



LEETON SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING

LEETON SHIRE COUNCIL

WEDNESDAY 28 SEPTEMBER 2016

COMMENCING AT 7.00PM

COUNCIL CHAMBERS

Present:

Councillors: Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Peter Davidson, Cr. Paul Smith, Cr. Tony Reneker, Cr. Tony Ciccica and Cr. Sandra Nardi

Staff: Jackie Kruger (General Manager), Duncan McWhirter (Director Corporate Services), Chris Lashbrook (Acting Director Engineering and Technical Services), Garry Stoll (Director Environmental and Community Services), and Brent Lawrence (Corporate Communications Coordinator)

Press: Talia Pattison (The Irrigator)

1. WELCOME AND COUNCILLOR OATH OR AFFIRMATION OF OFFICE

The General Manager opened the meeting at 7.00pm and welcomed both the elected representatives and members of the gallery.

In accordance with Section 233A of the Local Government Act 1993 Oaths of Office were undertaken by Cr Paul Maytom, Cr George Weston, Cr Sandra Nardi, Cr Peter Davidson, Cr Tony Ciccica, Cr Tony Reneker and Cr Paul Smith as follows:

OATH

“I (name of councillor) swear that I will undertake the duties of the office of councillor in the best interests of the people of Leeton Shire and the Leeton Shire Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.”

Absent Councillors Tracey Morris and Michael Kidd will take the Oath in the presence of the General Manager upon their return from leave of absence.

Items 7.2 and 7.3 were brought forward on the Agenda.

Item 7.2 GOVERNANCE - ELECTIONS - ELECTION OF MAYOR

The General Manager Mrs Jackie Kruger advised that the Director of Corporate Services Mr Duncan McWhirter would be the Returning Officer for the conducting of the Mayoral and Deputy Mayoral elections.

The Returning Officer Mr Duncan McWhirter advised that one nomination had been received for the position of Mayor, that being Cr. Paul Maytom. The Returning Officer declared Cr. Paul Maytom as the elected Mayor (unopposed) for the next two year period (September 2016 - September 2018).

At this point the Mayor took over as Chair of the meeting.

Mayor Maytom thanked Council for their support for electing him as Mayor for the next two years. He stated he has immense passion and time to fulfil this role and will always be open and transparent in helping the community prosper. He also thanked all the new Councillors for putting their hands up to actively serve the community over the next four years.

The Mayor expressed his confidence in the new Council which he believes will work cohesively to achieve many positive results over this new four year term of Council and always act in the best interests of the community.

Item 7.3 GOVERNANCE - ELECTIONS - ELECTION OF DEPUTY MAYOR

16/128

Resolved

THAT in accordance with Section 231(2) of the Local Government Act determine that the length of the Deputy Mayoral term be two years (September 2016 – September 2018).

(Moved Cr Davidson, seconded Cr Smith)

The Returning Officer Mr Duncan McWhirter advised that one nomination had been received for the position of Deputy Mayor, that being Cr George Weston. The Returning Officer declared Cr George Weston as the elected Deputy Mayor (unopposed) for the next two year period (September 2016 – September 2018).

16/129

Resolved

THAT in accordance with Section 249(5) of the Local Government Act 1993, no fee be payable to the Deputy Mayor.

(Moved Cr Weston, seconded Cr Ciccia)

Deputy Mayor Cr Weston thanked his fellow Councillors and Council staff for their continued support. He also expressed his willingness to help new Councillors as they settle into the role of being a Councillor representing the local community. He also thanked and congratulated Mayor Cr Paul Maytom on the stability and strong leadership that he has provided to Leeton Shire Council over many years.

2. ACKNOWLEDGEMENT OF COUNTRY Cr George Weston (Civic Prayer), Mayor Paul Maytom (Acknowledgement of Country)

3. APOLOGIES

16/130

Resolved

THAT the apologies of Cr Michael Kidd and Cr Tracey Morris be accepted and that leave of absence be granted.

(Moved Cr Weston, seconded Cr Davidson)

4. CONFIRMATION OF THE MINUTES

16/131

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday, August 24 2016, as circulated, be taken as read and CONFIRMED.

(Moved Cr Davidson, seconded Cr Weston)

5. MAYORAL MINUTES - Nil

6. NOTICES OF MOTION - Nil

7. OFFICER'S REPORT

GENERAL MANAGER'S MATTERS

**Item 7.4 NARRANDERA LEETON VISITOR INFORMATION SERVICES
STEERING COMMITTEE HELD ON 26 JULY 2016**

16/132

Resolved

THAT Council formally notes the Narrandera Leeton Visitor Information Services Steering Committee Minutes from the 25 July 2016.

(Moved Cr Weston, seconded Cr Davidson)

CORPORATE SERVICES MATTERS

**Item 7.5 MINUTES OF WHITTON COURT HOUSE AND HISTORICAL
MUSEUM AGM 15 AUGUST 2016**

16/133

Resolved

THAT Council formally notes the Whitton Court House and Historical Museum Committee Annual General Meeting Minutes from the 15 August 2016.

(Moved Cr Davidson, seconded Cr Nardi)

**Item 7.6 PROPOSED LICENCE AGREEMENT BETWEEN LEETON
MOTORSPORTS CLUB AND LEETON SHIRE COUNCIL
CROWN RESERVES - RESERVES TRUST**

DECLARATION OF INTEREST

Deputy Mayor Cr George Weston declared a significant non-pecuniary interest as he is a foundation member of the Leeton Motor Cycle Club and his brother is the current President of the Leeton Motor Cycle Club. Cr Weston left the Chambers at 7.26pm whilst discussion and voting took place and returned at 7.28pm.

16/134

Resolved

THAT:

1. Leeton Shire Council Crown Reserves - Reserves Trust licence Part Lot 123 DP 751682 to the Leeton Motorsports Club for the conducting of motorsports events.
2. The period of the licence be from 1 July 2016 – 1 July 2026.
3. Annual rent of \$518.10 be charged by Leeton Shire Council (subject to annual CPI rises).
4. The Mayor and General Manager be authorised to sign and seal all relevant documentation in relation to the licence agreement.

(Moved Cr Reneker, seconded Cr Smith)

**Item 7.7 COUNCILLOR WORKSHOPS - OFFICE OF LOCAL
GOVERNMENT**

16/135

Resolved

THAT Councillors note the availability of Local Government NSW “hit the ground running” training.

(Moved Cr Ciccica, seconded Cr Davidson)

Item 7.8 INVESTMENTS - AUGUST 2016

16/136

Resolved

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

(Moved Cr Weston, seconded Cr Nardi)

ENGINEERING AND TECHNICAL SERVICES MATTERS

Item 7.9 LOCAL AREA TRAFFIC COMMITTEE MEETING - 18 AUGUST 2016

16/137

Resolved

THAT Council:

1. Resolves to adopt and endorse the following resolutions of the Local Area Traffic Committee as detailed in the Minutes of the Traffic Committee meeting held on 18 August 2016.

Item 2 – Watsonia Lane – Request to Change Traffic to One Way

Resolution:

That the Committee endorses the request from Margaret McKenzie, resident, for Council to investigate the request to change the direction of traffic in Watsonia Lane from two way traffic to one way traffic only. A report be presented to the LATC once investigations are completed.

(unanimous support)

Item 3 – Request for No Stopping Zone Extension – Washington’s Storage Warehouse in Kurrajong Avenue

Resolution:

That the Committee endorse Council conducting an investigation into the request, assessing the current parking, signage and line marking in the area. A report will be presented to the LATC once investigations are completed.

(unanimous support)

Item 4 – Army Reserve Unit Training Exercise – Leeton Showground

Resolution:

- a) That the Committee endorses the request from the Department of Defence for the Army Reserve Unit to hold its training exercise “Exercise Leeton Revival” be approved subject to the conditions outlined in the RMS Guide to Traffic and Transport at Special Events and as per the Council attached map.

- b) That the event is conducted as per times, locations, conditions and circumstances that are indicated in the application documents.
- c) Organisers and event participants immediately obey all directions as given by Police.
- d) Organisers and event participants obey all directions that may be given by Leeton Shire Council Officers
- e) Failure to comply with any of these event conditions will immediately void this approval.

(unanimous support)

Item 5 – Salvation Army Spring Fair Event

Resolution:

- a) That the Committee endorses the request from the Salvation Army to hold its Spring Fair and that this is approved subject to the conditions outlined in the RMS Guide to Traffic and Transport at Special Events.
- b) That the event is conducted as per times, locations, conditions and circumstances that are indicated in the application documents.
- c) Organisers and event participants immediately obey all directions as given by Police.
- d) Organisers and event participants obey all directions that may be given by Leeton Shire Council Officers
- e) Failure to comply with any of these event conditions will immediately void this approval.

(unanimous support)

Item 6 – Outback Band Spectacular Event

Resolution:

- a) That the Committee endorses the request from the Leeton Town Band be approved to hold the Outback Band Spectacular subject to the conditions outlined in the RMS Guide to Traffic and Transport at Special Events.
- b) That the event is conducted as per times, locations, conditions and circumstances that are indicated in the application documents.
- c) Organisers and event participants immediately obey all directions as given by Police.
- d) Organisers and event participants obey all directions that may be given by Leeton Shire Council Officers
- e) Failure to comply with any of these event conditions will immediately void this approval.
- f) That the Committee endorse Council to request further information on the event organisers. This information will be forwarded to Committee members for their review.

(unanimous support)

2. Write to Roads and Maritime Services (RMS) to request information on the school zone flashing lights program and what the long term objectives of the program are and request RMS to investigate the location of the existing end school zone sign in Wade Avenue.
3. Request the installation of flashing lights on Irrigation Way at Yanco Public School.

(Moved Cr Davidson, seconded Cr Nardi)

**Item 7.10 SECTION 64 (WATER, SEWER AND STORMWATER)
CONTRIBUTIONS AND SECTION 94A (COMMUNITY
FACILITIES) CONTRIBUTIONS PLANS CLARIFIED**

16/138

Resolved

THAT Council resolve to administratively correct clause 2.3 of the "Section 94A Fixed Levy Plan 2016" (adopted by Council April 2016) to read "This plan repeals the Section 94 components of the Leeton and Yanco Peripheral Area Contributions Plan as amended."

(Moved Cr Weston, seconded Cr Reneker)

ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS

Item 7.11 MEMORIAL GARDENS LEETON CEMETERY

16/139

Resolved

THAT Council consents to the enhancement of the existing memorial area for stillborn babies at the Leeton Cemetery noting that the development costs will be largely borne by the sponsorship secured by Brilliant and Resilient.

(Moved Cr Davidson, seconded Cr Nardi)

Item 7.12 CBD ENHANCEMENT PROJECT COMMITTEE MINUTES

16/140

Resolved

THAT the Minutes of the CBD Enhancement Project Committee meeting on Thursday, 1 September 2016 be noted.

(Moved Cr Weston, seconded Cr Reneker)

Item 7.13 MOUNTFORD PARK HERITAGE PATHWAY - STAGE 3

16/141

Resolved

THAT Council approve the construction of the final stage of the Heritage Pathway in Mountford Park, with the Lions Club of Leeton funding the pavers and Leeton Shire Council covering the cost of labour from existing Parks and Gardens resources.

(Moved Cr Smith, seconded Cr Ciccia)

Item 7.14 2016/17 HERITAGE GRANTS - ADDITIONAL FUNDS

16/142

Resolved

THAT Council approve the additional allocation of \$13,800 towards the Local Heritage Funding Grant from the Infrastructure Restriction to take advantage of the extra funds on offer by the Office of Environment and Heritage which will further support Council's CBD enhancement program.

(Moved Cr Weston, seconded Cr Reneker)

Item 7.15 LOCAL HERITAGE PLACES GRANT 2016/2017

16/143

Resolved

THAT Council approve the Local Heritage Places Grant offers for 2016/2017 as listed in the Table below.

Project No.	Project Name	Address	Total Project Cost	Grant Offer
2016/17_01	Enclosing Upstairs Balcony	7 Wade Ave, Leeton	\$ 4,420	\$ 1,000
2016/17_02	Yanco Church Upgrade	30 Main Ave, Yanco	\$ 10,250	\$ 4,000
2016/17_03	New Awning Ceiling Repair and Upgrade	66 Pine Ave, Leeton	\$ 16,885	\$ 5,000
2016/17_04	Façade and Awning Restoration	97-101 Pine Ave, Leeton	\$ 10,905	\$ 5,000
2016/17_05	External Painting	12 Wade Ave, Leeton	\$ 1,452	0
				Total Funding \$15,000

(Moved Cr Weston, seconded Cr Davidson)

8. STATEMENTS BY COUNCILLORS

Deputy Mayor Cr George Weston

Would like to investigate in consultation with relevant staff options for an archiving facility in Leeton. The General Manager advised that a small working party is to be formed shortly to investigate the feasibility of the project.

Cr Peter Davidson

Acknowledged and congratulated new Councillors Cr Smith, Cr Reneker, Cr Ciccia and Cr Nardi on their successful appointment for the 2016-2020 term of Leeton Shire Council. Cr Davidson also offered his assistance where needed to the new Councillors. He concluded by formally acknowledging and offering his thanks to former Councillor Emerson Doig for his commitment and service over the past 8 years.

Cr Tony Ciccia

Requested an update on the current obstetrics situation at Leeton District Hospital which the General Manager provided. More updates will be provided as they come to hand.

He also sought an update on whether Council had followed up on the recent job losses at the Daily Drinks Company (formerly Berri) which Mayor Paul Maytom provided. Further information to be provided and followed up on by Council's Economic Development, Tourism and Events Manager.

Mayor Cr Paul Maytom

Mayor Maytom provided an update on his attendance at the Heavy Vehicle Forum that he attended in Temora recently with the General Manager. This seminar was very beneficial for Council to attend and will have long term benefits for Leeton Shire as it had a particular focus on improving safety, freight efficiencies and road networks in New South Wales.

He also remarked on his attendance at the Community Tree Planting Day held at Fivebough Wetlands on Tuesday 20th September which he said was extremely well attended with over 300 local school children in attendance. Over 1000 trees were planted on the day. Council's Manager Planning and Environment Kelly Tyson was congratulated for organising such a professional and well organised event that showcased this wonderful ecotourism attraction for our Shire.

The Mayor concluded by speaking on his attendance at the “Constance on the Edge” special event held at the Roxy Theatre recently. It was a very special presentation. However, he said that attendance was low and that more promotion to the entire community through a variety of different promotional avenues is required for future Roxy events of this sort.

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.

16/144

Resolved

- 1 That Council move into Closed Council to consider business identified, together with any late reports tabled at the meeting.
- 2 That in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and Press be excluded from the meeting to enable Council to determine items listed in Confidential Matters for the reasons indicated.
- 3 That the report relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993.

(Moved Cr Weston, seconded Cr Smith)

Item 9.1 LAND MATTER – FIVEBOUGH ROAD

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 SALE OF LOT 33, DP 1053574 MASSEY AVENUE IN VANCE INDUSTRIAL ESTATE

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 8.30pm and the public and press left the Chambers.

Item 9.1 LAND MATTER – FIVEBOUGH ROAD

16/145

Resolved

THAT:

1. Council accept the offer from Photon Energy to purchase Lot 91, DP 751742 and Part Lot 1, DP 1056420.
2. Council create a drainage easement on Lot 91, DP 751742, along the boundary of Lot 1 and Lot 91, 10 metres wide for future drainage use.
3. Council authorise the Mayor and General Manager to sign and seal all documentation in relation to the sale and creation of drainage easement
4. All proceeds received from the sale of the property (after the easement has been created) be set aside in Council's Infrastructure (General) Restriction.

(Moved Cr Davidson, seconded Cr Ciccia)

Item 9.2 SALE OF LOT 33, DP 1053574 MASSEY AVENUE IN VANCE INDUSTRIAL ESTATE

16/146

Resolved

THAT Council:

1. Accept in principle the offer of \$70,000 including GST made by Graeme and Jenny Eldridge for the purchase of Lot 33 in DP 1053574 in Massey Avenue Leeton.
2. Provide public notification under Section 356 of the Local Government Act 1993 that it intends to sell Lot 39 in DP 1053574 in Massey Avenue, Leeton to Graeme and Jenny Eldridge for \$70,000 including GST.

3. Following the 28 day public notice period, if there are no submissions in objection, Council prepare a contract for the sale of Lot 33 DP 1053574 and affix the Common Seal of Council to the relevant sale documents pertaining to the sale of land at Lot 33 DP 1053574 in Massey Avenue Leeton for the purchase price of \$70,000 including GST.
4. Authorise the General Manager to sign all relevant documents in relation to the sale of Lot 33 in DP 105374, Massey Avenue, Leeton.
5. All proceeds received from the sale of the property be set aside in Council's Infrastructure (General) Restriction.

(Moved Cr Weston, seconded Cr Ciccia)

REVERSION TO OPEN COUNCIL

16/147

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 8.35pm.

(Moved Cr Weston, seconded Cr Nardi)

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

There being no further business the meeting closed at 8.37pm.

..... signed by
the Chairman of the meeting held on
19/10/2016 at which meeting the
signature hereon was subscribed.