



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 24 JULY 2019
COMMENCING AT 7.07PM
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. 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), Brent Lawrence (Manager Communications and Marketing), Garry Stoll (Manager Planning, Building and Health), Sarah Nash (Planning Officer) and Alison Balind (Governance and Corporate Planning Coordinator)

Press: Tahlia Carn (The Irrigator)

LEETON SHIRE COUNCIL

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1. **CIVIC PRAYER** Cr Sandra Nardi
2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Paul Maytom
3. **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

19/159

Resolved

THAT Council accept the apology of Cr Michael Kidd for lateness due to an emergency at work.

(Moved Cr Ciccica, seconded Cr Weston)

4. **CONFIRMATION OF THE MINUTES**

19/160

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 26 June 2019, as circulated, be taken as read and CONFIRMED.

(Moved Cr Ciccica, seconded Cr Reneker)

5. **DISCLOSURES OF INTERESTS**

PECUNIARY INTEREST

Item No 7.9: Councillor Paul Smith declared a Pecuniary Interest in Item 7.9 - DEVELOPMENT APPLICATION DA 41/2019 - 100 CALORAFIELD ROAD, MURRAMI LOT 78 DP 751707.

The reason for the declaration by Cr Smith is that this item has the potential to be perceived as a pecuniary conflict of interest as his employer may become a supplier or customer of the proposer in this development application.

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

6. **MAYORAL MINUTES**

Nil

7. REPORTS TO COUNCIL

19/161

Resolved

THAT Item 7.9 - DEVELOPMENT APPLICATION DA 41/2019 - 100 CALORAFIELD ROAD, MURRAMI LOT 78 DP 751707 be brought forward in the agenda.

(Moved Cr Ciccia, seconded Cr Weston)

ENVIRONMENT AND ENGINEERING MATTERS

Cr Smith, declared a pecuniary interest in Item 7.9 DEVELOPMENT APPLICATION DA 41/2019 - 100 CALORAFIELD ROAD, MURRAMI LOT 78 DP 751707.

The reason for the declaration by Cr Smith is that this item has the potential to be perceived as a pecuniary conflict of interest as his employer may become a supplier or customer of the proposer in this development application.

Cr Smith left the meeting, the time being 07:09 PM, did not participate in the debate and did not vote on this matter.

19/162

Resolved

THAT Council move into a Committee of the Whole to hear from speakers on the development.

(Moved Cr Morris, seconded Cr Nardi)

Having so resolved, the Manager Planning, Building and Health addressed the Council in relation to Development Application DA 41/2019 – 100 Calorafield Road, Murrami, the time being 7.11pm.

The Mayor invited Mr John Barton from Charton and Bang, speaking as applicant, to address the Council, the time being 7.13pm.

19/163

Resolved

THAT Council move back into open Council

(Moved Cr Ciccia, seconded Cr Weston)

Having so resolved, Open Council resumed at 7.31pm.

**Item 7.9 DEVELOPMENT APPLICATION DA 41/2019 - 100 CALORAFIELD ROAD,
MURRAMI LOT 78 DP 751707**

19/164

Resolved

THAT Council grants consent to Development Application 41/2019 for the construction and operation of an organics processing facility on Lot 78 DP 751707, 100 Calorafield Road, Whitton, subject to the following conditions:

Approval is granted generally in accordance with the stamped and dated approved plans, Statement of Environmental Effects and other approved documentation detailed as follows and the conditions detailed below:

Title/Plan no:	Ref no:	Sheet no:	Drawn by:	Dated:
Statement of Environmental Effects	-	1-6	Charton & Bang Pty Ltd	No date provided
Site Plan		-	Charton & Bang Pty Ltd	No date provided
Location Plan		-	Charton & Bang Pty Ltd	No date provided
Development Plan		-	Charton & Bang Pty Ltd	No date provided
Vegetation plan		-	Charton & Bang Pty Ltd	No date provided

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

1. A copy of the stamped approved plans shall be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.
{Reason: To ensure the Principal Contractor has access to the approved plans.}
2. The developer shall comply with the Protection of the Environment Operations Act and Regulations and the development shall not adversely impact the environment, public health or the amenity of the locality.
{Reason: to protect the environment, public health and amenity of the locality}
3. All works and operations undertaken in carrying out the development are to be in accordance with the requirements of Safe Work NSW.
{Reason: it is the responsibility of the developer to provide a safe working environment for both the workers and visitors to the site.}
4. The premises shall be constructed generally in accordance with the EPA's 'Environmental Guidelines: Composting and Related Organics Processing Facilities' to protect surface and groundwaters.

{Reason: to ensure the appropriate environmental management of organics processing facilities and to protect surface and groundwaters}

5. The premises must not store more than 2,000 tonnes of organics at any time.

{Reason: to ensure the development is undertaken in accordance with the Protection of the Environment Operations Act 1997 }

6. The premises must not process more than 5000 tonnes per year of organic material.

{Reason: to ensure the development is not Designated Development under Environmental Planning & Assessment Act 1979}

7. Prior to the operation of the development, signage shall be located within a public accessible area within the site to provide a means of direct contact for public complaints.

{Reason: to enable the public to inform the developer of any impacts from the development}

8. Prior to the operation of the development the applicant shall prepare and submit to Council for approval an Operational Environmental Management Plan (OEMP) in accordance with the document Guidelines for the Preparation of Environmental Management Plans (2009) by Department of Infrastructure, Planning and Natural Resources.

This plan shall address (but not be limited to) storm water management and leachate control, erosion and sediment control, hazard and risk, air quality, fire, flood, amenity and public safety.

{Reason: to ensure that environmental and public impacts from development are addressed and have adequate management controls}

9. The premises is not permitted to emit offensive noise, odours or dust from the boundary of the premises.

{Reason: to ensure the development is undertaken in accordance with the Protection of the Environment Operations Act 1997}

10. The surface layer of all working areas, drains and leachate dam must require an impermeable surface.

{Reason: to ensure the development is undertaken in accordance with the Protection of the Environment Operations Act 1997}

11. The premises must capture and retain all leachate.

{Reason: to ensure the development is undertaken in accordance with the Protection of the Environment Operations Act 1997}

12. The premises must only operate between –

a. 6.00am to 6.00pm Monday to Friday,

b. 8.00am to 5.00pm Saturdays and

c. 9.00am to 12.00pm Sundays.

{Reason: to ensure the development is undertaken and complies with the hours outlined in the Statement of Environmental Effects.}

13. Leachate control shall be designed, constructed and managed so it is appropriately directed and contained within a leachate storage basin as per the requirements of the NSW EPA Solid Waste Guidelines (2016).

{Reason: to ensure that the environment is protected from the operations and waste of the development}

14. The development shall be operated to prevent soil loss and minimize entry into the stormwater drainage system.

Sediment fences or other structural devices may be utilized to effectively manage sediment and erosion control and will be required as a mitigation measure during significant rainfall events.

{Reason: To ensure no detrimental effects are caused to the environment.}

15. The totals of compost materials processed at the facility are to be submitted to Council each year.

{Reason: to comply with the Protection of Environment and Operations Act and to ensure the development is not exceeding thresholds that require an EPA licence and designated development approval.}

16. The existing driveway for access/egress on/off Calorafield is to be upgraded in accordance with the following requirements of Council:

- a. Have a width adequate for the turning path of the design vehicle and be constructed in accordance with Council's Engineering Guidelines, Construction of Rural Type Access Specification and Standard Drawing number RS-056 with Council's Notes;
- b. The alignment of the access driveway across the verge shall be at right angles to the road;
- c. The access driveway shall have satisfactory clearance to any power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense;
- d. The access driveway shall be of adequate thickness to accommodate light truck loading;
- e. Bitumen sealed surface from the edge of the sealed roadway to the property boundary;
- f. Not inhibit the flow of stormwater within the road reserve;
- g. The access driveway shall meet Australian Standard 2890.1 for vertical clearance;
- h. The new sealed access driveway shall be constructed at the location shown on the drawings provided with the Development Application; and
- i. The verge adjacent to either side of the access driveway shall be reinstated to surrounding conditions and finished flush with the new vehicle access driveways.

Advisory Note:

The installation of the vehicle access driveway is an approved structure in accordance with Section 138 of the Roads Act 1993. The ongoing maintenance and/or repair of the vehicle access driveway is the responsibility of the adjoining owner in accordance with Section 142 of the Roads Act 1993.

{Reason: to provide for a suitable vehicular access to the development in accordance with Council's minimum standards and minimize impact on pedestrian access facilities.}

17. All vehicular movement when entering and leaving the site shall be in a forward direction to ensure that the development does not give rise to vehicle reversing movements on or off the Public Road with consequent traffic accident potential and reduction in road efficiency.

{Reason: to provide a level of safety in relation to vehicle movements onto and off the site.}

18. The developer is to provide sufficient area on site for loading and unloading of vehicles which will allow for turning paths of servicing vehicles.

{Reason: to provide a level of safety to operators by having these practices undertaken on site and not from the public road.}

19. Prior to the issue of any Construction Certificate or commencement of works a Stormwater Management Plan showing how stormwater will be managed up to the 1% AEP storm event must be submitted and approved by Council. Leachate control should be included in this plan or in a separate waste plan.

{Reason: to ensure stormwater runoff and leachate is managed on site.}

20. Murrumbidgee Irrigation (MI) approval is required for the following:
- Any alterations to the supply and/or drainage of irrigation water for the development
 - Construction or alteration of an access or road over their supply or drainage structures.
 - Discharge of stormwater drainage into their drainage system
 - Disposal of groundwater and seepage resulting from the development into their drainage system

Written confirmation of approval and any scheduled works are required to be submitted to Council prior to Commencement of Works or Occupation Certificate being issued.

{Reason: So that any changes or infrastructure works relating to the relevant authority is approved. Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.}

21. A separate Council approval under Section 138 of the Roads Act 1993 is required prior to any works commencing within the road reserve, including the construction of access driveways for this development. An application must be submitted to Council and approved prior to commencement of works.

The Section 138 application is to include:

- a. Detailed construction plans, including a long section where appropriate;
- b. Details of the contractors engaged to undertake works within the road reserve. The contractor must maintain public liability insurance cover to the minimum value of \$20 million. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
- c. A Traffic Control Plan (TCP) that has been prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.3-2009 and the RMS current version of the "Traffic Control at Worksites" manual.

{Reason: Compliance with Roads Act 1993 Section 138 for undertaking work on a public road reserve}

22. Prior to the commencement of any works within the road reserve, approved Traffic Control Plans are to be implemented. Approved TCP's are to be maintained for the full duration of works.

{Reason: to protect the public where interruptions to normal traffic flow for vehicles and pedestrians are expected.}

23. Any damage to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of public infrastructure. Any damage to Council's infrastructure which is obvious before construction is to be immediately notified to Council to avoid later conflict.

{Reason: To ensure that any damage to Council's property is at the full cost to the developer. Environmental Planning & Assessment Act 1979 Section 4.15 (6) (a)}

24. Access Driveway construction and surrounding works shall be complete prior to the issue of an Occupation Certificate.

{Reason: to ensure suitable vehicular access to the development is available to new lots.}

25. The sealing of vehicle access driveways is to be maintained at all times.

{Reason: to ensure the access remains suitable and the Road Reserve is maintained safe with no obstructions.}

26. The development is not to commence operations until an occupation certificate has been issued.

{Reason: Compliance with section 6.9 of the Environmental Planning & Assessment Act 1979}

Note: In accordance with section 375A of the Local Government Act 1993, a division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Cr P Davidson
Cr G Weston
Cr P Maytom
Cr TA Morris
Cr TC Ciccio
Cr SN Nardi
Cr TR Reneker

Unanimous (7 votes to Nil) – Councillor Smith was absent from the Chamber and Councillor Kidd was an apology for this part of the meeting.

(Moved Cr Ciccio, seconded Cr Weston)

Cr Paul Smith returned to the meeting, the time being 07:38 PM

GENERAL MANAGER'S MATTERS

19/165

Resolved

THAT Item 7.1 – ROXY REDEVELOPMENT COMMITTEE MEETING NOTES – THURSDAY 2 MAY 2019 MEETING be moved to later in the agenda.

(Moved Cr Weston, seconded Cr Davidson)

CORPORATE AND COMMUNITY MATTERS

Item 7.2 MOTIONS FOR SUBMISSION TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

19/166

Resolved

THAT:

1. The Mayor, Deputy Mayor and the General Manager be authorised to represent Council at the Local Government NSW Annual Conference which is being held in Warwick Farm from Monday 14 to Wednesday 16 October 2019.
2. Council appoints the Mayor and Deputy Mayor or in either one's absence the General Manager as its voting delegates to the Local Government NSW Annual Conference for 2019 for voting on motions and in the Board election.

3. Council submits for inclusion in the Conference Agenda motions along the following lines:

i) Forensic Pathology (Post-mortem examination) services

THAT LGNSW lobbies the New South Wales Government to:

- a) Undertake a full investigation into the delays currently experienced by communities in regional, rural and remote areas of New South Wales in accessing forensic pathology (Post-mortem examination) services.
- b) Expand access to forensic pathology (Post-mortem examination) services to regional centres outside Newcastle, Sydney and Wollongong.
- c) Review 2016 changes to the provision of forensic pathology (Post-mortem examination) services which have contributed to delays in releasing bodies to grieving families.
- d) Improve exposure to the specialty of forensic pathology and death investigation in medical training facilities to help address the shortage of practitioners within the New South Wales Health system.

ii) Restoration of Health Services in Regional NSW

THAT LGNSW lobbies the New South Wales Government to:

- a) Investigate and implement mechanisms to attract and retain suitably qualified medical practitioners for regional hospitals.
- b) Review the PUBLIC HOSPITALS (VISITING MEDICAL OFFICERS SESSIONAL CONTRACTS) DETERMINATION 2014 to engage general practitioner services at hospitals not currently included in Schedule 1.
- c) Provide appropriate and adequate drug and alcohol rehabilitation facilities and counselling services in regional NSW.

iii) Sustained Support for Joint Organisations

THAT LGNSW lobbies the New South Wales Government to:

- a) Follow through on its commitment to work collaboratively with JOs to develop strategic priorities, business plans and actions plans in the interests of delivering regional outcomes.
- b) Continue its investment in JO operating costs in order that this state government initiative can continue to operate sustainably.

- c) Report annually on its engagement with JOs and the results delivered.

iv) Water Security in Regional NSW

THAT LGNSW lobbies the New South Wales Government to:

- a) Actively ensure that the delivery of the Murray Darling Basin Plan is not achieved at the cost of local communities and their economies, and that early and specific engagement is routinely undertaken with local councils where their areas are impacted by proposed new or proposed changed policies and plans.
- b) Advocate that the Commonwealth moves to address adverse impacts of water trading on the sustainability of irrigation communities and considers options for preventing, mitigating and/or better managing these effects going forwards.

v) Large Scale Solar Farms

THAT LGNSW lobbies the New South Wales Government to:

- a) Provide greater protection to irrigation lands and other high yielding agricultural lands where local communities consider solar farms incongruous with their long-term economic wellbeing by respecting Local Environmental Plans and ensuring early engagement with affected communities and local councils.
- b) Ensure that large scale solar farms are subject to Development Contributions where they are approved and that these contributions be included as a condition of consent.
- c) Ensure that adequate provisions are made in consent conditions for the decommissioning of large scale solar farms.

vi) Review of Speed Limit Criteria

THAT LGNSW lobbies the New South Wales Government to ensure that the adopted Roads and Maritime Services criteria for 50 kilometre per hour zones are not eroded by ad hoc decision making across NSW and that the focus remains on public safety in built up areas.

- 4. Any relevant expenses for attending the conference be paid in accordance with the Payment of Expenses and Provision of Facilities to the Mayor and Councillors Policy.

(Moved Cr Weston, seconded Cr Morris)

Item 7.3 PROPOSED AMENDMENTS TO LEETON SHIRE COUNCIL'S CODE OF MEETING PRACTICE

19/167

Resolved

THAT Council:

1. Amends the Code of Meeting Practice's Order of Business for Ordinary Council Meetings to include:

- Public Representations and
- Councillor Activity Reports

and adds the relevant guidance information in relation to the additional items in the Order of Business.

2. In accordance with Section 160 of the Local Government Act 1993, places the Draft Amended Code of Meeting Practice on public exhibition for 28 days from Friday 26 July 2019 until Thursday 22 August 2019 with submissions to be received up until Thursday 5 September 2019. If no submissions of objection are received, the Code of Meeting Practice will be considered adopted. If submissions of objection are received, a further report will be presented to Council.

(Moved Cr Weston, seconded Cr Reneker)

Item 7.4 PRIMARY DISCLOSURE OF INTEREST RETURNS SUBMITTED BY DESIGNATED PERSONS FROM 1 APRIL 2019 TO 30 JUNE 2019

19/168

Resolved

THAT Council notes:

That all Primary Disclosure of Interest Returns for Designated Persons from 1 April 2019 to 30 June 2019 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:

- Accountant Exercises designated persons functions
- Manager Special Projects Exercises designated persons functions

(Moved Cr Morris, seconded Cr Davidson)

Item 7.5 ANNUAL DISCLOSURE BY COUNCILLORS AND DESIGNATED PERSONS

19/169

Resolved

THAT:

1. All Councillors complete a Disclosure of Interests Return and lodge with the General Manager by 30 September 2019 for the financial year 1 July 2018 to 30 June 2019.
2. The staff and delegates who occupied the positions below be formally declared Designated Persons by Council in accordance with Clause 5.8 of the Leeton Shire Council Code of Conduct and be required to lodge Disclosure of Interests Returns to the General Manager by 30 September 2019 for the financial year 1 July 2018 to 30 June 2019:

General Manager	Determined by the Act
Directors	Determined by the Act
Managers	Deemed to exercise designated persons functions
Accountant	Exercises designated persons functions
Arts & Cultural Services Coordinator	Exercises designated persons functions
Asset Management Coordinator	Exercises designated persons functions
Assistant Engineers	Exercises designated persons functions
Building Services Coordinator	Exercises designated persons functions
Building Surveyor	Exercises designated persons functions
Drainage & Development Engineer	Exercises designated persons functions
Economic Development Coordinator	Exercises designated persons functions
Governance & Corporate Planning Coordinator	Exercises designated persons functions
Open Space & Recreation Coordinator	Exercises designated persons functions
Planning Officer	Exercises designated persons functions
Plant Superintendent	Exercises designated persons functions
Property Coordinator & Native Title Manager	Exercises designated persons functions
Purchasing Officer	Exercises designated persons functions
Rangers	Exercises designated persons functions
Regulatory Services Coordinator	Exercises designated persons functions
Roads Construction Superintendent	Exercises designated persons functions
Roads Maintenance Superintendent	Exercises designated persons functions
Senior Rates Officer	Exercises designated persons functions
Survey & Design Engineer	Exercises designated persons functions
Waste & Recycling Coordinator	Exercises designated persons functions
Water & Waste Water Superintendent	Exercises designated persons functions
Works Depot Supervisor	Exercises designated persons functions

3. In accordance with Section 440(2a) of the Local Government Act that those people who are Independent members of the Audit, Risk and Improvement Committee also be included as Designated Persons.
4. In accordance with the Government Information (Public Access) Act 2009, a list of all Councillor and Designated Persons Disclosure of Interest Returns received be included as part of Council's Open Access

Information and made available for viewing at the Council Administration Office on application and subject to the Public Interest Test and Section 730 of the Local Government Act 1993.

(Moved Cr Reneker, seconded Cr Smith)

Cr Michael Kidd arrived at the meeting, the time being 08:10 PM

Item 7.6 INVESTMENTS REPORT JUNE 2019

19/170

Resolved

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

(Moved Cr Morris, seconded Cr Reneker)

GENERAL MANAGER'S MATTERS

Item 7.1 ROXY REDEVELOPMENT COMMITTEE MEETING NOTES - THURSDAY 2 MAY 2019 MEETING

19/171

Resolved

THAT Council notes the Roxy Redevelopment Committee Meeting Notes from the meeting held on Thursday 2 May 2019.

(Moved Cr Kidd, seconded Cr Nardi)

CORPORATE AND COMMUNITY MATTERS

Item 7.7 MINUTES OF THE YANCO HALL MANAGEMENT COMMITTEE (APRIL 2019 TO JUNE 2019)

19/172

Resolved

THAT Council receives and notes for information the Minutes of the Yanco Community Hall Management Committee held on 8 April 2019 and 13 May 2019. As Councillor Nardi did not agree with the statement attributed to her in the General Business from the June meeting, those minutes are to be referred back to the Yanco Community Hall Management Committee and be resubmitted to Council for noting at a later date.

(Moved Cr Nardi, seconded Cr Davidson)

Item 7.8 YOUTH DEVELOPMENT GRANT APPLICATION - TALLIS MCMILLAN

19/173

Resolved

THAT Council awards Tallis McMillan a \$250 Youth Development Grant to assist with the costs associated with representing Leeton and New South Wales at the School Sport Australia 12 years and Under Australian Football Championships.

(Moved Cr Smith, seconded Cr Nardi)

ENVIRONMENT AND ENGINEERING MATTERS

Item 7.10 LEETON SHIRE FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN

19/174

Resolved

THAT the Floodplain Risk Management Study and Plan be placed on public exhibition for twenty-eight (28) days and should there be no significant submissions received by Council for up to 42 days, then the Leeton Shire Floodplain Risk Management Study and Plan is to be adopted by Council. Should significant submissions be received by Council then a further report outlining submissions will be presented to Council.

(Moved Cr Kidd, seconded Cr Reneker)

Cr Tony Ciccio left the meeting, the time being 08:31 PM.

Cr Tracey Morris left the meeting, the time being 08:33 PM.

Cr Tony Ciccio returned to the meeting, the time being 08:34 PM.

Cr Tracey Morris returned to the meeting, the time being 08:35 PM.

Item 7.11 LEETON SHIRE COUNCIL ROAD SAFETY ACTION PLAN 2019-2021

19/175

Resolved

THAT Council receives the Leeton Shire Council Road Safety Action Plan for 2019-2021 for information only.

(Moved Cr Reneker, seconded Cr Ciccio)

Item 7.12 RESERVE 61839 - LEETON RACECOURSE - DRAFT PLAN OF MANAGEMENT

19/176

Resolved

THAT Council

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management.
2. Requests approval from the Minister Administering the Crown Lands Management Act 2016 to approve the annexed draft Plan of Management for Reserve 61839 – Leeton Racecourse.
3. Upon approval from the Minister Administering the Crown Lands Management Act 2016 Council amends the draft Plan of Management if required and places it on public exhibition as per Section 38 of the Local Government Act, 1993.

(Moved Cr Davidson, seconded Cr Kidd)

Item 7.13 RESERVE 159001 - MAJOR DOOLEY LIBRARY - DRAFT PLAN OF MANAGEMENT

19/177

Resolved

THAT Council

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management.
2. Requests approval from the Minister Administering the Crown Land Management Act 2016 to approve the annexed draft Plan of Management for Reserve 159001 – The Major Dooley Library.
3. Upon approval from the Minister Administering the Crown Land Management Act 2016 Council amends the draft Plan of Management if required and places it on public exhibition as per Section 38 of the Local Government Act 1993.

(Moved Cr Reneker, seconded Cr Smith)

**Item 7.14 TRANSFER OF CONTROL OF CROWN PUBLIC ROADS TO COUNCIL -
LEETON**

19/178

Resolved

THAT Council approves the transfer from the Crown to Council of Crown public roads constructed and maintained by Council within and surrounding Leeton and described as follows:

- Gossamer Street, between Washington Drive and Wirilda Street.
- Montana Place, from Gossamer Street and terminus.
- Wirilda Street, between Gossamer Street and Pendula Street.
- Lightwood Street, between Wirilda Street and Gossamer Street.
- Pendula Street, between Lightwood Street and Whitton Road.
- Drummond Street, between Wirilda Street and Mitchell Street.
- Wallowa Street, between Drummond Street and Pendula Street.
- Mitchell Street, between Wallowa Street and Wirilda Street.
- Acacia Park Lane, between Merrell Street and Mitchell Street.
- Merrell Street, between Drummond Street and Wirilda Street.
- Mimosa Street, between Wirilda Street and Blackwood Street.
- Yate Road, between Whitton Road and McMaster Road.
- McMaster Road, between Yate Road and Toorak Road.
- Toorak Road, between Whitton Road and Research Road.
- Scarlett Street, between Yate Road and Toorak Road.
- Dundas Street, between Scarlett Street and Whitton Road.
- Argyle Street, between Scarlett Street and Toorak Road.
- McGregor Road, between Yate Road and James Road.
- James Road, between McGregor Road and intersection with Lot 3751 DP 1198501.

(Moved Cr Morris, seconded Cr Smith)

8. NOTICES OF MOTIONS/QUESTIONS WITH NOTICE

**Item 8.1 NOTICE OF MOTION - RESCISSION OF GENERAL MANAGER'S
DELEGATION**

MOTION

THAT Council:

1. Rescinds Resolution Number 15/149 which was resolved at the Extraordinary Council Meeting held on Tuesday 30 June 2015.
2. Returns to a function and intent as outlined in Section 332 of the Local Government Act, 1993 - Determination of Structure.

3. Delegates to the General Manager the authority to exercise all discretionary functions that Council is capable of delegating and is not prohibited from doing so under Section 377 of the Local Government Act, 1993 and excludes delegating to the General Manager the functions set out under Section 332 (1) of the Local Government Act 1993, specifically the determination of the organisational structure of the Council, noting this excludes 332 (1) A and 332 (1) B where the Local Government Act requires the General Manager to determine the positions within the organisation structure after full consultation with Councillors and noting again the roles and reporting lines of holders of senior staff positions as outlined in Section 332 (1)b of the Local Government Act.

(Moved Cr Kidd, seconded Cr Nardi)

The motion was put and lost.

19/179

Resolved

THAT Council re-confirms the delegations to the General Manager as set out in resolution Number 15/149.

(Moved Cr Kidd, seconded Cr Weston)

9. STATEMENTS BY COUNCILLORS

CR GEORGE WESTON

Art Deco Festival: Cr Weston congratulated all those involved in the Festival. Cr Weston said he met the Director of the Art Deco Society during the festival and has now joined the Society.

Henry Lawson Cottage: The Cottage activities were well attended for the two days of the Art Deco Festival. Cr Weston passed around a photograph and some comments from attendees who had enjoyed the presentations.

Leeton Local History Group: Cr Weston mentioned that Cr Tony Reneker is now president of the Leeton Family Local History group, Peter Middleton is Vice President, Lynn Middleton is Secretary and the Treasurer is Carlene Riley.

CR PETER DAVIDSON

Art Deco Festival: Cr Davidson added his personal thanks to the organisers, staff and committee that helped with the Art Deco Festival. He said he will be interested to see what outcomes were achieved during the debrief. Talking with the people who came, they thoroughly enjoyed it. The event at the Roxy and the entertainment was really good.

NRMA Magazine: Cr Davidson said there was an article in this month's magazine which talked about a trip from Wagga, to Narrandera, Leeton, Altina Wildlife Park and back to Coolamon. The article mentioned the Hydro and while it was a small article on Leeton it puts us on the map.

CR TONY CICCIA

UN speech: Cr Ciccia congratulated Elijah Ingram who made a speech at the United Nations recently. The Councillor said he remembered Mr Ingram was a speaker on Anzac Day two years ago so he has gone from Anzac Day Leeton to the United Nations. Mr Ingram spoke on the Rights of Indigenous people and the speech was something of which our town can be proud.

CR TRACEY MORRIS

Art Deco Festival: Cr Morris said she thought the festival was an absolutely fabulous few days and she attended as many events as she could. The reports on the WC&IC building renovations were outstanding from past employees and people who remembered the era, they were very impressed with what staff were able to achieve in a very short space of time. The display is fantastic and added a mature dimension to a local town having a festival. I think we rose to the occasion and there was some great entertainment. Congratulations to all.

Cr Paul Maytom left the meeting, the time being 09:45pm.

In the Mayor's absence, the Deputy Mayor Cr Weston assumed the chair at 9.45pm.

CR TONY RENEKER

Hospital Concerns: Cr Reneker said he still has grave concerns about our hospital. He was aware this week there is no on call doctor between 8pm and 8am. Leeton has two boarding schools and if he was a parent and had kids here, he would consider it to be a terrible thing that if they were taken to the hospital they wouldn't be able to see a doctor. This week one man who went to the hospital on Monday night who was not able to stand. The man was told that there was no doctor available and that he should go home and see a doctor tomorrow. Cr Reneker said the situation was unacceptable for a town our size and the matter needs urgent attention.

Cr Paul Maytom returned to the meeting, the time being 09:47pm and resumed the chair.

CR PAUL SMITH

Waipukurau Park: Cr Smith was impressed to see the new playground equipment. During the school holidays the park was thriving with kids - there were easily 20 to 30 kids at a time. He has been contacted by residents saying the playground is a wonderful thing to happen in their park. Everyone is very appreciative. It would be nice to see a barbecue at some stage.

Art Deco Festival: What a buzz it was in town. It was fantastic and well done to all the staff. It will be interesting to see all the feedback to see if it can be an annual event. Well done.

CR PAUL MAYTOM

Leeton High School Links to Learning: TAFE and the School are involved and the program offers a lot of help to people who need it.

Tree Committee Meeting: Mayor Maytom attended a meeting, the first meeting to be held in a long time and would expect the minutes will come forward to the Council.

Large Scale Solar Forum: Attended the Wagga Forum with RAMJO and RIVJO. I think it is important that there should be a formal report coming from the Joint Organisations on next steps.

Hospital Meeting: Cr Maytom said the meeting was to provide an update on where things were with services. Inroads are being made in some areas with two doctors showing interest in relocating to Leeton. One doctor's resume has been sent to the local health district. There is also an opportunity for a Career Medical Officer to be interviewed for Leeton Hospital.

Regional Opportunities Australia: Cr Maytom said that one of the doctors looking at relocation to Leeton had come through Council's involvement in an expo in Sydney and Regional Opportunities Australia (ROA). Representatives from ROA attended Leeton recently and met with local organisations on employment related issues.

Hospital Awards: The Mayor attended the Service Awards ceremony at the hospital this week. Presentations were made to three staff. One of the staff received an award for 25 years' service while two others were recognised for 30 years of service.

Business Enterprise Centre launch: As well as other Councillors, Cr Maytom attended the launch of the Business Enterprise Centre.

NAIDOC Week and Marramira Day: Marramira Day was an exceptionally good day out at Gossimer Park. It was an incredible day to see so many kids and their families having so much fun out at Wattle Hill.

Rotary Changeover Dinners: The Mayor attended the changeovers of two local Rotary clubs in the last month.

Art Deco Festival events: Cr Maytom said he attended the VIP Launch of the Festival and the Hundred at the Hydro. The Mayor officially congratulated the working group on the exceptional work that was done. He said that everyone he spoke to was very impressed with the weekend.

Inner Wheel Changeover: The Mayor attended the recent Changeover dinner for Inner Wheel.

Cotton Growers Australia Conference: The Mayor attended the event at the Yoogali Club. He said the information provided was across a number of areas and he has sought a copy of the presentation on Climate Change which will be circulated to other Councillors.

19/180

Resolved

THAT Council extend its meeting time beyond 10pm to deal with two items listed in the Confidential Matters section of the agenda.

(Moved Cr Smith, seconded Cr Weston)

10. CONFIDENTIAL MATTERS

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.

19/181

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 Smith, seconded Cr Kidd)

Item 10.1 OFFER TO PURCHASE 18-20 DETHRIDGE AVENUE, VANCE INDUSTRIAL ESTATE LEETON

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).

Item 10.2 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).

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 10.06pm and the public and press left the Chambers.

CLOSED COUNCIL - CONFIDENTIAL MATTERS

Item 10.1 OFFER TO PURCHASE 18-20 DETHRIDGE AVENUE, VANCE INDUSTRIAL ESTATE LEETON

19/182

Resolved

THAT Council:

1. Accepts the offer from Christopher Arnold Horton and Julianne Mary Horton of \$82,500 (excluding GST) which is the current (2018) valuation for the purchase of Lot 27, DP 1053574, 18-20 Dethridge Avenue.
2. Authorises the Mayor and the General Manager to execute all of the documents relating to the Contract for Sale and Transfer of Lot 27, DP 1053574, 18-20 Dethridge Avenue, Leeton between Leeton Shire Council and Christopher Arnold Horton and Julianne Mary Horton.

(Moved Cr Davidson, seconded Cr Nardi)

Item 10.2 LEETON AQUATIC CENTRE UPGRADE AND ASSOCIATED WORKS TENDERS - RFT-01-2019-POOL

19/183

Resolved

THAT Council:

1. Accepts the revised tender from Icon Building Group.
2. Adopts Option 2, Council contribution fully loan funded, as listed in the financial section of the report.
3. Authorises the Mayor and the General Manager to execute all documents relating to the contract between Leeton Shire Council and Icon Building Group.

(Moved Cr Ciccica, seconded Cr Morris)

REVERSION TO OPEN COUNCIL

19/184

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 10.20pm.

(Moved Cr Weston, seconded Cr Kidd)

The Mayor advised that during the Closed Council two (2) resolutions were passed. The General Manager read out the resolutions made in Closed Council for the following:

- Item 10.1 Offer to Purchase 18-20 Dethridge Avenue, Vance Industrial Estate Leeton, and;
- Item 10.2 Leeton Aquatic Centre Upgrade and Associated Works Tenders - RFT-01-2019-Pool

11. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 10.22pm.

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