



LEETON SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

LEETON SHIRE COUNCIL

WEDNESDAY 28 OCTOBER 2015

COMMENCING AT 7.00PM

COUNCIL CHAMBERS

Present:

Councillors: Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Peter Davidson, Cr Tracey Morris, Cr. Emerson Doig, Cr. Tracey Valenzisi, Cr Steve Dowling, 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), Kelly Tyson (Manager Planning and Environment) and Kathy McMahon (Executive Support Officer)

Press: Talia Pattison (The Irrigator)

CIVIC PRAYER Cr. Emerson Doig

ACKNOWLEDGEMENT OF COUNTRY Cr. Paul Maytom

APOLOGIES

NIL

CONFIRMATION OF THE MINUTES

15/219

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday, September 16 2015, as circulated, be taken as read and CONFIRMED.

THAT the Minutes of the Extraordinary Council Meeting held on Wednesday, October 07 2015, as circulated, be taken as read and CONFIRMED.

(Moved Cr Doig, seconded Cr Morris)

ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS

**Item 1 PROPOSED HOME INDUSTRY AT 75 ALMOND ROAD, LEETON –
DEVELOPMENT APPLICATION 83/2015**

15/220

Resolved

Moved that Environmental and Community Services Matters – Item 1 – Proposed Home Industry at 75 Almond Road, Leeton – Development Application 83/2015 be brought forward on the Agenda.

(Moved Cr Doig, seconded Cr Valenzisi)

SUSPENSION OF STANDING ORDERS

15/221

Resolved

That Standing Orders be Suspended at 7.04pm to permit objectors and the applicant to address Council in relation to Item 1 of the Environmental and Community Services Matters – Development Application 83/2015.

(Moved Cr Doig, seconded Cr Morris)

Cr George Weston declared a pecuniary interest in relation to this item due to having a business relationship with the applicant and left the meeting, the time being 7.05pm.

General Manager, Mrs Jackie Kruger declared a pecuniary interest in relation to this item due to her currently residing on the property at 1974 Almond Road and left the meeting, the time being 7.05pm.

Cr Greg O'Callaghan declared a significant non-pecuniary interest as he resides next door to the block in question and left the meeting, the time being 7.05pm.

Director of Environmental and Community Services, Mr Garry Stoll declared a significant non-pecuniary interest in relation to this item due to owning a property at 100 Almond Road, Leeton (this property is within 300 metres of the proposed site) and left the meeting, the time being 7.05pm.

Cr Steve Dowling declared a significant non-pecuniary interest as he has a business relationship with the applicant and left the meeting, the time being 7.05pm.

The following objectors spoke against the development application:

- Maxine O'Callaghan
- Ian Maddock
- Dawn Newman
- Tony Wood
- Chris Parsons

The applicant, Jason Thurgate spoke on behalf of the development.

In accordance with Section 147(4) of the Environmental Planning and Assessment Act 1979 all speakers advised they had not made any reportable political donations or gifts to Councillors or employees.

RESUMPTION OF STANDING ORDERS

15/222

Resolved

That the meeting resume at 7.35pm to deal with the balance of the items on the Agenda.

(Moved Cr Valenzisi, seconded Cr Davidson)

**Item 1 PROPOSED HOME INDUSTRY AT 75 ALMOND ROAD, LEETON -
DEVELOPMENT APPLICATION 83/2015**

15/223

Resolved

That Council:

- a) Offer "in principle" support for the proposal and the development application be deferred until the submission of an acoustic report prepared by a qualified acoustic consultant after which the application be delegated to staff to determine under delegated authority.
- b) In accordance with Section 375A of the Local Government Act that a division be called to record the names of the Councillors who have supported the decision and the names of the Councillors who are opposed to the decision.

FOR	AGAINST
Cr Doig	Cr Valenzisi
Cr Kidd	Cr Davidson
Cr Morris	
Cr Maytom	

(Moved Cr Doig, seconded Cr Kidd)

SUSPENSION OF STANDING ORDERS

15/224

Resolved

That Standing Orders be suspended at 7.50pm to permit the applicant to answer a question in relation to the acoustic report.

(Moved Cr Doig, seconded Cr Davidson)

RESUMPTION OF STANDING ORDERS

15/225

Resolved

That the meeting resume at 7.54pm to deal with the balance of the items on the Agenda.

(Moved Cr Doig, seconded Cr Kidd)

Cr Greg O'Callaghan returned to the meeting, the time being 7.55pm.

Cr George Weston returned to the meeting, the time being 7.55pm.

Cr Steve Dowling returned to the meeting, the time being 7.55pm.

General Manager, Mrs Jackie Kruger returned to the meeting, the time being 7.55pm.

Director of Environmental and Community Services , Mr Garry Stoll returned to the meeting, the time being 7.55pm.

GENERAL MANAGER'S MATTERS

Item 1 DELEGATIONS OF AUTHORITY

Mayoral Delegations

15/226

Resolved

That Council:

- i) Note the report on Mayoral Delegations; and
- ii) Pursuant to Section 377 of the Local Government Act 1993 delegate to its Mayor, and in the absence of the Mayor to the Deputy Mayor, the following powers, duties and functions:
 - a) The power to determine applications by the General Manager for leave.
 - b) To issue press releases and reply to press criticisms of the Council.
 - c) To determine the conferences and seminars that councillors may attend as Council's representatives where time does not permit Council to so determine.
 - d) The power to expel persons (whether a councillor or another person) from a meeting of the Council or Council Committee over which he/she presides as Chairman, in accordance with Section 10(3) of the Local Government Act 1993.
 - e) Write correspondence on behalf of Council.
 - f) Pursuant to the contract of employment with the General Manager to power to vary the structure of the salary package but not the value of the total package.
 - g) To authorise expenditure from Mayoral expense account for the general functions of Council.
 - h) To authorise emergency expenditure, for any purpose of up to \$50,000.
 - i) To approve and attend Civic Receptions where the Mayor considers it appropriate and the period for arranging the Reception does not permit time for a decision to be made by the Council.
 - j) To call extraordinary meetings of the Council in terms of Council's Code of Meeting Procedure.

(Moved Cr Kidd, seconded Cr Morris)

CORPORATE SERVICES MATTERS

Item 1 INVESTMENTS - DIVIDENDS Investments - September 2015

15/227

Resolved

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

(Moved Cr Valenzisi, seconded Cr Kidd)

Item 2 MODEL CONDUCT OF CODE COMPLAINTS STATISTICS REPORT 1.9.2014 - 31.8.15

15/228

Resolved

- a) Council note contents of the Code of Conduct Complaints Report 1 September 2014 to 31 August 2015 that has been forwarded to the Office of Local Government.

(Moved Cr Davidson, seconded Cr Kidd)

Item 3 LEETON GOLF COURSE SEPTEMBER 2015 UPDATE

15/229

Resolved

- a) Council note the September 2015 report on the activities of Leeton Golf Course.

(Moved Cr Kidd, seconded Cr Weston)

ENGINEERING AND TECHNICAL SERVICES MATTERS

Item 1 LEETON SHIRE FLOOD STUDY

15/230

Resolved

That Council formally adopt the Leeton Shire Flood Study Volume 1 – Report and Volume 2 –Flood Maps, both dated September 2015.

(Moved Cr Doig, seconded Cr Kidd)

**ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS
(CONTINUED)**

Item 2 APPLICATION FOR QUICK RESPONSE GRANT - CALO'S RIDERS CLUB

15/231

Resolved

That Council approves the application from the Calo's Riders Club for a Quick Response Grant of \$200 to cover the cost to hire the Roxy Theatre to screen their DVD "Our Stories of Depression".

(Moved Cr Kidd, seconded Cr Morris)

Item 3 LEETON EARLY LEARNING CENTRE - PROPOSED INCREASE IN FEES

15/232

Resolved

That Council:

1. Notes the revised educator to child ratio of 1:5 that comes into effect from 1 January 2016 for children aged over 24 months but less than 36 months.
2. Places on public exhibition its intent to increase the daily fees charged at Leeton Early Learning Centre as follows as from 1 January 2016, for a period of 28 days in accordance with Section 705 of the LGA 1993, as follows:

0-2 Room (current)	\$87 – (proposed) \$91 per day
2-3.5 Room (current)	\$83 – (proposed) \$87 per day
3.5-5 Room (current)	\$81 – (proposed) \$85 per day
3. Following completion of the public exhibition, a further report be submitted to Council outlining any submissions received.

(Moved Cr Weston, seconded Cr Dowling)

STATEMENTS BY COUNCILLORS

1. Cr Tracey Morris

- Commented that the Leeton Show recently celebrated its 100 year centenary and asked if Council had sent out a congratulatory letter. The Mayor advised this had been undertaken.

- Also advised that St Joseph's Primary School was also celebrating its 100 year centenary and requested a letter be forwarded.

2. Cr Tracey Valenzisi

- Advised that the trees around the Post Office were untidy and causing the Post Office area to be untidy. Discussion took place as to whether the Kurrajong trees are heritage listed with the Director of Environmental and Community Services to investigate the matter.
- Also commented that the recent painting of Eurell's building in Pine Avenue looks fantastic.

3. Cr George Weston

- Advised that the nomination period for Australia Day awards were open and wanted to ensure that nomination forms are available at the front counter at the main administration building, Visitor's Centre and Library.
- Also requested that if Council is holding a Naturalisation ceremony, if this can be held on Australia Day and asked if new citizens that have been naturalised in the last 12 months could have their names read out at Australia Day.
- Commented on the recent passing of Mr Reece Tehan who was a devoted member of the Friends of Luro Committee. Requested a sympathy card be forwarded to the Committee.
- Stated a concern had been raised re the availability of lanes at the Leeton Swimming Pool for swimming lessons.

4. Cr Greg O'Callaghan

- Congratulated the Calo Riders Club on the successful release of the mental health DVD recently held at the Roxy Theatre. Also requested staff investigate the appropriateness of future funding for the Harley Muster that was held on Saturday 24 October 2015.

General Manager Jackie Kruger

- Provided Council with an update on the Fit for the Future process, advising that:
- The Independent Pricing and Regulatory Tribunal had declared Leeton Shire Council as being "fit".
- The NSW Premier, the Hon. Mike Baird MP and the Minister for Local Government, the Hon. Paul Toole MP, had held a teleconference with all Mayors of NSW councils in relation to the process now required whereby Council has up until 18 November 2015 to make any further submission to the Department of Premier and Cabinet.
- Outlined the financial incentives that the NSW State Government is offering for voluntary mergers.
- The General Manager advised there would be conversations commencing with neighbouring Councils and the Local Member.

5. Mayor Paul Maytom

- Provided an update into the Senate Inquiry that he attended in Griffith in relation to the Murray Darling which is underway into the Murray Darling Basin Plan's implementation and the impact of removing water entitlements. The Mayor advised he had received favourable feedback into Leeton Shire Council's position on how the Plan has impacted the local community.

There being no further business the meeting closed at 8.40pm.

..... signed by
the Chairman of the meeting held on
25/11/2015 at which meeting the
signature hereon was subscribed.