



**LEETON**  
SHIRE COUNCIL

**MINUTES OF THE ORDINARY  
COUNCIL MEETING  
WEDNESDAY 23 JANUARY 2019  
COMMENCING AT 7.06PM  
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 and Cr. Tracey Morris

**Staff:**

Jackie Kruger (General Manager), Craig Bennett (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 Peter Davidson
2. **ACKNOWLEDGEMENT OF COUNTRY** – Cr Paul Maytom

### 3. **APOLOGIES**

19/001

**Resolved**

THAT the apology of Cr Michael Kidd be accepted and leave of absence be granted.

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

### 4. **CONFIRMATION OF THE MINUTES**

19/002

**Resolved**

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 28 November 2018, as circulated, be taken as read and CONFIRMED.

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

### **ADDITIONAL/LATE ITEMS**

19/003

**Resolved**

THAT the following items, namely:

- 8.14. DEVELOPMENT APPLICATION 126/2018 - ADDITIONS TO MEDICAL SURGERY - LOT 1, SP 33931 are accepted as late items onto this Agenda for discussion.

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

### 5. **DECLARATIONS OF INTEREST**

Cr George Weston declared a Non Significant Non Pecuniary Interest for Item 8.14 – Development Application 126/2018 – Additions to Medical Surgery – Lot 1, SP 33931. The reason for this declaration is that Cr Weston employs the owner of an adjoining premises and the applicant is his current doctors. Having made the declaration, Cr Weston will remain in the Chamber, participate in the debate and vote on the item.

Cr Anthony (Tony) Ciccia declared a Pecuniary Interest for Item 10.2 – Vance Industrial Estate Expansion – Strategic Intent Stage 3. The reason for this declaration is that Cr Ciccia is a fruit supplier to Pacific Fresh. Councillor Ciccia vacated the Chamber at 10.43pm and took no part in the debate or vote on this matter.

Cr Tracey Morris declared a Non Significant Non Pecuniary Interest for Item 8.2 – Roxy Development Project. The reason for this declaration is that Cr Morris is

an elected Councillor on this Committee and all reporting is to Council. Having made the declaration, Cr Morris will remain the Chamber, participate in the debate and vote on the item.

**19/004**

**Resolved**

THAT Items 8.2, 8.12 and 8.13 on the Council Agenda be brought forward for discussion.

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

**SUSPENSION OF STANDING ORDERS**

**19/005**

**Resolved**

THAT Standing Orders be suspended to allow for public presentations from Jason Richardson and Jody Brady.

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

Having so resolved, Standing Orders were suspended, the time being 7.11pm to allow Jason Richardson to address the meeting regarding the Roxy Redevelopment and the PAMP and Jody Brady to address the meeting regarding Development Application 126/2018, Additions to Medical Surgery 1/77 Kurrajong Avenue.

**RESUMPTION OF STANDING ORDERS**

**19/006**

**Resolved**

THAT Standing Orders be resumed.

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

Having so resolved, Standing Orders resumed, the time being 8.15pm.

**Item 8.2 ROXY REDEVELOPMENT PROJECT**

Cr Tracey Morris declared a Non Significant Non Pecuniary Interest for this Item. The reason for this declaration is that Cr Morris is an elected Councillor on this Committee and all reporting is to Council. Having made the declaration, Cr Morris remained in the Chamber, participated in the debate and voted on this item.

**19/007**

**Resolved**

THAT Council:

1. Notes this report and the general process proposed for the governance and management of the Roxy Redevelopment Project.
2. Endorses the setup of the Roxy Redevelopment Committee and its Terms of Reference.
3. Endorses the Mayor, Cr Kidd, Cr Nardi, Katherine Herrmann and Council's Manager Communications and Marketing Brent Lawrence to select two further community representatives to join the Roxy Redevelopment Committee following a call for nominations.
4. Endorses the Leeton Roxy Community Theatre Advisory Committee go into recess once the rebuild commences with Council non-confidential updates routinely provided to Roxy Advisory Committee members for information.
5. Notes that further reports will be presented to Council to endorse the detailed design plans ahead of tenders being called for any capital works.

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

**Item 8.12 LEETON SHIRE COUNCIL PEDESTRIAN ACCESS AND MANAGEMENT PLAN (PAMP)**

**19/008**

**Resolved**

THAT the Pedestrian Access Management Plan (PAMP) be placed on public exhibition for twenty eight (28) days and should there be no significant submissions received by Council for up to 42 days, then the Leeton Shire Council Pedestrian Access Management Plan is to be adopted by Council. Should significant response be received by Council then a further report outlining responses be presented to Council.

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

**Item 8.13 DEVELOPMENT APPLICATION 126/2018 - ADDITIONS TO MEDICAL SURGERY - 1/77 KURRAJONG AVENUE - LOT 1, SP 33931**

Cr George Weston declared a Non Significant Non Pecuniary Interest for this Item. The reason for this declaration is that Cr Weston employs the owner of an adjoining premises. The applicant is his current doctors. Having made the declaration, Cr Weston remained in the Chamber, participated in the debate and voted on this item.

**19/009**

**Resolved**

THAT Council resolves to:

1. Approve Development Application 126/2018 to extend the Leeton Family Clinic in accordance with the suggested Conditions of Consent attached to this report.
2. Hold a division to record votes for and against the resolution.

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

**For the Motion**

Cr P Davidson  
Cr G Weston  
Cr T Morris  
Cr S Nardi  
Cr T Reneker  
Cr P Smith

**Against the Motion**

Cr P Maytom  
Cr T Ciccia

**Carried 6/2**

**Item 6.1 MAYOR'S PRIORITIES FOR 2019**

**19/010**

**Resolved**

THAT this information be noted.

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

**6. NOTICES OF MOTION**

**7. OFFICER'S REPORT**

**GENERAL MANAGER'S MATTERS**

**Item 8.1 2017/2018 THRIVE RIVERINA ANNUAL REPORT AND STRATEGIC IMPLEMENTATION REPORT**

**19/011**

**Resolved**

THAT Council notes the update provided in relation to progress made in the Thrive Riverina 2017/18 Annual Report and Strategic Plan Implementation Report.

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

**CORPORATE AND COMMUNITY MATTERS**

**Item 8.3 ORDINARY COUNCIL MEETING DATES FROM 1 APRIL 2019 TO 31 MARCH 2020**

**19/012**

**Resolved**

THAT the Ordinary Council Meetings for the 12 months from 1 April 2019 until 31 March 2020 be held at 7.00 pm on each of the following dates:

- Wednesday 24 April 2019
- Wednesday 1 May 2019 – Ordinary Council Meeting for the adoption of the Annual Operational Plan & Budget
- Wednesday 22 May 2019
- Wednesday 26 June 2019
- Wednesday 24 July 2019
- Wednesday 28 August 2019
- Wednesday 18 September 2019
- Wednesday 23 October 2019
- Wednesday 27 November 2019
- Wednesday 22 January 2020
- Wednesday 26 February 2020
- Wednesday 25 March 2020

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

**Item 8.4 INVESTMENTS REPORT NOVEMBER 2018**

**19/013**

**Resolved**

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

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

**Item 8.5 INVESTMENTS REPORT DECEMBER 2018**

**19/014**

**Resolved**

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

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

**Item 8.6 PRIMARY DISCLOSURE OF INTEREST RETURNS SUBMITTED BY DESIGNATED PERSONS FROM 1 OCTOBER 2018 TO 31 DECEMBER 2018**

**19/015**

**Resolved**

THAT Council notes that all Primary Disclosure of Interest Returns for Designated Persons from 1 October 2018 to 31 December 2018 have been submitted in accordance with the requirements of the Local Government Act 1993 and are tabled at this Ordinary Council Meeting for the following position:

- Manager Community Services

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

**Item 8.7 DETERMINATION ON THE ADMINISTRATION OF THE SEPTEMBER 2020 COUNCIL ELECTIONS**

**19/016**

**Resolved**

THAT Leeton Shire Council resolves:

1. Pursuant to s. 296(2) and (3) of the Local Government Act 1993 (NSW) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a council poll arrangement, if required at the time of the Local Government Elections in September 2020, be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.
3. Pursuant to s. 296(2) and (3) of the Act, as applied and modified by s. 18, that a constitutional referendum arrangement, if required at the time of the Local Government Elections in September 2020, be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.
4. To notify the New South Wales Electoral Commissioner of its decision.

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

**Item 8.8 MINUTES OF THE YANCO HALL MANAGEMENT COMMITTEE (JUNE 2018 TO NOVEMBER 2018)**

**19/017**

**Resolved**

THAT Council receives for information the Minutes of the Yanco Hall Management Committee for 11 June, 13 August and 12 November having been sent to Council and notes the information contained within the Minutes.

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

**Item 8.9 COMMUNITY STRENGTHENING GRANT - YOUTH DEVELOPMENT GRANT - RYAN BUTLER**

**19/018**

**Resolved**

THAT Council:

1. Awards Ryan Butler a \$250 Youth Development Grant to assist with the costs associated with representing Leeton and Australia at the 2019 Track and Field Athletics tour, which will be held in Canada from 26 June to 14 July 2019.
2. Reviews the criteria of this grant to include "recognised by representative sporting body".

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

**ENVIRONMENT AND ENGINEERING MATTERS**

**Item 8.10 LOCAL HERITAGE GRANTS - REQUEST FOR DELEGATION TO APPROVE GRANTS FOR CBD FACADE REFURBISHMENT**

**19/019**

**Resolved**

THAT Leeton Shire Council delegates full responsibility for distributing Local Heritage Grants to:

- Mayor
- Deputy Mayor
- Director Environment & Engineering
- Manager Planning, Building & Health
- Heritage Advisor
- Marketing and Cultural Services Co-ordinator

for the 2018/19 round of Heritage Grants only.

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



**Item 8.11 FOOTPATH PROPOSALS 2018/19 BUDGET**

**19/020**

**Resolved**

THAT Leeton Shire Council endorses the construction of the following footpaths up to the budgeted amount of \$200,000 as per the priorities listed below:

1. Cudgel Street, Yanco - Missing Link from School entrance to bus bay.
2. Ash Street - New footpath and kerb ramps on the eastern side of the road.
3. Cedar Street - North of Pine Avenue.
4. Cedar Street - North of Pine Avenue, eastern side between Sycamore Street and Pine Avenue.
5. Upgrade ten standard and four non-standard medium/high priority kerb ramps as per the draft PAMP.

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

**Item 8.14 DEVELOPMENT APPLICATION 126/2018 - ADDITIONS TO MEDICAL SURGERY - LOT 1, SP 33931**

Council dealt with this item as 8.13.

**8. STATEMENTS BY COUNCILLORS**

**Cr George Weston**

The Deputy Mayor reminded his fellow Councillors about the Australia Day activities taking place on Saturday 26 January 2019. Cr Paul Smith will attend the Murrumbidgee Australia Day celebrations and Cr Sandra Nardi the Yanco event.

Cr Weston thanked Cr Tony Reneker for his support with the Australia Day Awards.

**Cr Sandra Nardi**

Cr Nardi commenced by welcoming all her Councillors and the staff back to duty and wished them all the best for a prosperous 2019.

She asked that the staff responsible for the installation of the "Look Out Before You Step Out" stickers placed at various locations around Leeton Shire be commended for this fantastic initiative that raises further awareness of pedestrian safety.

Cr Nardi concluded by asking the possibility of Leeton Shire Council looking into Silo Art opportunities. She explained that there is significant interest and passion within the community for this type of project to become a reality.

The General Manager cautioned that staff resourcing was currently fully committed.

Council's Manager Communications and Marketing will investigate over the next few months with neighbouring Council colleagues who have installed silo art in their communities to determine how to get these sorts of projects up and running.

### **Cr Peter Davidson**

Advised Council that he had been advised by concerned residents regarding some issues at the Yanco Sportsground Complex.

Council's Director Environment and Engineering in consultation with the Manager Open Space and Recreation will investigate.

### **Cr Tony Ciccia**

Cr Ciccia raised severe dust issues that were experienced by event organisers and participants at the recently held Formula 1.0 International Gliding Competition held at Brobenah Aerodrome.

Cr Ciccia explained that these issues would see event organisers take this event away from Leeton until the problem was rectified.

The General Manager advised that a meeting has already been held between the event organisers and Council staff to discuss the issues. A further meeting with the Leeton Aviators Club will be held to discuss potential solutions.

Cr Ciccia concluded by raising a question with regard to the line marking on Palm Avenue near Woolworths. Director of Environment and Engineering with support of relevant staff to further investigate.

### **Cr Tracey Morris**

Commended the Mayor and Council staff involved with the "free entry" to the Leeton and Whitton Swimming Pools during this extreme hot weather period.

Cr Morris also asked that Conservation Lane be placed on a future Local Traffic Committee Meeting agenda to look at making it a "One Way" street.

**Cr Tony Reneker**

Advised his fellow Councillors that former NSW Labor Party and Opposition Leader Mark Latham (and now One Nation Party representative) would be visiting Leeton next Thursday 31 January 2019. He will be at the Leeton and District Bowling Club from 10.30am.

**Cr Paul Smith**

Asked his fellow Councillors if they were aware of meetings taking place between the Golf Club and L&D Bowling Club re a potential merger. It was advised by Cr Tony Reneker that at this stage meetings were being held with members to gauge their interest.

Cr Smith concluded by asking that his sincere thanks be passed onto all Council staff who were on call during the Christmas and New Year period.

**Mayor Paul Maytom**

Advised Council that 2018 saw the lowest road toll for fatalities and accidents since 1944/45. This is a huge improvement and further justifies local government's input and its commitment to road safety.

**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.

**19/021**

**Resolved**

- 1 That Council moves 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 Davidson, seconded Cr Morris)**

**Item 10.1 GENERAL MANAGER'S PERFORMANCE REVIEW**

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).

**Item 10.2 VANCE INDUSTRIAL ESTATE EXPANSION - STRATEGIC INTENT STAGE 3**

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 10.43pm and the public and press left the Chambers.

**CLOSED COUNCIL - CONFIDENTIAL ITEMS**

**19/022**

**Resolved**

THAT Item 10.2 on the Council Agenda be brought forward for discussion.

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

**Item 10.2 VANCE INDUSTRIAL ESTATE EXPANSION - STRATEGIC INTENT STAGE 3**

Cr Anthony (Tony) Ciccia declared a Pecuniary Interest this Item. The reason for this declaration is that Cr Ciccia is a fruit supplier to Pacific Fresh. Councillor Ciccia vacated the Chamber at 10.43pm and took no part in the debate or vote on this matter.

**19/023**

**Resolved**

- 1) THAT Council authorises the General Manager to negotiate the purchase of all or part of Lot 1, DP 1031669 and Lot 558, DP 1046345 up to the dollar limit in the report.
  
- 2) THAT Council authorises the Mayor and General Manager to sign and seal all documentation in relation to the purchase of all or part of Lot 1, DP 1031669 and Lot 558, DP 1046345 including any land swaps if relevant.

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

Cr Ciccia returned to the Chamber at 10.47pm.

All staff left the Chambers for Item 10.1 and did not return.

**Item 10.1 GENERAL MANAGER'S PERFORMANCE REVIEW**

**19/024**

**Resolved**

THAT Council:

1. Notes the General Manager's overall performance review rating of "Advanced" as determined by the General Manager's Performance Review Committee.
  
2. Notes the priority projects and training set out in the General Manager's Performance Plan for 2019.
  
3. Determines the General Manager's total salary package to be \$255,000 with effect from the review date of 12 November 2018.

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

**REVERSION TO OPEN COUNCIL**

**19/025**

**Resolved**

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 12.15pm.

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

The Mayor advised that during the Closed Council two resolutions were passed and read out the resolutions made in Closed Council for Items 10.1 and 10.2.

There being no further business the meeting closed at 12.16am.

..... signed by  
the Chairman of the meeting held on  
27/02/2019 at which meeting the  
signature hereon was subscribed.