



# LEETON SHIRE COUNCIL

## MINUTES OF THE ORDINARY COUNCIL MEETING

### LEETON SHIRE COUNCIL

WEDNESDAY 24 JUNE 2015

COMMENCING AT 7.15PM

COUNCIL CHAMBERS

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**Present:**

**Councillors:** Cr. Paul Maytom (Mayor), Cr. George Weston (Deputy Mayor), Cr. Peter Davidson, Cr. Tracey Morris, Cr. Emerson Doig, Cr. Tracey Valenzisi, Cr. Greg O'Callaghan and Cr. Michael Kidd

**Staff:** Tony Hayward (Acting General Manager), Duncan McWhirter (Director Corporate Services), Barry Heins (Director Engineering and Technical Services), Garry Stoll (Director Environmental and Community Services), Peter McFarlane (Manager Finance Service), Nicola James (Economic Development Tourism and Events Manager), Val Harrison (Executive Support Officer) and Kathy McMahon (Executive Support Officer)

**Press:** Talia Pattison (The Irrigator)

**CIVIC PRAYER** Cr Greg O'Callaghan

**ACKNOWLEDGEMENT OF COUNTRY** Cr Paul Maytom

**APOLOGIES**

**15/122**

**Resolved**

That the apology submitted on behalf of Cr Steve Dowling be accepted and that leave of absence from the meeting be granted.

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

**CONFIRMATION OF THE MINUTES**

**15/123**

**Resolved**

That the Minutes of the Ordinary Council Meeting held on Wednesday, May 27 2015, as circulated, be taken as read and CONFIRMED.

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

Mayor welcomed newly appointed Executive Support Officer, Kathy McMahon to the meeting.

**GENERAL MANAGER'S MATTERS**

**Item 1 GOVERNANCE - LOCAL GOVERNMENT REFORMS**  
**Fit for the Future - IPART Submission**  
**Stand Alone with Process Improvements**

**15/124**

**Resolved**

That Council submit to IPART a Stand Alone (Council Improvement) Proposal - Template 2 with respect to the NSW Government's Local Government Reform Agenda "Fit for the Future".

**(Moved Cr Kidd, seconded Cr O'Callaghan)**

## **CORPORATE SERVICES MATTERS**

### **Item 1 HUMAN RESOURCES Employment Update**

**15/125**

#### **Resolved**

That the report on Human Resources – Employment Update be noted.

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

### **Item 2 INVESTMENTS - DIVIDENDS Investments - May 2015**

**15/126**

#### **Resolved**

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

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

### **Item 3 GOVERNANCE COUNCILLORS Policy - Payment of Expenses and Provision of Facilities to Mayor and Councillors - 2015**

**15/127**

#### **Resolved**

That Council:

- i) Approve the revised ‘Payment of Expenses and Provision of Facilities to Mayor and Councillors’ Policy and that the policy be advertised for a period of twenty eight (28) days seeking public comment.
- ii) Request a further report be presented to Council following the 28 day exhibition period for Council to consider the adoption of the “Payment of Expenses and Provision of Facilities to Mayor and Councillors” Policy.

**(Moved Cr Kidd, seconded Cr O'Callaghan)**

**Note:** Councillor Weston noted that the donation to MET Leeton School should be increased to \$100.00 to be equivalent to the other high school donations. Cr O'Callaghan requested that there be a change of name from Leeton Soldiers Golf Club to Leeton and Narrandera Veterans Golf Week.

**Item 4 LOCAL COMMUNITY GRANTS  
Annual Donations & Community Grants 2015/2016**

**15/128**

**Resolved**

That for 2015/16 Council:

- 1 Approve the annual donations of \$8,325 listed in the report,
- 2 Approve the amount of \$15,000 for distribution as community grants to local organisations, and
- 3 Approve the remainder of \$3,675 for allocation under Donations (Discretionary).

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

**ENGINEERING AND TECHNICAL SERVICES MATTERS**

**Item 1 MATTERS/BUSINESS PAPER**

**15/129**

**Resolved**

That the information regarding matters arising from former meetings contained within the report be received and noted.

**(Moved Cr Valenzisi, seconded Cr Doig)**

**Item 2 ROADS - ROAD CLOSURES - Enquiries re Road Closure  
Application to Close a Disused Section of Whitton Road behind  
Gogeldrie Rice Sheds**

**15/130**

**Resolved**

That Council authorise:

1. The submission of an application to NSW Crown Lands to close the by-passed section of Whitton Road.
2. The lease of the by-passed section of Whitton Road commencing at a suitable date for the price of \$2,393.42 per annum plus GST.
3. In the event that NSW Crown Lands does not approve the closure of the road reserve for the purpose of sale to Ricegrowers Limited, the extension of the aforementioned lease for a period of five years, for the price recommended in point two, adjusted annually for CPI increases.

**(Moved Cr Davidson, seconded Cr O'Callaghan)**

## **ENVIRONMENTAL AND COMMUNITY SERVICES MATTERS**

### **Item 1 MATTERS/BUSINESS PAPER**

**15/131**

#### **Resolved**

That the information regarding matters arising from former meetings contained within the report be received and noted.

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

### **Item 2 UPDATE ON STATUS OF COUNTRY CHANGE PROGRAM FOR 2015**

**15/132**

#### **Resolved**

That Council notes the contents of the report on the Country Change Program

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

### **Item 3 SUMMARY OF RESULTS FROM 2014 SCHOOL TO WORK SURVEY REPORT**

**15/133**

#### **Resolved**

That Council notes the contents of the report on the 2014 School to Work Survey.

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

**Item 4 COMMUNITY STRENGTHENING GRANT SCHEME -  
APPLICATION FOR YOUTH DEVELOPMENT GRANT**

15/134

**Resolved**

That Council support the application by Mathew Feagai for a \$250 youth development grant to assist with his representation in the NSWCCC 15's Rugby League Team.

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

**Item 5 RENEWAL OF AGREEMENT WITH NARRANDERA SHIRE  
COUNCIL - OPERATION OF NOOSH CHILD SERVICES**

15/135

**Resolved**

That Council note the information regarding entering into a further agreement with Narrandera Shire Council from 1 July 2015 to 31 January 2016 for management operation of the NOOSH Service by Leeton Shire Council in accordance with the current agreement.

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

**Item 6 OPERATIONAL DUTIES OF NOXIOUS WEEDS DEPARTMENT**

15/136

**Resolved**

That the report on Noxious Weeds operational duties be received and notify RAMROC to include noxious weeds for discussion at next RAMROC Meeting.

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

**Item 7 OPERATIONAL DUTIES & FUNCTION OF RANGERS**

15/137

**Resolved**

That the information on the operational and functional duties of the Rangers be noted.

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

**Item 8 ECONOMIC DEVELOPMENT - LOCAL INDUSTRIES**  
**National Stronger Regional Funds**

15/138

**Resolved**

That:

1. Council "In Principle" support the application by the Western Riverina Intermodal Freight Terminal for funding under the National Stronger Regions Fund by agreeing to be the applicant on behalf of the Western Riverina Intermodal Freight Terminal and assisting with the preparation and submission of the grant application, subject to legal review and due diligence of the application and funding process.
2. A further report be presented to the July Council meeting.

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

Mayor welcomed newly appointed Nicola James (Economic Development Tourism and Events Manager) to council. Nicola responded and thanked the Mayor for his welcome and stated she was very excited to be here.

**STATEMENTS BY COUNCILLORS**

1 Cr George Weston

- Advised at the recent National General Assembly (NGA) Conference that the Mayor and Deputy Mayor attended the presentation about E-Waste regarding mobile phones disposal; and that the Salvation Army received \$2.00 for every phone disposed via E-Waste process.
- At the NGA Conference there was discussion regarding the green push for Hydrogen Cars that could travel up to 600kms on a tank of hydrogen and the use of LED street lights.

2 Cr Michael Kidd

- On behalf of a Coleambally resident queried the lack of clear road signage to Leeton along the Sturt Highway at Innisvale Lane.
- General Managers matters Item 1, suggested that Council write to the Member for Murray, Adrian Piccoli to express Leeton Shire Council's opinions on amalgamation and to request his support for Leeton to Stand Alone (Fit for the Future). The Mayor said that if after the process is completed

and Council needs his support, Council could approach him. The General Manager suggested that a letter and copy of the submission could be provided to Mr Piccoli.

3 Director of Corporate Services – Duncan McWhirter

- Discussed last Friday's 19 June 2015 weekly email to Councillors regarding Leeton Golf Club Liquor licence which expires on Friday 26 June 2015 and Leeton Soldiers Club are to take all remaining liquor off the site. Council has sought legal advice and continues to investigate all possibilities of obtaining a suitable licence. The site is not a designated alcohol free zone, therefore golfers can BYO alcohol onto the course at present.

4 Acting General Manager – Tony Hayward

- Stated this was his last shire meeting and that he has enjoyed his time as Acting General Manager in Leeton and advised he will have to go on trip adviser to promote this part of the country and encourage people to visit Leeton town and surrounding areas. Tony stated Leeton Shire Council was a great Council, which has a great future and thanked Leeton Council for the opportunity to work with them.

Mayor Paul Maytom responded and thanked Tony for all his help and all the work he had completed during his time at Council.

5 Mayor Paul Maytom

- Informed the Council of his attendance at the National General Assembly of Local Government (NGALG) Conference in Canberra. This was attended by the Mayor and Deputy Mayor. The Mayor advised he is yet to send out minutes on this. Lots of good things happening – plenty of opportunity exists for funding. "Clean and Green" funding of \$1.9 million in a pool is still available. The Conference provided excellent presentations in a number of areas such as Fit for the Future: revenue streams for local government and grant funding opportunities.

The National Ice Strategy motion submitted by Leeton Shire Council moved with a number of minor amendments. The motion was seconded by Tumut. Educational Forums regarding ICE have been held in several locations and a National Forum will be held on 16 July 2015 in Wagga Wagga. The Mayor is hoping to attend and look at the issue with a national approach moving forward.



- The Mayor attended the Country Mayors Association (CMA) meeting in Sydney. The motion regarding the reporting of vehicle accidents to Police that was submitted by Council was supported by CMA and further correspondence will be forwarded to the Minister.

**NOTE: K McMahon, V Harrison, P McFarlane and N James left the meeting at this time**

### **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.*

**15/139**

#### **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 Kidd)**

#### **Item 1 COUNCIL OWNED LAND Land Matter**

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 2 EVENTIDE HOMES YANCO**

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 3 ROADS - TENDERING - Quotations/Tenders - Roads General Bitumen Emulsion**

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 4 SENIOR STAFF CONTRACTS**

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 8.20pm and the public and press left the Chambers.

**Item 1 COUNCIL OWNED LAND  
Land Matter**

**15/140**

**Resolved**

That Council authorise the Mayor and General Manager through the Council's lawyers to settle the encroachment issue in line with the proposed resolution outlined in this report.

**(Moved Cr O'Callaghan, seconded Cr Doig)**

**Item 2 EVENTIDE HOMES YANCO**

**15/141**

**Resolved**

That:

1. Council meet with Argyle Community Housing to further review their Business Proposal.
2. Council undertake the consultation process outlined in the report.
3. Council authorise the Mayor and General Manager to sign and apply the Common Seal of Council, if required, to all documentation with Argyle Community Housing should agreement be reached.
4. A further report be presented to the July Council meeting.

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

**Item 3 ROADS - TENDERING - Quotations/Tenders - Roads General  
Bitumen Emulsion**

**15/142**

**Resolved**

That Council accept the request from Fulton Hogan Industries P/L to extend the current contract for the supply of bitumen emulsion from 1 July 2015 to 30 June 2016 in accordance with documentation Tender 12-11/12.

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

**Item 4 SENIOR STAFF CONTRACTS**

**15/143**

**Resolved**

That the General Manager's report on senior staff contractual conditions as required under Section 339 of the Local Government Act 1993 be received and noted.

**(Moved Cr O'Callaghan, seconded Cr Doig)**

**REVERSION TO OPEN COUNCIL**

15/144

**Resolved**

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

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

The Mayor advised that during the Closed Council four (4) resolutions were passed.

**LATE MATTER – MAYORAL MINUTE**

**APPOINTMENT OF ACTING GENERAL MANAGER**

15/145

**Resolved**

- 1 That the Mayoral minute regarding the appointment of the Acting General Manager be dealt with at this Council meeting.

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

15/146

**Resolved**

That Council:

- 1 Formally appoint Mr Ray Pluis as Acting General Manager with effect from Thursday 9 July 2015 until such time as the commencement of a new General Manager.
- 2 Delegates to the Acting General Manager, Mr Ray Pluis, the authority to exercise all discretionary functions that Council is capable of delegating and is not prohibited from so doing under Section 377 of the Local Government Act 1993, and also excluding any specific functions which Council has, by resolution, reserved to Council.

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

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

..... signed by  
the Chairman of the meeting held on  
22/07/2015 at which meeting the  
signature hereon was subscribed.