



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 28 NOVEMBER 2018
COMMENCING AT 7.04PM
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), Jackie Hawkins (Acting Director Corporate and
Community), Peter Keane (Director Environment and Engineering) and Brent
Lawrence (Manager Communications and Marketing)

Press:

Talia 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**

18/193

Resolved

THAT the apology of Director Corporate and Community Craig Bennett be noted.

(Moved Cr Nardi, seconded Cr Weston)

4. **CONFIRMATION OF THE MINUTES**

18/194

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 24 October 2018, as circulated, be taken as read and CONFIRMED.

(Moved Cr Ciccia, seconded Cr Davidson)

5. **DECLARATIONS OF INTEREST**

Cr Michael Kidd declared a Non Significant Non Pecuniary Interest for Item 10.2 – Request for Financial Assistance – Demolition of 17 Palm Avenue. The reason for this declaration is that Cr Kidd works with one of the applicants.

Cr Tony Ciccia declared a Pecuniary Interest for Item 8.15 – Leeton Shire Council Traffic Committee Minutes - 8 November 2018. The reason for this declaration is that Cr Ciccia owns land in Wade Avenue in the vicinity of the proposed changes to parking.

ADDITIONAL/LATE ITEMS

18/195

Resolved

THAT the following items, namely:

- 6.2. LOCAL GOVERNMENT RESPONSE TO THE CHANGES TO THE FEDERAL STATUS RESOLUTION SERVICES (SRSS) PROGRAM
 - 10.2 REQUEST FOR FINANCIAL ASSISTANCE - DEMOLITION OF 17 PALM AVENUE
- are accepted as late items onto this Agenda for discussion.

(Moved Cr Davidson, seconded Cr Reneker)

Suspension of Standing Orders

18/196

Resolved

SUSPENSION OF STANDING ORDERS

THAT Standing Orders be suspended to allow ITEM 8.2 – PRESENTATION OF ANNUAL FINANCIAL REPORTS AND AUDITOR'S REPORTS FOR THE YEAR ENDING 30 JUNE 2018 to be presented.

(Moved Cr Weston, seconded Cr Smith)

Having so resolved, Standing Orders were suspended, the time being 7.13pm to allow Ms Dannielle MacKenzie from Crowe Horwath in Albury to present the Auditor's Reports for the year ending 30 June 2018.

Resumption of Standing Orders

18/197

Resolved

RESUMPTION OF STANDING ORDERS

THAT Standing Orders be resumed.

(Moved Cr Weston, seconded Cr Smith)

Having so resolved, Standing Orders resumed, the time being 7.33pm.

Item 8.2 PRESENTATION OF ANNUAL FINANCIAL REPORTS AND AUDITOR'S REPORTS FOR THE YEAR ENDING 30 JUNE 2018

18/198

Resolved

THAT Council notes the presentation on the 2017/2018 Financial Reports and Auditor's Reports for Leeton Shire Council by Ms Dannielle MacKenzie from Crowe Horwath in Albury.

(Moved Cr Weston, seconded Cr Smith)

6. MAYORAL MINUTES

Item 6.1 LOCAL GOVERNMENT PUSH TO SAVE RECYCLING

18/199

Resolved

THAT Council:

1. Endorses the NSW Local Government Save our Recycling campaign.
2. Takes a leading role in activating the campaign locally.
3. Formally advises Local Government NSW that Council has endorsed the Save Our Recycling Campaign.

(Moved Cr Kidd, seconded Cr Smith)

Item 6.2 LOCAL GOVERNMENT RESPONSE TO THE CHANGES TO THE FEDERAL STATUS RESOLUTION SERVICES (SRSS) PROGRAM

18/200

Resolved

THAT Council:

1. Indicates support for the Local Government Mayoral Taskforce Supporting People Seeking Asylum.
2. Becomes a member of the Taskforce.
3. Undertakes advocacy with State and Federal MPs, including the Federal Minister for Home Affairs and the Prime Minister.

(Moved Cr Maytom, seconded Cr Kidd)

7. NOTICES OF MOTION - Nil

8. OFFICER'S REPORT

GENERAL MANAGER'S MATTERS

Item 8.1 REINVESTMENT OF UNSPENT RAMROC FUNDS

18/201

Resolved

THAT Council:

1. Notes the resolution of the Riverina and Murray Regional Organisation of Council's meeting on 18 May 2018 and the Riverina and Murray Joint Organisation's meeting of 29 June 2018 in relation to the suggestion that Member Councils contribute their share of surplus Riverina and Murray Organisation of Council's funds as at the time of wind up to the new Joint Organisation.
2. Donates the reimbursed Leeton Shire Council share of surplus Riverina and Murray Regional Organisation's fees, being an amount of \$13,264.20, to the Riverina and Murray Joint Organisation.
3. Formally advises the Interim Executive Officer of the Riverina and Murray Joint Organisation of its decision.

(Moved Cr Weston, seconded Cr Reneker)

CORPORATE AND COMMUNITY MATTERS

Item 8.3 ANNUAL REPORT FOR THE 2017/2018 FINANCIAL YEAR

18/202

Resolved

THAT:

1. Council notes the activity and achievements as outlined within the Annual Report for the 2017/2018 Financial Year.
2. The Annual Report for the 2017/2018 Financial Year as noted be posted on Leeton Shire Council's webpage and promoted for the information of the community and the Minister for Local Government is to be informed of its availability by Friday 30 November 2018.

(Moved Cr Smith, seconded Cr Morris)

Item 8.4 QUARTERLY REVIEW OF THE DELIVERY PROGRAM AND OPERATIONAL PLAN (DPOP) AS AT 30 SEPTEMBER 2018

18/203

Resolved

THAT Council notes the progress in relation to the Leeton Shire Council Delivery Program (2017-2021) and Operational Plan (2018/2019) for the Quarter ending 30 September 2018.

(Moved Cr Ciccia, seconded Cr Morris)

Item 8.5 2018/2019 BUDGET REVIEW FOR THE QUARTER ENDING 30 SEPTEMBER 2018

18/204

Resolved

THAT the review of Council's Budget as at 30 September 2018 be noted and the variations contained in the Quarterly Budget Review Statements (Budgeted Income Statement – Consolidated and Capital Expenditure Funding Source and Asset Classification included as part of Attachment 1) be adopted.

(Moved Cr Morris, seconded Cr Reneker)

Item 8.6 INVESTMENTS REPORT OCTOBER 2018

18/205

Resolved

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

(Moved Cr Kidd, seconded Cr Morris)

Item 8.7 STATUTORY CODE OF CONDUCT COMPLAINTS STATISTICS REPORT FROM 1 SEPTEMBER 2017 TO 31 AUGUST 2018

18/206

Resolved

THAT Council notes:

1. That there were no Code of Conduct complaints made about Councillors or the General Manager during the period of 1 September 2017 to 31 August 2018.
2. That these statistics have been reported to the Office of Local Government in accordance with the Procedures for Administering the Model Code of Conduct.

(Moved Cr Kidd, seconded Cr Davidson)

**Item 8.8 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE
MEETING HELD ON FRIDAY 26 OCTOBER 2018**

18/207

Resolved

THAT:

1. Council notes for information the Minutes of the Audit, Risk and Improvement Committee meeting held on Friday 26 October 2018.
2. The Independent Committee Members who are part of the Audit, Risk and Improvement Committee be formally declared Designated Persons by Council in accordance with Section 441 of the Local Government Act 1993 and be required to lodge Disclosure of Interests Returns to the General Manager by 28 February 2019.

(Moved Cr Morris, seconded Cr Reneker)

**Item 8.9 ROUND 1 OF THE 2018/2019 COMMUNITY STRENGTHENING GRANTS
ALLOCATIONS**

18/208

Resolved

THAT Council approves the following applications for assistance under Round 1 of the 2018/2019 Community Strengthening Grants Scheme:

Leeton Community Care Development Inc.	\$1,796
Riverina Riding Club Inc.	\$1,000
TOTAL	\$2,796

(Moved Cr Smith, seconded Cr Nardi)

Item 8.10 OFFICE CLOSURE - ALL STAFF MEETING FOR SERVICE AWARDS

18/209

Resolved

THAT Council's Depot, Administration Office and Library, Landfill and Swimming Pool be closed from 1.00pm to 3.00pm on Wednesday 12 December 2018.

(Moved Cr Smith, seconded Cr Kidd)

Item 8.11 CANCELLATION OF DECEMBER COUNCIL MEETING

18/210

Resolved

THAT Council cancels the December 2018 Ordinary Council Meeting and gives public notice of this decision. In the event of an unexpected urgent item requiring Council approval, an Extraordinary Council meeting shall be convened.

(Moved Cr Nardi, seconded Cr Morris)

ENVIRONMENT AND ENGINEERING MATTERS

**Item 8.12 LOCAL HERITAGE ADVISORY COMMITTEE MEETINGS - 16 AUGUST
2018 AND 18 OCTOBER 2018**

18/211

Resolved

THAT Council formally notes the Local Heritage Advisory Committee meeting minutes held on Thursday 16 August 2018 and Thursday 18 October 2018.

(Moved Cr Weston, seconded Cr Ciccia)

**Item 8.13 AMENDMENT TO THE LEETON LOCAL ENVIRONMENTAL PLAN 2014 –
ADDITIONAL PERMITTED RESIDENTIAL USES IN THE B3 COMMERCIAL
CORE ZONE**

18/212

Resolved

THAT Council resolves to adopt the Leeton Local Environmental Plan 2014 (Amendment No 2) which applies to land within the Zone B3 Commercial Core and changes the Leeton LEP 2014 by inserting in the land use table for Zone B3:

1. A new objective which states *“To provide residential housing if adequate amenity will be provided for residents and the land will not be required for commercial or retail use”*,
2. The following additional land uses *“Dwelling houses;”, “Hostels;”, “Multi dwelling housing;”, “Residential flat buildings;”* and *“Seniors Housing;”* as development permitted with consent.

(Moved Cr Kidd, seconded Cr Davidson)

Item 8.14 ADOPTION OF THE LEETON SHIRE COUNCIL GRAFFITI MANAGEMENT POLICY

18/213

Resolved

THAT the Draft Graffiti Management Policy be placed on public notification for twenty eight (28) days and should there be no submissions received after 42 days by Council at the completion of this period, the Leeton Shire Council Graffiti Management Policy is to be adopted with amendments to 4.1.3 being the removal of Crime Stoppers and replacement with Emergency Number 000 and the additional note that a reward is available for reporting of an incident that leads to a conviction.

(Moved Cr Smith, seconded Cr Reneker)

Item 8.15 LEETON SHIRE COUNCIL TRAFFIC COMMITTEE MINUTES - 8 NOVEMBER 2018

18/214

Resolved

THAT:

1. Council notes the Minutes of the LATC meeting held on 8 November 2018 and endorses the recommendations of Item 1 and Item 3, defers a decision on Item 2 pending further investigation related to pedestrian safety and adds a minute for Item 5 noting that the matter was removed from the Traffic Committee agenda on the basis that it was not Traffic Committee business.

(Moved Cr Weston, seconded Cr Davidson)

Cr Tony Ciccia declared a Pecuniary Interest for Item 4 of Leeton Shire Council Traffic Committee . The reason for this declaration is that Cr Ciccia owns land in Wade Avenue in the vicinity of the proposed changes to parking. Cr Ciccia vacated the Chamber at 8.44pm and took no part in the debate or vote on this matter.

(Moved Cr Weston, seconded Cr Smith)

2. Council notes the Minute and endorses the recommendation of Item 4 of the LATC meeting held on 8 November 2018 noting that the final design will go out for public consultation as part of the Wade Avenue CBD enhancement project.

(Moved Cr Weston, seconded Cr Smith)

9. STATEMENTS BY COUNCILLORS

Cr George Weston

Cr Weston asked his fellow Councillors if any of them would be available to represent Council at various 2019 Australia Day celebrations happening around Leeton Shire. Cr Sandra Nardi and Cr Peter Davidson indicated that they would be available to attend the Yanco Australia Day Breakfast. Cr Tracey Morris and Cr Paul Smith indicated they were at this stage available to attend the Murrami celebrations.

Cr Weston thanked the Council staff involved with supporting the Leeton Town Feature in the Central West Lifestyle Magazine Summer edition.

He also conveyed his thanks to the Leeton Family and Local History Society on the recent launch of the "Local Lads" publication.

Cr Weston concluded by informing Council that Yanco Lions Club recently formed its new Board and that operations seem to be improving but will continue to be closely monitored.

Cr Tony Ciccio

Cr Ciccio raised a question regarding line marking required at the northern end of Fivebough Road indicating that it needs to be done as this road was recently resealed right to the edge of the drain.

He has also received concerns regarding issues in relation to the pooling of water near the Motel Riverina. The Director of Environment and Engineering stated that this matter was being looked into by his staff currently and he is awaiting a report prior to any rectification works.

Cr Tracey Morris

Cr Morris commented that the flower beds in the Leeton CBD are looking great heading into Christmas. Congratulations to the Open Space and Recreation Team for timing the planting perfectly.

Cr Morris thanked her fellow Councillors and Council staff for their hard work and commitment to the local community throughout 2018 and is excited by the many projects that we will be delivering in the near and distant future.

Cr Morris expressed concern about the volume of reading required for this Council meeting and the tabling of two late reports.

Cr Tony Reneker

Cr Reneker attended the South West NSW Zone Libraries Meeting on 15 November 2018. He said it was a very enlightening meeting where it was highlighted that the proposed reduction of funding levels for Leeton Shire Library by the State Government was actually 12%, well above the state average of 5.2%.

Cr Michael Kidd

Cr Kidd concurred with Cr Ciccia that the drainage issues in the vicinity of the intersection of Gidgee Street and Yanco Avenue (opposite Motel Riverina) and near the Leeton Visitors Information Centre needs some serious attention.

Cr Paul Smith

Raised a question regarding the lack of traffic control arrangements for the 100 Year Leeton RSL Sub Branch Remembrance Day Service.

Cr Smith also asked about current situation with the planter box on Wade Avenue which looks unsightly with loose dirt and bricks following a traffic accident.

He also suggested that all Councillors should try and take the initiative to nominate someone from the committees that they are involved in for the Australia Day Awards.

Wished all of the staff and fellow Councillors a Merry Christmas and looks forward to working with everyone for more great results in 2019.

Mayor Cr Paul Maytom

Cr Maytom thanked the Leeton Country Music Roundup Committee for once again putting on another great event.

The Mayor has received outstanding comments in relation to the Leeton Town Feature in the Central West Lifestyle Magazine edition. It was pleasing to see Leeton showcased in such an impressive way.

Multicultural NSW Regional Advisory Council held their most recent meeting at the Roxy Theatre and were impressed with the venue and stories from our local refugees who explained what it was like forging a better life with great opportunities and support for their families in Leeton.

The Mayor also attended an RMS Forum where Councils were encouraged to give them feedback on local hotspots in order to attract funding.

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.

18/215

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 Ciccia, seconded Cr Nardi)

Item 10.1 GOGELDRIE WEIR CARAVAN PARK

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 10.2 REQUEST FOR FINANCIAL ASSISTANCE - DEMOLITION OF 17 PALM AVENUE

This report is considered confidential in accordance with the *Local Government Act 1993*, as the report contains personnel matters concerning particular individuals (Section 10A(2)a).

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 10.11pm and the public and press left the Chambers.

CLOSED COUNCIL - CONFIDENTIAL ITEMS

Item 10.1 GOGELDRIE WEIR CARAVAN PARK

18/216

Resolved

THAT Council:

1. Rescinds its resolution passed on 15 September 2015 Min. No. 15/201:

"Council terminate the sub licence agreement currently in place and replace with a lease agreement to the existing licensee for the same period of time being first period expiring 22 December 2016 with one further option being from 23 December 2016 to 22 December 2021."

and

2. Enters into a new Licence agreement with Darrell John Collins under the same terms as 1 above within 3 months of this resolution being passed and, if this is not achieved, that Council continues to rely on the existing Licence agreement until it expires.

(Moved Cr Davidson, seconded Cr Weston)

Item 10.2 REQUEST FOR FINANCIAL ASSISTANCE - DEMOLITION OF 17 PALM AVENUE

18/217

Resolved

THAT:

1. The Director Environment and Engineering provide further information as soon as practical as to the ongoing stability of the site and any impacts to public safety at Council's cost.
2. Council authorises the General Manager to extend or re-issue an Order under the Local Government Act 1993 or any other Act to Demolish the Burnt Dwelling for a further 180 days from date of its expiry, if relevant.

(Moved Cr Weston, seconded Cr Nardi)

REVERSION TO OPEN COUNCIL

18/218

Resolved

THAT this meeting of the Closed Council revert to an open meeting of the Council, the time being 11.50pm.

(Moved Cr Weston, seconded Cr Smith)

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 10.1 and 10.2.

There being no further business the meeting closed at 11.51pm.

..... signed by
the Chairman of the meeting held on
23/1/2019 at which meeting the
signature hereon was subscribed.