENGTHENING GRANTS ALLOCATIONS

19/119

Resolved

THAT Council includes the following application for assistance under Round 2 of the 2018/2019 Community Strengthening Grants among the approved applications.

St Vincent de Paul Leeton	\$1,000
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(Moved Cr Davidson, seconded Cr Smith)

Cr Tony Reneker returned to the meeting, the time being 8.42pm.

YOUTH DEVELOPMENT GRANT APPLICATIONS

19/120

Resolved

THAT Items 8.8, 8.9, 8.10 and 8.11 be moved in toto.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.8 YOUTH DEVELOPMENT GRANT APPLICATION - WILL MAGUIRE

19/121

Resolved

THAT Council awards Will Maguire a \$250 Youth Development Grant to assist with the costs associated with representing Leeton at the 2019 Catholic Colleges Sports Association Swimming Championships.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.9 YOUTH DEVELOPMENT GRANT APPLICATION - DION DEMAMIEL

19/122

Resolved

THAT Council awards Dion DeMamiel a \$250 Youth Development Grant to assist with the costs associated with representing Leeton at the 2019 NSW Primary School Sports Association Swimming Championships.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.10 YOUTH DEVELOPMENT GRANT APPLICATION - HAYDEN GILMOUR

19/123

Resolved

THAT Council awards Hayden Gilmour a \$250 Youth Development Grant to assist with the costs associated with representing Leeton on the Riverina Swim Team at the 2019 NSW Combined High Schools Swimming Championships.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.11 YOUTH DEVELOPMENT GRANT APPLICATION - KOBE O'CALLAGHAN

19/124

Resolved

THAT Council awards Kobe O'Callaghan a \$250 Youth Development Grant to assist with the costs associated with representing Leeton and the Riverina at the 2019 NSW Primary Schools Sports Association Australian (PSSA) Football State Championships.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.12 LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION

19/125

Resolved

THAT in accordance with Section 248 of the Local Government Act 1993, Council fix the annual fee for Councillors at the maximum amount allowable, being \$12,160 per Councillor for the period 1 July 2019 to 30 June 2020 and in accordance with Section 249 of the Local Government Act 1993, Council fix the annual fee for the Mayor at the maximum amount allowable, being \$26,530 for the period 1 July 2019 to 30 June 2020.

(Moved Cr Davidson, seconded Cr Kidd)

Item 8.14 CALLING OF AN EXTRAORDINARY COUNCIL MEETING TO HEAR SUBMISSIONS ON THE DRAFT OPERATIONAL PLAN, THE DRAFT BUDGET AND THE DRAFT REVENUE POLICY (INCLUDING DRAFT FEES AND CHARGES) FOR THE 2019/2020 FINANCIAL YEAR

19/126

Resolved

THAT Council notes that an Extraordinary Council Meeting is being called for Wednesday 12 June 2019 by the General Manager in order to hear and deliberate on all public and staff submissions on the Draft Operational Plan, the Draft Budget and the Draft Revenue Policy (including Draft Fees and Charges) for the 2019/2020 Financial Year.

(Moved Cr Kidd, seconded Cr Morris)

ENVIRONMENT AND ENGINEERING MATTERS

Item 8.15 LEETON SHIRE COUNCIL TRAFFIC COMMITTEE 9 MAY 2019

19/127

Resolved

THAT Council resolves to note the minutes and adopt the recommendations of the Local Area Traffic Committee meeting held on Thursday 9 May 2019.

(Moved Cr Reneker, seconded Cr Ciccia)

Item 8.17 COUNCIL'S DELEGATION TO THE GENERAL MANAGER (ADDITIONAL DELEGATION).

19/128

Resolved

THAT:

1. Council delegates to the General Manager the function of accepting tenders for services where those services are not currently provided by council staff, provided that the tender limit does not exceed the adopted budget and provided that the final design plans for high community interest projects are formally endorsed by Council prior to the tenders being called.
2. Such determination of acceptance be made following consultation with the Mayor and, once determined, that Councillors be notified by email.

(Moved Cr Kidd, seconded Cr Smith)

9. STATEMENTS BY COUNCILLORS

CR SANDRA NARDI

Yanco Powerhouse Tour: Cr Nardi thanked Councillor Weston for organising the Councillors evening trip of the Yanco Powerhouse Museum. She also recognised the knowledge and efforts of Ian Peacock and his partner in running the Museum.

CR PETER DAVIDSON

Leeton Hospital staffing: Cr Davidson advised Councillors of a recent incident when a person who had fallen over in their house, splitting their lip, was taken to Leeton Hospital at approximately 10.30pm. Due to the lack of an on call doctor, the patient was then transported to Griffith Base Hospital where they arrived by ambulance at 1.30am. There were no beds available at Griffith and there were no beds available in Wagga and the patient was kept in an emergency department bed before being operated on the following day. The ambulance officers who had driven the patient to Griffith had already undertaken three trips to Wagga there and back that day before having to take this person to Griffith. Cr Davidson said he was concerned that claims that hospital services are improving are not true. "We still keep having incidents and some time or somewhere someone is going to die because we haven't got the services here. That's what I'm worried about."

Australasian LG Management Challenge: A team of Leeton Council staff travelled to Sydney for the event and did a presentation on composting and rubbish. They thoroughly enjoyed the exercise they went through and worked very well as a team. Cr Davidson asked if that presentation could also be given to the Councillors at a workshop. The General Manager said that the team had also presented their concept to SMT and had been invited to come back to SMT with a more detailed proposal. The GM said that a presentation could be made to a future workshop later in 2019.

CR TONY CICCIA

Leeton Business Awards: Councillor Ciccica congratulated all the people who were nominated for an award, including Councillor Nardi, and all the winners. The Councillor said he was looking forward to another successful awards night next year.

CR TRACEY MORRIS

Leeton Business Awards: Councillor Morris agreed with Cr Ciccica saying she thought it was a great business night and it was good to see it reinvigorated.

Youth Development Grants: Councillor Morris said the committee is currently reviewing a couple of criteria for the grants. The committee is concerned Council is not tapping in to all those in the community for which the grants were intended. The students chosen need to be at least at State level and the grants can be for cultural, artistic or sporting purposes and they are really a helping hand so they can get to the State event. She said grants are not intended to be retrospective either.

Yanco Powerhouse Tour: Cr Morris said that she had also attended the Yanco Museum tour and it was a great night. Having dinner at the club afterwards was also good and allowed further informal discussion to be held with some of its directors. She said it was a worthwhile night thanked Ian and Joanne Peacock.

CR TONY RENEKER

Health Service Issues: Cr Reneker spoke of a Leeton man who passed away when his doctor was out of town, requiring a post mortem examination in Newcastle. He felt this was unnecessary and added to the family's grief. The Mayor advised that Council would be taking the matter to the Country Mayors for discussion, where the Health Minister is expected to be in attendance. Cr Reneker also informed Councillors of a discussion regarding a person who had gone to the hospital after spraining an ankle. The person was treated by an agency nurse who was reportedly in tears saying that in their whole career they had never seen things as bad as they were at the hospital with regards to triage and getting doctors. The treatment was done by a doctor over the phone from Griffith and if they get busy it can take a long time for them to get back. Cr Reneker said at a recent meeting he attended there was a comment made that there are 12 doctors in Leeton and a question asked about why they were not all sharing on call. The Councillor said someone will die and only then will something be done about it. He felt we should not wait for this to happen.

CR MICHAEL KIDD

Jake Speer: Cr Kidd advised Councillors that he had received an email from Jake Speer which he had forwarded on to the Councillors. The Inside Water producer was advising that the film had been included in one of Australia's oldest and largest film festivals, the St Kilda Film Festival and its official screening will be on June 29 at the Palais Theatre in St Kilda. Cr Kidd hoped it is the beginning of a number of film festivals for "Inside Water".

CR PAUL SMITH

Removal of plants: Cr Smith enquired of the Director environment and Engineering about the removal of the boxthorns along Canal Road and Koonadan Road. He said it certainly opened up that area and if it was a Council idea then it was a really good one. The Director Environment and Engineering told the Councillors he believed that it had been funded by Murrumbidgee Irrigation but that further clarification was being sought. It was not a Council led initiative.

CR PAUL MAYTOM

Primary Healthcare Meeting: The Mayor informed Council that he had attended a meeting in Griffith the previous evening of the Primary Healthcare Network which was attended by the CEO of the network, who was based in Adelaide. The Mayor had the opportunity to ask a question about doctors and services being eroded and spoke about the situation in Leeton. The CEO (after the Mayor had been speaking) apologised for the circumstances. The Mayor said he would follow up.

Careers Expo: The Mayor attended a jobs expo in Fairfield with the Economic Development Coordinator recently. There were hundreds and hundreds of people there. The Mayor was invited to have coffee with the CEO of Multicultural NSW and had a good discussion about Leeton. He also spoke with the Minister. It was a great opportunity to give some exposure to Leeton and what services we have to offer. Leeton was acknowledged by the Minister when he spoke.

Apex 40 Convention: The Mayor opened the convention which was attended by 120-130 people. It was very good for our community and the local economy with some people staying for two weeks.

Quarterly Police Meeting: A meeting was held with Narrandera Council and the local Police Service. It was a good discussion and we were informed of things that were happening within our community. Council was given assurance that we have adequate numbers and that in emergency situations back up is readily available. The Mayor said he walked away feeling reasonably comfortable.

Local Government Health Forum: Council had staff attend this Forum in Temora as the Mayor and General Manager were unavailable. The Director Corporate and Community and the Manager Community Services will provide feedback to the Mayor and General Manager.

Investing in Rural Communities: The Foundation for Rural & Regional Renewal (FRRR) held two community sessions. Leeton is one of five communities nominated and a small working group has been formed to prepare an application for funds. A Community meeting is to be held next week. The FRRR were extremely impressed with the number of people who turned up to the meeting, which is a good start.

Ministerial Meeting: The Mayor travelled to Sydney to meet with the new Minister for Water, Melinda Pavey. The Mayor attended in his capacity as Region 9 Chair of the MDA and explained water related issues in the regions.

Scottish Ball: The Mayor said this was another great success story with big numbers attending.

Leeton Business Awards: The Mayor opened the awards but was required to leave early as he had another commitment which had been made prior to

the Awards being organised. He congratulated the Business Chamber on a good night.

Royal Far West: The Mayor said Leeton is one of the few communities that have a committee. He attended their event recently. It was a fundraising night and auction which was very successful. Another good thing for our region.

Griffith Meeting – Deputy Premier: The Mayor and General Manager attended a meeting in Griffith with the Deputy Premier and Minister for Water which was attended by Griffith Council and the new Member for Murray. This was followed by a stakeholder meeting at the Griffith Mayor's property. The meeting and visit were designed to provide the Deputy Premier and Minister with a better understanding of the water issues in the MIA.

Biggest Morning Tea: The Mayor attended a fundraising Morning Tea event at the Men's Shed.

Water Meeting: The General Manager and Mayor held an unscheduled meeting with the Commonwealth Environmental Water Holder, Jody Swirepik. It was an opportunity to provide information on where Leeton sits as a community and the issues that we are concerned about.

Member for Murray: A meeting has been scheduled with the Member for Murray for Thursday next week.

10. 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.

19/129

Resolved

- 1 That Council moves 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 Smith)

Item 10.1 LEETON AQUATIC CENTRE UPGRADE AND ASSOCIATED WORKS TENDERS - RFT-01-2019-POOL

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).

There were no members of the community in the Gallery so the Mayor was not required to ask if there were any objections to Council going into Closed Session to consider the matters listed.

Council closed its meeting at 9.35pm.

CLOSED COUNCIL - CONFIDENTIAL ITEMS

**Item 10.1 LEETON AQUATIC CENTRE UPGRADE AND ASSOCIATED WORKS
TENDERS - RFT-01-2019-POOL**

19/130

Resolved

THAT Council:

1. Formally rejects all tenders received for the Leeton Aquatic Centre Upgrade and Associated Works, Tender No RFT-01-2019-POOL.
2. Does not invite fresh tenders, as all tenders received complied to requirements and provided confidence that project outcomes can be successfully delivered.
3. Determines to enter into negotiations with Icon Building Group based upon their original submission being the preferred tenderer.
4. Authorises the General Manager to enter into negotiations with a view to entering into a contract for the construction of the Leeton Aquatic Centre Upgrade and Associated Works in accordance with Section 178 of the Local Government (General) Regulation 2005.

(Moved Cr Smith, seconded Cr Morris)

REVERSION TO OPEN COUNCIL

19/131

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 10.03pm.

(Moved Cr Smith, seconded Cr Morris)

The Mayor advised that during the Closed Council one resolution was passed. The General Manager read out the resolutions made in Closed Council for Items

There being no further business the meeting closed at 10.04pm.

..... signed by
the Chairman of the meeting held on
26 Jun 2019 at which meeting the
signature hereon was subscribed.