



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 26 SEPTEMBER 2018
COMMENCING AT 7.07 PM
AT 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), Gerard Simms (Manager Information Technology) and Donna O'Bryan (Property Coordinator and Native Title Manager)

Press: Talia Carn (The Irrigator)

LEETON SHIRE COUNCIL

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1. **CIVIC PRAYER** Cr Paul Maytom
2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Paul Maytom
3. **APOLOGIES**

Nil

4. **CONFIRMATION OF THE MINUTES**

18/161

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 22 August 2018, as circulated, be taken as read and CONFIRMED.

(Moved Cr Ciccio, seconded Cr Morris)

5. **DECLARATIONS OF INTEREST - Nil**
6. **MAYORAL MINUTES - Nil**
7. **NOTICES OF MOTION - Nil**
8. **OFFICER'S REPORT**

GENERAL MANAGER'S MATTERS

Item 8.1 ELECTION OF THE MAYOR

18/162

Resolved

1. That the Director Corporate and Community as the Returning Officer proceeds with the election of the Mayor in accordance with the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005 for the two year Mayoral term of office from September 2018 to September 2020.
2. The Returning Officer declared that he had received one nomination for the position of Mayor from Councillor Paul Maytom.
3. The Returning Officer called for any other nominations for the position of Mayor.
4. As there were no other nominations received for the position of Mayor, Councillor Paul Maytom was elected unopposed as Mayor for the remaining two years of Council's term, from September 2018 to September 2020.

(Moved Cr Weston, seconded Cr Ciccio)

Item 8.2 ELECTION OF THE DEPUTY MAYOR

18/163

Resolved

In accordance with Section 231 (2) of the Local Government Act 1993 Council determines that the length of the Deputy Mayoralty is two years (September 2018 – September 2020).

(Moved Cr Weston, seconded Cr Davidson)

18/164

Resolved

No fees be paid to the Deputy Mayor.

(Moved Cr Weston, seconded Cr Smith)

18/165

Resolved

1. That the Director Corporate and Community as the Returning Officer proceeds with the election of the Deputy Mayor in accordance with the provisions of the Local Government Act 1993 and the Local Government (General) Regulation 2005.
2. The Returning Officer declared that he had received two nominations for the position of Deputy Mayor from Councillor George Weston and Councillor Michael Kidd.
3. The Returning Officer called for any other nominations for the position of Deputy Mayor.
4. That the method of electing the Deputy Mayor be by the Ordinary Ballot Voting Method.

(Moved Cr Davidson, seconded Cr Nardi)

18/166

Resolved

1. That Councillor George Weston won the ballot six votes to three and was elected as Deputy Mayor for the remaining two years of Council's term, from September 2018 to September 2020.

(Moved Cr Morris, seconded Cr Reneker)

Item 8.3 ROXY THEATRE ADVISORY COMMITTEE MINUTES

18/167

Resolved

THAT Council notes the Roxy Theatre Advisory Committee Minutes from the meeting held on Tuesday 8 May 2018.

(Moved Cr Kidd, seconded Cr Davidson)

CORPORATE AND COMMUNITY MATTERS

Item 8.4 INVESTMENTS REPORT AUGUST 2018

18/168

Resolved

THAT the information contained in the Investments Report for August 2018 be noted.

(Moved Cr Weston, seconded Cr Morris)

Item 8.5 LEETON GOLF COURSE 1 JANUARY 2018 TO 30 JUNE 2018 UPDATE

18/169

Resolved

THAT Council notes the Half Yearly Update Report from 1 January 2018 to 30 June 2018 on the activities at the Leeton Golf Course.

(Moved Cr Kidd, seconded Cr Reneker)

Item 8.6 ADOPTION OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE CHARTER AND APPOINTMENT OF THE COMMITTEE

THAT Council:

1. Formally adopts the Audit, Risk and Improvement Committee Charter with minor amendments.
2. Appoints Cr Tracey Morris as Council's voting representative on the Audit Risk and Improvement Committee.
3. Appoints Cr Tony Reneker as Council's non-voting representative and if there are more than two independents present then the non-voting Councillor becomes a voting Councillor on the Audit Risk and Improvement Committee.
4. Appoints Emerson Doig and Bill Robertson as Independent Members of the Audit, Risk and Improvement Committee noting that potential conflicts of interest will have to be managed and where necessary, advice sought.

Move into Closed Council

18/170

Resolved

THAT Council moves into Closed Council at 7.57pm to discuss Independent Member nominations received for the Audit, Risk and Improvement Committee.

(Moved Cr Weston, seconded Cr Morris)

Reversion to Open Council

18/171

Resolved

THAT Council moves back into Open Council at 8.09pm to continue with the remainder of Item 8.6.

(Moved Cr Kidd, seconded Cr Morris)

18/172

Resolved

THAT Council:

1. Formally adopts the Audit, Risk and Improvement Committee Charter with minor amendments.
2. Appoints Cr Tracey Morris as Council's voting representative on the Audit Risk and Improvement Committee.
3. Appoints Cr Tony Reneker as Council's non-voting representative and if there are more than two independents present then the non-voting Councillor becomes a voting Councillor on the Audit Risk and Improvement Committee.
4. Appoints Emerson Doig and Bill Robertson as Independent Members of the Audit, Risk and Improvement Committee noting that potential conflicts of interest will have to be managed and where necessary, advice sought
5. Authorises the General Manager to approach Graham Bradley who is a Chartered Accountant or another suitable person who is a Chartered Accountant or Certified Practising Accountant to serve as an Independent Chair.
6. Sets a fee for the Independent Chair of the Audit, Risk and Improvement Committee of up to \$2,500 per meeting plus disbursements.

7. Notes the following tentative dates for future Audit, Risk and Improvement Committee Meetings:

Wednesday 17 October 2018
Wednesday 16 January 2019
Wednesday 17 April 2019
Wednesday 17 July 2019
Wednesday 16 October 2019

8. Disbands the Internal Audit Committee and writes to the external members of that Committee to thank them for their service to the Leeton community.

(Moved Cr Kidd, seconded Cr Morris)

Item 8.7 CONFIRMATION OF MOTIONS SUBMITTED TO THE LOCAL GOVERNMENT NSW ANNUAL CONFERENCE

18/173

Resolved

THAT Council formally endorses the Notices of Motion as submitted on 26 August 2018 for inclusion in the Business Papers for the 2018 Local Government NSW Annual Conference.

(Moved Cr Morris, seconded Cr Weston)

Item 8.8 CLASSIFICATION OF COUNCIL MANAGED CROWN LAND AS OPERATIONAL LAND

18/174

Resolved

THAT Council requests approval from the Minister Administering the Crown Land Management Act 2016 to classify the land Reserves numbered and named as follows as Operational Land to be administered under the Local Government Act 1993, with full details as per **Attachment 1** of this report.

559041 - (General Cemetery Leeton)	1029908 - (General Cemetery Whitton)
62863 - (Murrami Sanitary and Rubbish Depot)	70849 - (Lake Paddock Reservoir)
79054 - (Water Supply Mountford Park)	69768 - (Water Supply Chelmsford Place)
87184 - (No. 7 Pump Station Gossamer Street)	159018 - (Drainage Reserve Karri Road)
1005048 - (Market Road Plantation)	69849 - (Yanco Water Tower)
52160 - (Whitton Rubbish Depot)	73235 - (Leeton Council Chambers)
85198 - (Reserve within Whitton Common)	87730 - (Railway Avenue Plantation)
87731 - (Sally Street Park)	82241 - (Arbuckle Park Wamoon)

(Moved Cr Davidson, seconded Cr Smith)

Item 8.9 INITIAL CATEGORISATION OF COUNCIL MANAGED CROWN LAND

18/175

Resolved

THAT Council requests approval from the Minister Administering the Crown Lands Management Act 2016 to categorise under the Local Government Act 1993 the land contained in **Attachment 1**, being the following Reserve Numbers, Names and Categories:

61839 - (Leeton Racecourse) - General Community Use/Park/Sportsground	61421 - (Reserve below Gogeldrie Weir) - General Community Use/Park
73115 - (Multi-Purpose Centre) - General Community Use	159001 - (Library) - General Community Use/Park
93647 - (Acacia Park, Wattle Park, Gossamer Park) - Park/General Community Use	97958 - Amesbury Common - (Natural Area)
97727 - (Leeton Early Learning Centre) - General Community Use	91063 - (Merungle Hill Pony Club) - General Community Use
78327 - (Eventide Homes) General Community Use	89629 - (Leeton Pre-School) - General Community Use
87730 - (Railway Avenue Plantation) - General Community Use	68781 - (Yanco Public Hall) - General Community Use
79179 - (Former Public Hall Fivebough) - General Community Use	84448 - (Public Hall Murrami) - General Community Use
90965 - (Whitton Court House and Gaol Museum) - Area of Cultural Significance	559022 - (War Memorial) - Area of Cultural Significance
57737 - (Wamoon Recreation Reserve) - Park/Natural Area	89086 - (Whitton Sportsground) - Sportsground
59920 - (Yanco Sportsground) - Sportsground	68522 - (Yanco Sportsground) - Sportsground
1014428 - (Brobenah Reserve) - Park/General Community Use/Sportsground	75463 - (Leeton Golf Course) - Sportsground
60944 - (Merungle Hill Recreation - Reserve) Park	69950 - Leeton & District Bowling Club) - Sportsground
87727 - (Enticknap Park) - Park	83509 - (Wamoon Park) - Park
87728 - (Central Park) - Park	66943 - (Uroly Reserve) - Park
68742 - (Waring Park) - Park	65785 - (Murrumbidgee River Reserve) - Park

87729 - (Noel Pulbrook Park) - Park	64566 - (Fivebough Recreation Reserve) - Park
90972 - (McCaughey Park) - Park	62925 - (Corbie Hill Recreation Reserve) - Park
69176 - (Former Tennis Court Yanco) - Park	58762 - (Stoney Point Recreation Reserve) - Park
85835 - (Waipakarau Park) - Park	77492 - (Murrami Recreation Reserve) - Park
62696 - (Leeton Public Baths) - Park	56271 - (Recreation Reserve Stanbridge) - Park
65604 - (Former Yanco Baths) - Park	42291 - (Whitton Memorial Park) - Park
88349 - (Whitton Public Baths) - Park	150013 - (Darlington Point Road Reserve) - Park
71743 - (Graham Park) - Park	62184 - (Mountford Park) - Park

(Moved Cr Weston, seconded Cr Nardi)

Item 8.10 UNION PICNIC DAY 2018

18/176

Resolved

THAT:

1. Council approves for Friday 2 November 2018 to be the Union Picnic Day.
2. Council offices remain open on Friday 2 November 2018.
3. All employees who are not financial members of the union(s) and not on a Rostered Day Off or on Approved Leave be required to work on Friday 2 November 2018.

(Moved Cr Kidd, seconded Cr Ciccia)

ENVIRONMENT AND ENGINEERING MATTERS

Item 8.11 ROADS TENDER - VARIOUS QUARRIED PRODUCTS

18/177

Resolved

THAT Council:

1. Accepts the Tender of Milbrae Quarries Pty Ltd for the primary Supply of Quarried Products at the submitted exclusive supply rates for all products, excluding Item 26 – River Sand, Item 29 – Red Loam, and Item 30 Top Soil/Mixed soils as per Table 1.
2. Accepts the Tender of HRD Readymix Pty Ltd for the primary supply of Item 26 – River Sand as per Table 1.
3. Accepts the Tender of McMahons Pty Ltd for the primary supply of Item 29 – Red Loam, and Item 30 – Top Soil/Mixed loam as per Table 1.

(Moved Cr Smith, seconded Cr Kidd)

Item 8.12 ROADS TENDER - HIRING OF PLANT AND EQUIPMENT

18/178

Resolved

THAT for Tender LSC2018–106 - Hiring of Plant and Equipment, the submissions be noted and be utilised, during 2018/19 financial year for the Hiring of this Plant and Equipment where available from the below suppliers, based upon equipment type required, availability and pricing:

- HRD Readymix
- Matt Sheldrick Bobcat & Excavator Hire
- Luxton Plant Hire
- McMahons Waste Removal
- Mark Hunterboyd Excavations
- Rollers Australia
- Kennards
- PremiAir Hire
- Universal Mobile Tower Hire
- Boots Constructions
- Orange Hire
- Crotty's Excavations
- RSP Environmental Services
- Conplant

(Moved Cr Kidd, seconded Cr Reneker)

Item 8.13 REZONING OF LAND - 26 LAKE PADDOCK DRIVE AND 98 ACACIA AVENUE EAST

18/179

Resolved

THAT Council resolves to:

1. Rezone Lot 49 in DP 1114977, 26 Lake Paddock Drive, Leeton, from Public Recreation RE1 to Low Density Residential R2.
2. Rezone Lot 742 in DP 751745, Acacia Avenue East, Leeton, from Public Recreation RE1 to Commercial Core B3.
3. Prepare and submit a Planning Proposal to NSW Planning and Environment seeking a Gateway determination to amend the Leeton Local Environmental Plan 2014 by rezoning of 26 Lake Paddock Drive Leeton and 98 Acacia Avenue East Leeton.
4. Request authorisation from NSW Planning and Environment to exercise the functions of the Minister for Planning under section 3.36 of the Environmental Planning & Assessment Act 1979 in relation to the Planning Proposal.
5. Authorise the Mayor and General Manager to sign all necessary documents in relation to this matter.

(Moved Cr Kidd, seconded Cr Smith)

Item 8.14 UPDATE ON LEETON FLOODPLAIN MANAGEMENT COMMITTEE

18/180

Resolved

THAT Council:

1. Notes the information contained within this report.
2. Nominates and endorses Cr Peter Davidson and Cr Mayor Paul Maytom to become members of the Leeton Shire Council Floodplain Management Committee.
3. Notes and endorses community and stakeholder membership of the Leeton Shire Council Floodplain Management Committee.

(Moved Cr Reneker, seconded Cr Smith)

Item 8.15 REQUEST TO WAIVE LANDFILL & RECYCLING FEE FOR GRALEE SCHOOL

18/181

Resolved

THAT Council supports the waiving of the Landfill and Recycling fee for the disposal of 4 to 6 tonnes of concrete, valued at approximately \$390.

(Moved Cr Ciccica, seconded Cr Smith)

9. STATEMENTS BY COUNCILLORS

Deputy Mayor Cr George Weston

Informed Council that he had been approached by Wendy Senti in regards to the "Letona" business name being for sale. Cr Weston will talk more with Wendy about this matter so that Council can further investigate acquiring the Letona name.

Cr Weston reminded his fellow councillors that the Retail and Small Business Breakfast is taking place on 10 October 2018 commencing 7am.

The Leeton Chamber of Commerce and Industry held their AGM on 26 September 2018. Wayne Bond from the Leeton Heritage Motor Inn was elected President, Jodie Ryan (Vice President), Matt Gatt (Secretary) and Michelle Houghton (Treasurer).

Cr Weston concluded his statements by expressing his support for the updated Local Preference Policy which has now been adopted by Council.

Cr Sandra Nardi

Cr Nardi is pleased to see that the Yanco Splash Pad is progressing nicely and thanked the Open Space and Recreation Team for their hard work and coordination of the works associated with this important project for the people of Yanco.

She was pleased to see over 50 people in attendance at the Totem Skateboarding Workshop providing their feedback on the proposed extensions to the Leeton Regional Skatepark. Cr Nardi asked that her thanks be passed onto David and Nigel Cameron from Totem Skateboarding, Community Development Coordinator Sarah Collis for creating the survey and attending on the day, the Manager Open Space and Recreation Josh Clyne for his support and attendance on the day and Cr Ciccica and Mayor Maytom for attending and listening to regular users of the facility on the day.

Cr Tony Ciccia

Cr Ciccia congratulated Cr Nardi for her efforts with supporting the Totem Skateboard event.

He was also pleased to report that he had received many favourable comments from residents regarding the painting works at the Roxy Theatre.

Cr Ciccia concluded by expressing his concerns relating to water allocations for farmers and a recent press release he read regarding staff shortages at the Leeton District Hospital.

Cr Tracey Morris

Cr Morris is pleased to see the flowers around town looking great thanks to the hard work of Council's Open Space and Recreation Team.

She also asked that Council send letters of thanks to the volunteers involved with sense of place and beautification works in Whitton. These local artists have done a great job in enhancing the main area of Whitton as people stop and pass through Whitton.

Cr Tony Reneker

Requested an update on Council's interest in acquiring the old Water Resources Building next to the Council Chambers in Chelmsford Place.

The General Manager advised that no formal response has been provided as yet to Council's request to acquire the building at a nominal cost.

Cr Paul Smith

Congratulated all local sporting teams that competed in finals action throughout September.

Cr Smith attended the Beyond Bank Cause for Celebration event held earlier in the month and was thrilled to see \$10,000 awarded to the Leeton Community Op Shop and \$5,000 for Gralee School P&C.

He concluded by encouraging his fellow councillors to spare a couple of hours on Saturday 6 October 2018 to participate in and throw their support behind the Relay for Life event taking place at the Leeton Town Ovals Complex.

Mayor Cr Paul Maytom

The Mayor and his wife Julie attended the Gralee School's 50th Celebration at the MIA Club. It was great to be involved in the celebration and to recognise people such as the late Neville Hunt who convened the public meeting that established a special school catering for students with disabilities. It is heart-warming to see how the community is so willing to help children with disabilities in our region. He particularly acknowledged the work of the teachers and support staff who everyday give care, understanding and opportunity to these students so that they are able to reach their full potential.

He concluded by requesting a report be tabled at the October Ordinary Council Meeting to discuss options to upgrade Almond Road. The General Manager said staff would endeavor to achieve this but that there were some resourcing issues at present.

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.

18/182

Resolved

THAT:

1. Council moves 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 Nardi, seconded Cr Davidson)

Item 10.1 WAMOON SEWERAGE TREATMENT PLANT ACQUISITION OF LAND FROM MURRUMBIDGEE IRRIGATION

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 9.03 pm and the public and press left the Chambers.

CLOSED COUNCIL - CONFIDENTIAL ITEMS

Item 10.1 WAMOON SEWERAGE TREATMENT PLANT ACQUISITION OF LAND FROM MURRUMBIDGEE IRRIGATION

18/183

Resolved

THAT Council:

1. Approve of entering into a Deed of Acquisition and Access with Murrumbidgee Irrigation Limited for the acquisition of part Lot 87 Deposited Plan 751703 for the sum of \$13,000.
2. Authorise the Mayor and General Manager to sign all necessary documents in relation to the Deed of Acquisition and Access with Murrumbidgee Irrigation Limited and if required affix Council Seal.

(Moved Cr Davidson, seconded Cr Ciccia)

REVERSION TO OPEN COUNCIL

18/184

Resolved

THAT this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.09pm.

(Moved Cr Weston, seconded Cr Smith)

The Mayor advised that during the Closed Council resolutions were passed. The General Manager read out the resolutions made in Closed Council for Item 10.1 WAMOON SEWERAGE TREATMENT PLANT ACQUISITION OF LAND FROM MURRUMBIDGEE IRRIGATION.

There being no further business the meeting closed at 9.10 pm.

..... signed by
the Chairman of the meeting held on
24/10/2018 at which meeting the
signature hereon was subscribed.