



# LEETON SHIRE COUNCIL

## MINUTES OF THE ORDINARY COUNCIL MEETING

### LEETON SHIRE COUNCIL

WEDNESDAY 22 MARCH 2017

COMMENCING AT 7.00PM

COUNCIL CHAMBERS

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**Present:**

**Councillors:** Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Peter Davidson, Cr. Tracey Morris, Cr. Paul Smith, Cr. Tony Ciccia, Cr. Tony Reneker, Cr. Sandra Nardi and Cr. Michael Kidd

**Staff:** Jackie Kruger (General Manager), Andrew Reilly (Acting Director Corporate Services), Barry Heins (Director Engineering and Technical Services), Garry Stoll (Director Environmental and Community Services), and Brent Lawrence (Corporate Communications Coordinator)

**Press:** Nil

1. **CIVIC PRAYER** Cr Paul Smith
2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Paul Maytom
3. **APOLOGIES**  
Nil
4. **CONFIRMATION OF THE MINUTES**

**17/028**

**Resolved**

THAT the Minutes of the Ordinary Council Meeting held on Wednesday, February 22 2017, as circulated, be taken as read and CONFIRMED.

**(Moved Cr Ciccia, seconded Cr Weston)**

5. **MAYORAL MINUTES** See Item 7.1
6. **NOTICES OF MOTION** Nil
7. **OFFICER'S REPORT**

**GENERAL MANAGER'S MATTERS**

**Item 7.1 MAYORAL MINUTE - FEDERAL GOVERNMENT FUNDING**

**17/029**

**Resolved**

THAT Council:

1. Continues to support any and all efforts made by ALGA and Local Government New South Wales to reinstate the indexation provisions of the FAGs funding as from the 2017/18 financial year.
2. Strongly advocates for a "claw back" provision to regain lost indexation funding from the 2014/15, 2015/16 and 2016/17 periods.
3. Writes to the Member for Farrer, the Hon Sussan Ley MP seeking the reinstatement of the indexation provisions for the FAGs funding.

**(Moved Cr Maytom, seconded Cr Weston)**

## **SUSPENSION OF STANDING ORDERS**

**17/030**

THAT Standing Orders be suspended at 7.12pm to allow Council to move directly to Item 7.4 Leeton Golf Course Future Direction to allow discussion and presentations by Leeton Golf Course representatives.

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

Presentations were provided by Mick Burton and John Martin on behalf of the Leeton Golf Course.

Mayor Maytom welcomed and acknowledged the Golf Club and community members in attendance. On behalf of Council the Mayor thanked the volunteers involved in the operation of the Golf Club and presentation of the course.

**17/031**

### **Resolved**

#### **RESUMPTION OF STANDING ORDERS**

THAT the meeting be resumed at 7.40pm to deal with the balance of the items on the Agenda.

**(Moved Cr Weston, seconded Cr Nardi)**

## **Item 7.4 LEETON GOLF COURSE FUTURE DIRECTION**

**17/032**

### **Resolved**

THAT Council:

1. Enter into a continued management agreement of the Leeton Golf Club for a further four year period from 1 July 2017 to 30 June 2021.
2. Note that the period of this agreement has been selected to align with the election cycle of Leeton Shire Council, thereby giving each team of Council the opportunity to review the matter.
3. Note that Council will continue to consider any alternative commercially viable offers for managing the golf course in the event that any come forward during the period of this agreement.

**. (Moved Cr Weston, seconded Cr Smith)**

**Item 7.2 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION 2017  
NATIONAL GENERAL ASSEMBLY**

**17/033**

**Resolved**

THAT:

1. The Mayor, Deputy Mayor and General Manager be appointed to represent Council at the 2017 National General Assembly of Local Government to be held in Canberra from 18 – 21 June 2015.
2. The Mayor be appointed as Council's voting delegate.
3. Council submits motions endorsed by Council, for inclusion in the NGA Business Papers covering the promotion of renewable energy, the recognition of Local Government in the Australian Constitution, promoting the returning of FAGs to the percentage of the federal budget pre 1995 and advocating for an inland rail link via Narrandera.

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

**CORPORATE SERVICES MATTERS**

**Item 7.3 ADDITION OF LOT 7002 DP 1124871 - RESERVE 559026,  
PARISH OF WILLIMBONG, COUNTY OF COOPER -  
APPOINTMENT OF COUNCIL TO MANAGE RESERVE TRUST -  
LEETON WAR MEMORIAL CENOTAPH, PINE AVE LEETON**

**17/034**

**Resolved**

THAT Council resolves for Leeton Shire Council to be appointed Trust Manager of Lot 7002 DP 1124871 - Reserve 559026, Parish of Willimbong, County of Cooper, Leeton War Memorial Cenotaph, Pine Ave Leeton.

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

**Item 7.5 INVESTMENTS - DIVIDENDS - INVESTMENTS - FEBRUARY  
2017**

**17/035**

**Resolved**

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

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

## **ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS**

### **Item 7.6 PHOTON ENERGY PROPOSED SOLAR FARM S94A LEVY**

**17/036**

#### **Resolved**

THAT Council resolves to:

1. Authorise the Mayor and General Manager to negotiate with Photon Energy arrangements for a voluntary planning agreement which yields the equivalent of 1.0% of development costs adjusted for CPI over the life of the project with Photon Energy paying the costs of the Voluntary Planning Agreement.
2. Advise Photon Energy that should these negotiations not result in a suitable Voluntary Planning Agreement they will be required to pay 1.0% of the development costs for their proposed solar farm in Fivebough Road, Leeton in accordance with Leeton s94A Fixed Levy Plan.

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

### **Item 7.7 LYRICS, LANDSCAPES & LINTELS HERITAGE PROJECT**

**17/037**

#### **Resolved**

THAT Council:

1. Resolves to invite the CBD Enhancement Committee to oversee the implementation of the Lyrics, Landscapes and Lintels project, subject to Council endorsement of final designs and locations of the art works.
2. Notes the intention for its \$15,000 contribution towards the Lyrics, Landscapes and Lintels project to be included in the draft 2017/2021 Delivery Program.

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

**Item 7.8 ALCOHOL FREE ZONES**

**17/038**

**Resolved**

THAT Council defer the decision on alcohol free zones until further investigations have taken place.

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

**Item 7.9 DRAFT DISABILITY INCLUSION ACTION PLAN**

**17/039**

**Resolved**

THAT Council resolves to:

1. Place the draft "Disability Inclusion Action Plan" on public exhibition for a period of twenty eight (28) days seeking public comment.
2. Require a further report be presented to Council following the 28 day exhibition period for Council to consider the adoption of the "Disability Inclusion Action Plan".

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

**Item 7.10 LOCAL HERITAGE ADVISORY COMMITTEE MEETING HELD ON 16 FEBRUARY 2017**

**17/040**

**Resolved**

THAT Council formally notes the Local Heritage Advisory Committee meeting minutes from 16 February 2017.

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

**8. STATEMENTS BY COUNCILLORS**

**Deputy Mayor Cr George Weston**

Expressed his delight that refunds for bottles will take effect in November this year. This had been a remit at the Annual National General Assembly of Local Government for several years now and proves that persistence pays to effect policy change.

Cr Sandra Nardi

Raised concerns that the Yanco Hall Committee had brought to her in the township of Yanco. The Acting Director of Corporate Services will further investigate in consultation with Cr Nardi.

She also congratulated the Director of Engineering and Technical Services on facilitating a very informative Leeton Shire Roads Inspection Tour. This initiative allowed her to gain a greater understanding of the current conditions and categories of various road networks around Leeton Shire.

Cr Nardi also informed her fellow Councillors that she had been in preliminary discussions with Council's Events and Performing Arts Coordinator regarding plans for a "Colour Run" event to be held in Leeton in the future.

Cr Peter Davidson

Requested an update regarding community consultation with Wamoon residents in regard to the Wamoon Sewerage Project.

The Director of Engineering and Community Services advised that formal correspondence had been sent to residents with a further update regarding the project to be provided during the Councillor Day Trip taking place on Saturday 25 March.

The General Manager advised that a public meeting in Wamoon is being planned with details to follow as soon as they are confirmed.

Cr Tony Ciccia

Congratulated all involved with organising the Leeton 24-hour Mega Swim and Leeton Bidgee Classic events. It's wonderful to see such strong community support of these events which showcase wonderful facilities such as the Leeton Swimming Pool Complex and Gogeldrie Weir that are important assets on our Shire.

Cr Tony Reneker

Requested if Councillors could be taken into the Parkview area as part of the Councillor day trip inspection taking place on Saturday 25 March. The General Manager confirmed that this would be accommodated as part of the inspection tour.

Cr Reneker also congratulated fellow Councillor Cr Paul Smith and thanked him for his outstanding involvement and support of the Leeton Bidgee Classic event.

Cr Michael Kidd

Asked when the Roxy Theatre report would be presented. The General Manager confirmed that an extraordinary meeting of the Roxy Theatre Committee would need to be arranged towards the end of April. Cr Kidd to follow up with the Roxy Theatre Coordinator to initiate this meeting with the consultant responsible for putting this report together.

Cr Paul Smith

Informed his fellow Councillors that a full report on findings from the 2017 Leeton Bidgee Classic survey would be provided at the April Council meeting. There was some very interesting visitor data captured which will help the Committee to continue to improve how this wonderful community event is run.

Mayor Cr Paul Maytom

Congratulated Cr Paul Smith, Jodie Ryan, Council's Events and Performing Arts Coordinator and Bidgee Classic Committee members for running another high quality event. He also thanked Gogeldrie Weir Park lessees Darrell and Carole Collins for all their hard work and support of the Bidgee Classic Committee in ensuring the entire facility looked in first class condition. A letter of congratulations will be sent to the Leeton Bidgee Classic Committee in due course.

Mayor Maytom also sought clarification on whether any Council officers at Leeton Shire had been in contact with the Federation Council regarding automatic water meter readers.

The General Manager advised that Council staff have spoken directly with the suppliers of these new automated systems with a report showing findings and costings to be tabled at a future Council meeting.

**9. 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.



**17/041**

**Resolved**

THAT:

1. Council move into Closed Council to consider business identified, together with any late reports tabled at the meeting.
2. 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. 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 Morris, seconded Cr Weston)**

**Item 9.1 PROPOSED ADDITIONS TO LOTS 7300 and 7302 DP 1159173 TO LEETON CEMETERY RESERVE 559041**

This report is considered confidential in accordance with the Local Government Act 1993, as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret (Section 10A(2)d).

**Item 9.2 ECONOMIC DEVELOPMENT – PLANNING - INDUSTRIAL LAND – VANCE ESTATE - SALE OF LOT 30, 10-12 DETHRIDGE AVENUE, 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 9.3 TENDER FOR EARTHWORKS AT LEETON RESOURCE CENTRE - CONTRACT 05-16/17**

This report is considered confidential in accordance with the Local Government Act 1993, as the report contains commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret (Section 10A(2)d).

The Mayor asked the gallery if there were any objections to Council going into Closed Session to consider the matters listed.

No objections were received from the Gallery.

Council closed its meeting at 8.50pm and the public and press left the Chambers.

**Item 9.1 PROPOSED ADDITIONS TO LOTS 7300 and 7302 DP 1159173 TO LEETON CEMETERY RESERVE 559041**

**17/042**

**Resolved**

THAT:

1. Leeton Shire Council resolves its intent to acquire Crown Lands lots 7300 and 7302 DP 1159173 for an additional area to the existing cemetery under the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.
2. A further report be prepared for Council to update Council on land valuations and negotiations in relation to incorporating the land into the current reserve 559041.
3. The Mayor and General Manager be authorised to sign and seal any and all documents required to finalise the Licence for Site Investigation with the NSW Department of Industry – Crown Lands.

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

**Item 9.2 ECONOMIC DEVELOPMENT – PLANNING - INDUSTRIAL LAND – VANCE ESTATE - SALE OF LOT 30, 10-12 DETHRIDGE AVENUE, LEETON**

**17/043**

**Resolved**

THAT Council:

1. Accepts the offer of \$75,000 (excluding GST) made by Mr Daniel Allen for the purchase of Lot 30, DP 1053574, 10-12 Dethridge Avenue, Leeton.
2. Authorises the Mayor and General Manager to sign and seal all documentation in relation to the sale of Lot 50, DP 1053574, 10-12 Dethridge Avenue, Leeton.

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

**Item 9.3 TENDER FOR EARTHWORKS AT LEETON RESOURCE CENTRE - CONTRACT 05-16/17**

**17/044**

**Resolved**

THAT Council resolves to:

1. Accept the tender of Boots Constructions Pty Ltd for Contract No 5-17/18 subject to signing the Acceptance of Tender Form.
2. Source \$300,000 from the 2016/17 budget allocation and \$668,089.80 from 2017/18 internal waste reserves to cover the cost of the Tender.
3. Advise the unsuccessful tenderers that the Contract has been awarded to Boots Construction.

**(Moved Cr Ciccia, seconded Cr Nardi)**

**REVERSION TO OPEN COUNCIL**

**17/045**

**Resolved**

THAT this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.00pm.

**(Moved Cr Weston, seconded Cr Smith)**

The Mayor advised that during the Closed Council three resolutions were passed. The General Manager read out the resolutions made in Closed Council for Items 9.1, 9.2 and 9.3.

There being no further business the meeting closed at 9.05pm.

..... signed by  
the Chairman of the meeting held on  
26/04/2017 at which meeting the  
signature hereon was subscribed.