



LEETON
SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING
TUESDAY 29 OCTOBER 2024
COMMENCING AT 6:00 PM
AT THE LEETON SHIRE COUNCIL CHAMBERS**

PRESENT (Councillors):

Cr. George Weston (Mayor), Cr. Michael Kidd (Deputy Mayor), Cr. Sandra Nardi, Cr. Krystal Maytom, Cr. Stephen Tynan, Cr. Nicholas Wright, Cr. Boston Edwards and Cr. Sarah Tiffen (via videoconference).

PRESENT (Staff):

Jackie Kruger (General Manager), Avtar Singh (Director Corporate / CFO), Michelle Evans (Director Economic and Community Development), Silas Darby (Director Operations), Executive Manager People and Culture (Tracy Pearce-Brambley), Sarah Graham (Manager Governance, Corporate and Customer Service), Terry Schmidt (Communications Coordinator), Francois Van Der Berg (Manager Building Planning and Health), Sibongubuhle Tshuma (Manager Finance), Gideon Vos (Roxy Project Manager), Emma Di Muzio (Manager Cultural Services) and Katherine Hermann (Roxy Project Director).

PRESENT (Others via videoconference):

Graham Bradley (Chair, ARIC), Quentin Wong (Audit Office of New South Wales), Josh Porker (RSD Audit) and Cranos Moyo (RSD Audit).

LEETON SHIRE COUNCIL

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1. CIVIC PRAYER

Heavenly father we come to you today asking for your guidance,
wisdom and support as we perform our roles as Councillors
making decisions for our community in Leeton Shire.
Amen.

Spoken by Cr. Sandra Nardi

2. ACKNOWLEDGEMENT OF COUNTRY

Leeton Shire Council acknowledges the Wiradjuri People and their continued impact on our Community.

We acknowledge their connection to the land, water and sky.

We acknowledge all Aboriginal people who have made the Leeton Shire their home.

As such we pay our respects to all Aboriginal Elders, past, present and emerging of our Shire.

Spoken by Cr. Michael Kidd

3. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

OCM 24/54

Resolved

THAT Council:

1. Accepts Cr. Morris's apology and leave of absence.

(Moved Cr. Sandra Nardi, seconded Cr. Michael Kidd)

4. CONFIRMATION OF MINUTES AND ANY MATTERS ARISING

OCM 24/55

Resolved

THAT the Minutes of the Special Council Meeting held on Tuesday 8 October 2024, as circulated, be taken as read and CONFIRMED.

(Moved Cr. Michael Kidd, seconded Cr. Krystal Maytom)

5. PROCEDURAL MOTIONS

OCM 24/56

Resolved

THAT Council accepts Item 8.1.12 the State of the Shire Report 2021 – 2024 Status Update as a late report into this agenda for discussion.

(Moved Cr. Nicholas Wright, seconded Cr. Michael Kidd)

6. DISCLOSURE OF INTERESTS

Mayor Cr. Weston disclosed a significant pecuniary conflict of interest in Item 8.1.9 Roxy Community Theatre – Build and Budget Update - October 2024 Report as Mayor Cr. Weston's company "Weston and Weston" has been engaged as a contractor for the Roxy Redevelopment Project. Mayor Cr. Weston elected to leave the Chambers when the Roxy Build Project report was being considered.

7. MAYORAL MINUTES

Nil

8. COUNCIL OFFICER'S REPORTS

OCM 24/60

Resolved

THAT Council:

1. Receives and notes Leeton Shire Council's Financial Statements for the year ended 30 June 2024, including presentations from the Chair of the Audit, Risk & Improvement Committee (ARIC), RSD Audit and Audit Office of NSW (Auditor General).
2. Approve the signing of the 2023/2024 Financial Statements pursuant to Section 413 (2)(c) of the Local Government Act 1993 and the Local Government Code of Accounting Practice and Financial Reporting.
3. Notes the Financial Statements and Auditor's Opinion will be available for public viewing, with submissions to be lodged within seven (7) days of the October 2024 Ordinary Council Meeting.

(Moved Cr. Michael Kidd, seconded Cr. Nicholas Wright)

Cr. Sarah Tiffen left the meeting via video conference at the time being 6:35 pm.

Cr. Sarah Tiffen returned to the meeting left the meeting via video conference at the time being 6:50 pm.

Cr. Sarah Tiffen left the meeting via video conference at the time being 7:03 pm.

Cr. Sarah Tiffen returned to the meeting left the meeting via video conference at the time being 7:08 pm.

Graham Bradley (Chair, ARIC) left the meeting via video conference at the time being 7:10 pm.

Quentin Wong (Audit Office of New South Wales) left the meeting via video conference at the time being 7:10 pm.

Josh Porker (RSD Audit) left the meeting via video conference at the time being 7:10 pm.

Cranos Moyo (RSD Audit) left the meeting via video conference at the time being 7:10 pm.

Manager Finance left the meeting at the time being 7:15 pm.

Procedural Motion – Meeting Adjourned

OCM 24/59

Resolved

THAT Council adjourned the meeting at the time being 7:13 pm to hear public representations from:

- Nigel and Claire Deaton on Item 8.1.2,
- Brian and Natalie O'Leary on Item 8.1.2.

(Moved Cr. Sandra Nardi, seconded Cr. Krystal Maytom)

Procedural Motion – Meeting Resumed

OCM 24/87

Resolved

THAT Council resolved to resume the meeting at the time being 7:17 pm.

(Moved Cr. Krystal Maytom, seconded Cr. Michael Kidd)

Director Operations left the meeting at the time being 7:10 pm.

Director Operations, returned to the meeting at the time being 7:21 pm.

ITEM 8.1.2. DEVELOPMENT APPLICATION – DA 49/2024 - (336 PETERSHAM ROAD, LEETON)

OCM 24/63

Resolved

THAT Council grants consent to Development Application 49/2024 for the construction of a detached shed and relocation of the existing horse stable at Lot 2 DP 1260698 336 Petersham Road Leeton, subject to the following conditions of consent:

GENERAL CONDITIONS

1. Approved plans and documentation

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Title/Plan no:	Ref no:	Sheet no:	Drawn by:	Dated:
Statement of Environmental Effects	336 Petersham Road (Amended)	1-12	Clearsky	17.7.2024
Site Plan	24013	A1	AS Drafting	17.7.2024
Floor Plan (shed)	2894822998	6 of 10	Emerald Engineers	30.11.2023
Elevations (shed)	2894822998	2 of 10	Emerald Engineers	30.11.2023
Elevations (shed)	2894822998	3 of 10	Emerald Engineers	30.11.2023
Floor Plan & Elevations (stable)	336 Petersham Road	2 of 3	Ben Lang	15.9.2005
Section & Elevations (stable)	336 Petersham Road	3 of 3	Ben Lang	15.9.2005

{Reason: To ensure that the development is undertaken in accordance with that assessed}

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

2. Activity on site

No activity is to be carried out on site until the Construction Certificate has been issued, other than:

- Site investigation for the preparation of the construction, and/or
- Implementation of environmental protection measures, such as erosion control etc that are required by this consent.

{Reason: To ensure the construction certificate is issued prior to the commencement of works.}

3. Application to be made in Planning Portal

Should Council be appointed as the Principal Certifier, an application for a Construction Certificate shall be submitted through the NSW Planning Portal and approved prior to the commencement of any building work, with appropriate fees being paid.

{Reason: To ensure the applicant has submitted the appropriate documentation prior to the commencement of works.}

4. Landscaping Plan

Prior to the issue of a Construction Certificate a landscaping plan shall be submitted to and approved by Council.

The landscaping plan shall be drawn to scale and include:

- a. Minimum scale of 1:200
- b. Location of all proposed trees and shrubs
- c. The species of all proposed trees and shrubs
- d. Height and spread of selected species at maturity
- e. Irrigation measures

{Reason: to reduce the impact of the development on adjoining development}

PRIOR TO THE COMMENCEMENT OF WORKS

5. Insurance requirements under Home Building Act

The applicant shall obtain insurance under the Home Building Compensation Fund in accordance with the provisions of Part 6 of the Home Building Act 1989 and provide a copy to the Principal Certifier prior to the commencement of works.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

6. Notification of Home Building Act requirements

Residential building work within the meaning of the Home Building Act 1989 shall not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- a. in the case of work for which a Principal Contractor is required to be appointed:
 - i. the name and licence number of the Principal Contractor, and
 - ii. the name of the insurer by which the work is insured under Part 6 of that Act,
- a. in the case of work to be done by an owner-builder:
 - i. the name of the owner-builder, and
 - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work shall not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

7. On-site Sewer Management

A separate application under Section 68 of the Local Government Act 1993 shall be submitted to Council and approval obtained prior to the installation of the on-site sewer management system. The application shall be submitted through the NSW Planning Portal, with the relevant fees being paid.

{Reason: To ensure that the appropriate approvals are issued for an on-site-sewerage-management-system.}

8. Section 68 Approval

An application to carry out water supply, sewerage and stormwater drainage work, under Section 68 of the Local Government Act 1993 must be submitted through the NSW Planning Portal and approved by the consent Authority, prior to the commencement of work.

{Reason: To ensure the correct approvals under the Local Government Act 1993 have been issued.}

DURING BUILDING WORKS

9. Building Code of Australia

All building works shall be carried out in accordance with the Building Code of Australia.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

10. Construction hours

Construction work shall only be carried out within the following time:

Monday to Friday: 7.00 am to 6.00 pm

Saturday: 8:00am to 4:00pm

Sunday and public holidays: No construction work permitted

{Reason: Council requirement to reduce likelihood of noise nuisance}

11. Public access to site

Public access to the construction site is to be prevented, when building work is not in progress or the site is unoccupied. These prevention measures shall be in accordance with SafeWork NSW publication titled, 'Site Security and Public Access onto Housing Construction Sites' and installed prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. The use of barbed wire and/or electric fencing is not to form part of the protective fencing to construction sites.

{Reason: To comply with the requirements set by SafeWork NSW.}

12. Protection of public places

A suitable hoarding or fence is to be erected between the building or site of the proposed building and any public place to prevent any materials from or in connection with the work, falling onto the public place. If it is intended or proposed to erect the hoarding or fence on the road reserve or public place, a separate application made under the Roads Act 1993 will need to be lodged with Council together with the associated fee.

{Reason: To ensure the protection of the surrounding public from all building related materials.}

13. Site signage

A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:

- a. The name, address and telephone number of the Principal Certifier for the work; and
- b. The name of the Principal Contractor and a telephone number at which that person may be contacted outside of working hours; and
- c. That unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but shall be removed when the work has been completed.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

14. Temporary Closet Facility

Temporary closet accommodation being provided throughout the course of building operations by means of a chemical closet complying with the requirements of the Department of Environment and Climate Change or temporary connections to Council's sewer where available, such connections to be carried out by a licensed plumber and drainer.

{Reason: To ensure all workers on site have access to toilet facilities.}

15. Erosion and sediment control - site

Erosion and sediment control measures shall be undertaken and maintained in respect to any part of the land where the natural surface is disturbed, or earthworks are carried out.

{Reason: To ensure no detrimental effects are caused to Council infrastructure.}

16. Erosion and sediment control – vehicles

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

{Reason: To protect and council infrastructure and to ensure all system functions remain in good working order.}

17. Application under Section 138 of the Roads Act 1993

A separate Council approval under Section 138 of the Roads Act 1993 is required prior to any works commencing within the road reserve, including the upgrading of access driveways for this development. An application must be submitted to Council and approved prior to commencement of works within the road reserve.

The Section 138 application is to include:

- a. Detailed construction plans, including a long section where appropriate.
- b. Details of the contractors engaged to undertake works within the road reserve. The contractor must maintain public liability insurance cover to the minimum value of \$20M. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
- c. A Traffic Control Plan (TCP) that has been prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.32009 and the RMS current version of the "Traffic Control at Worksites" manual.

{Reason: Compliance with Roads Act 1993 Section 138 for undertaking work on a public road reserve}

18. Construction vehicles

Vehicles used in the construction of the development are to be managed such that they do not inhibit traffic flow within the road reserve. At no time are construction or delivery vehicles to block the road or private accesses without prior approval of Council through a Section 138 Application under the Roads Act.

{Reason: to ensure traffic effects are minimised.}

19. Damage to public infrastructure

Any damage incurred to the footpath, kerbing and guttering, road or road shoulder, or any other utility services, shall be repaired/restored at full cost to the Developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction standards. Should the Developer not complete repairs as necessary, and/or as directed by Council, Council will undertake such repair work(s) and recover the cost(s) from the Developer.

Note: It is recommended that the Applicant record the existing conditions of all footpaths, road and other Council property adjoining the subject site prior to the Contractor taking possession of the site).

{Reason: Implementation of Council policy}

20. Stormwater drainage

The stormwater drainage system must be constructed to comply with the following requirements as a minimum:

- a. All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage.
- b. All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent overland flows discharging onto adjoining properties shall be implemented.
- c. Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.
- d. All overflow from rainwater tanks shall be collected and piped to the legal point of discharge.
- e. Only a single point of discharge from the development site is permitted to the legal point of stormwater discharge.

{Reason: To ensure stormwater is controlled adequately.}

21. Approved Plans

A copy of the stamped approved plans shall be kept on site for the duration of site works and be made available upon request to either the Principal Certifier or an officer of the Council.

{Reason: To ensure the Principal Contractor has access to the approved plans.}

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

22. Application for any Occupation Certificate

Application for any Occupation Certificate shall be submitted through the NSW Planning Portal and approved by the Principal Certifier prior to occupation of the building.

{Reason: Compliance with Clause 37 of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021.}

23. Occupation

The premises shall not be occupied until the Occupation Certificate has been issued.

{Reason: Compliance with Clause 42 (3) of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021.}

24. Rectification of damage to public infrastructure

Prior to the issue of any occupation certificate, any damage to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of public infrastructure. Any damage to Council's infrastructure which is obvious before construction is to be immediately notified to Council to avoid later conflict.

25. Sewer Service & Stormwater drainage diagrams

The contracted plumber as the "responsible person" must submit a Sewer Service Diagram (SSD) and stormwater drainage diagram to Leeton Shire Council as the delegated Water Authority, and the owner of the land or owner's agent for all plumbing and drainage work on a sanitary drainage system. The SSD is required to be submitted Prior to the issue of any Occupation Certificate. The plans must comply with the following requirements;

- a. A4 and A3 SSD Templates are available via the Fair Trading website
- b. For all drawings larger than A3 only PDF & AutoCAD versions are accepted using the correct Fair Trading SSD legend and sign off template.
- c. All drawn and required text information on the diagram must be complete and legible in a fine point black pen
- d. SSD must be drawn to a scale. Preferred scales are: 1:100; 1:200; 1:250; 1:500
- e. North point must be shown on the diagram
- f. Include only symbols and abbreviations as shown on the template legend
- g. All lettering and figures are to be drawn clear and legible
- h. Diagrams are only to show sanitary drainage up to the point of connection within the property boundary, property boundaries and building outlines
- i. Clearly show the sanitary drainage layout up to the point of connection within the property boundary indicating all internal points, external drainage, trade waste and any greywater treatment / diversion system up to the point of connection with the Network Utility Operator's sewer including any existing sanitary drainage remaining in use on the property
- j. Street name and number (for street frontage) and/or Lot number and DP (deposited plan) number.
- k. Suburb and municipality
- l. if there is no connection to a Network Utility Operator's sewer please label as private sewer, community title, onsite septic tank or AWTS etc.

{Reason: To comply with the requirement of NSW Fair Trading and Leeton Shire Council as the delegated Water Authority.}

26. Landscaping

Prior to the issue of any occupation certificate the Principal Certifier is to be satisfied that all landscape works have been undertaken in accordance with the approved landscape plan.

{Reason: to ensure quality of landscaping features}

OCCUPATION AND ONGOING USE

27. Use of building

The buildings shall not be used for commercial or industrial purposes or as a home industry or a home occupation without further development consent of Council.

{Reason: To prevent the unauthorised use of a building for a use that may not be permissible or is permissible with conditions.}

(Moved Cr. Nicholas Wright, seconded Cr. Michael Kidd)

Vote

For

Cr. Boston Edwards
Cr. George Weston
Cr. Krystal Maytom
Cr. Michael Kidd
Cr. Nicholas Wright
Cr. Sandra Nardi
Cr. Sarah Tiffen
Cr. Stephen Tynan

Against

Nil

Procedural Motion – Meeting Adjourned

OCM 24/88

Resolved

THAT Council adjourn the meeting at the time being 7:21pm to hear public representation from:

- Mr. Anthony Firth on Item 8.1.3.

(Moved Cr. Michael Kidd, seconded Cr. Krystal Maytom)

Procedural Motion - Meeting Resumed

OCM 24/89

Resolved

THAT Council resolved to resume the meeting at the time being 7:24pm.

(Moved Cr. Nicholas Wright, seconded Cr. Stephen Tynan)

ITEM 8.1.3. DEVELOPMENT APPLICATION - DA93-2024 (33 DAALBATA ROAD LEETON - PLACE OF PUBLIC WORSHIP - CHURCH)

OCM 24/80

Resolved

THAT Council grants consent to Development Application 93/2024 for a place of public worship (church) at Lot 92 DP 1289099 (33 Daalbata Road, Leeton), subject to the following conditions of consent.

GENERAL CONDITIONS

1. Approved Plans and Documentation

The development is to be implemented in accordance with the plans and supporting documents set out in the following table except where modified by any conditions of this consent.

Title/Plan no:	Ref no:	Sheet no:	Revision:	Prepared by:	Dated:
Statement of Environmental Effects	33 Daalbata	-	1.0	Anthony Daintith Town Planning	7.8.2024
Site Plan	33 Daalbata	2	4	JCAD	7.8.2024
Floor Plan	33 Daalbata	4	4	JCAD	7.8.2024
Roof Plan	33 Daalbata	5	4	JCAD	7.8.2024
Elevations & Section	33 Daalbata	6	4	JCAD	7.8.2024
Landscape Plan	33 Daalbata	7	4	JCAD	7.8.2024

{Reason: To ensure that the development is undertaken in accordance with that assessed}

2. Hours of Operation

The approved hours of operation for this development are:

Monday 7pm to 8pm

Sunday 6am to 7am

{Reason: To protect and preserve the amenity of the surrounding locality}

3. Noise Levels

Noise from the use of the place of public worship (L_{Aeq}) shall not exceed the background noise level (L_{A90}) by more than 5dB(A) at any time including any allowance for impulsiveness and tonal characteristics, when measured at the most affected residence.

{Reason: Council requirement to prevent the generation of a noise nuisance}

4. Intrusive Noise

The use and occupation of the premises, including all plant and equipment installed thereon, is not to give rise to any intrusive noise, as defined under the *Protection of the Environment Operations Act 1997 (NSW)*.

Should Council consider intrusive noise has emanated from the premises, the owner/occupier of the premises will be required to submit an acoustic assessment prepared by a suitably qualified acoustic consultant recommending appropriate acoustic measures necessary to ensure future compliance with this condition and will be required to implement such measures within a nominated period. Furthermore, written certification from the acoustic consultant confirming the recommended acoustic measures have been satisfactorily implemented will be required to be submitted to Council prior to the expiration of the nominated period.

{Reason: To protect the amenity of the surrounding environment and compliance with the *Protection of the Environment Operations Act 1997*.}

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

5. Activity on Site

No activity is to be carried out on site until the Construction Certificate has been issued, other than:

- a. Site investigation for the preparation of the construction, and/or
- b. Implementation of environmental protection measures, such as erosion control etc that are required by this consent.

{Reason: To ensure the construction certificate is issued prior to the commencement of works.}

6. Application to be made in Planning Portal

Should Council be appointed as the Principal Certifier, an application for a Construction Certificate shall be submitted through the NSW Planning Portal and approved prior to the commencement of any building work, with appropriate fees being paid.

{Reason: To ensure the applicant has submitted the appropriate documentation prior to the commencement of works.}

7. Off-street Parking

Off-street parking is to be provided for a minimum of 14 vehicles, including 1 for disabled persons. The design and layout of off-street parking facilities shall be in accordance with AS/NZS 2890.1:2004 - *Parking facilities - Off-street car parking* and AS/NZS 2890.6:2009 - *Parking facilities - Off-street parking for people with disabilities*.

Full details are to be included in the documentation for a Construction Certificate application.

{Reason: to provide car parking spaces commensurate with the level of development.}

8. Sealing of vehicle manoeuvring areas

All internal driveway, parking areas and vehicular turning areas shall be constructed with a base course of adequate depth to suit design traffic, being sealed with either bitumen seal, asphaltic concrete, concrete, or interlocking pavers and being properly maintained to facilitate the use of vehicular access and parking facilities and to minimise any associated noise and dust nuisance.

Full details are to be included in the documentation for a Construction Certificate application.

{Reason: to provide a surface that will withstand the proposed traffic movements and to suppress dust levels so as not to cause a nuisance to adjoining properties.}

9. Landscaping Plan

Prior to the issue of a Construction Certificate a landscaping plan shall be submitted to and approved by Council.

The landscaping plan shall be drawn to scale and include:

- a) Minimum scale of 1:200
- b) Location of all proposed trees and shrubs
- c) The species of all proposed trees and shrubs
- d) Height and spread of selected species at maturity
- e) Irrigation measures

{Reason: to reduce the impact of the development on adjoining development}

10. Lighting

The proposed outdoor lighting of the premises is to be designed, positioned, and installed, including appropriate shielding and orientation of the lighting fixture, as to not give rise to obtrusive light or detract from the amenity of surrounding properties in accordance with *Australian Standard 4282:1997 - Control of the obtrusive effects of outdoor lighting*.

Full details are to be included in the documentation for a Construction Certificate application.

{Reason: To protect and preserve the amenity of the surrounding locality}

PRIOR TO THE COMMENCEMENT OF WORKS

11. Section 68 Approval

An application to carry out water supply, sewerage and stormwater drainage work, under Section 68 of the *Local Government Act 1993* must be submitted through the NSW Planning Portal and approved by the consent Authority, prior to the commencement of work.

{Reason: To ensure the correct approvals under the Local Government Act 1993 have been issued.}

12. Floor Level

The finished floor level of the proposed building shall be constructed to a height of not less than the Australian Height Datum to allow for a minimum of 300mm freeboard above a 1:100 Average Recurrence Interval flood event.

The applicant is to engage a registered surveyor to establish the finished floor level height prior to the construction of the floor. The registered surveyor is to submit a report to the Principal Certifier, confirming that the FFL is a minimum of 300mm above the 1:100 Average Recurrence Interval flood event, at time of either the concrete floor slab inspection or the floor frame inspection.

{Reason: To ensure that the floor level is above the required floor level for the 1% AEP flood event}

DURING BUILDING WORKS

13. Building Code of Australia

All building works shall be carried out in accordance with the Building Code of Australia.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

14. Construction hours

Construction work shall only be carried out within the following time:

Monday to Friday: 7.00 am to 6.00 pm

Saturday: 8:00am to 4:00pm

Sunday and public holidays: No construction work permitted

{Reason: Council requirement to reduce likelihood of noise nuisance}

15. Public Access to Site

Public access to the construction site is to be prevented, when building work is not in progress or the site is unoccupied.

These prevention measures shall be in accordance with SafeWork NSW publication titled, 'Site Security and Public Access onto Housing Construction Sites' and installed prior to the commencement of any demolition, excavation or building works and be maintained throughout construction. The use of barbed wire and/or electric fencing is not to form part of the protective fencing to construction sites.

{Reason: To comply with the requirements set by SafeWork NSW.}

16. Protection of Public Places

A suitable hoarding or fence is to be erected between the building or site of the proposed building and any public place to prevent any materials from or in connection with the work, falling onto the public place. If it is intended or proposed to erect the hoarding or fence on the road reserve or public place, a separate application made under the Roads Act 1993 will need to be lodged with Council together with the associated fee.

{Reason: To ensure the protection of the surrounding public from all building related materials.}

17. Site Signage

A sign is required to be erected in a prominent position on any work site on which building or demolition work is being carried out. The sign shall indicate:

- a. The name, address and telephone number of the Principal Certifier for the work; and
- b. The name of the Principal Contractor and a telephone number at which that person may be contacted outside of working hours; and
- c. That unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but shall be removed when the work has been completed.

{Reason: Compliance with prescribed conditions made under Environmental Planning & Assessment Regulation 2021.}

18. Temporary Closet Facility

Temporary closet accommodation being provided throughout the course of building operations by means of a chemical closet complying with the requirements of the Department of Environment and Climate Change or temporary connections to Council's sewer where available, such connections to be carried out by a licensed plumber and drainer.

{Reason: To ensure all workers on site have access to toilet facilities.}

19. Erosion and Sediment Control - Site

Erosion and sediment control measures shall be undertaken and maintained in respect to any part of the land where the natural surface is disturbed, or earthworks are carried out.

{Reason: To ensure no detrimental effects are caused to Council infrastructure.}

20. Erosion and Sediment Control – Vehicles

Materials from the site are not to be tracked into the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

{Reason: To protect and council infrastructure and to ensure all system functions remain in good working order.}

21. Access driveway

The existing access driveway from Daalbata Road is to be removed and reinstated with a new access driveway constructed in accordance with the Leeton Shire Council Engineering Guidelines and DCP (Part J 2.1), including;

- a. Maximum width of six meters with a cut-out of the kerb and gutter and be constructed in accordance with Council's Engineering Guidelines, DCP and Standard Drawing numbers RS-049 and RS-050 with Council's Notes.
- b. The alignment of the access driveway across the verge shall be at right angles to the road.
- c. The access driveway shall have satisfactory clearance to any power pole or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the Developer's expense.
- d. The access driveway shall be of reinforced concrete with adequate thickness to accommodate light truck loading.
- e. The access driveway shall be provided with a non-slip finish.
- f. The access driveway shall meet Australian Standard 2890.1 for vertical clearance.
- g. The verge adjacent to either side of the access driveway shall be reinstated to surrounding conditions and finished flush with the new vehicle access driveways.
- h. Prior to sealing or concreting the driveways, notice must be made to council for inspection of completed gravel surface and formwork.

Advisory Note:

The installation of the vehicle access driveway is an approved structure in accordance with Section 138 of the *Roads Act 1993*. The ongoing maintenance and/or repair of the vehicle access driveway is the responsibility of the adjoining owner in accordance with Section 142 of the *Roads Act 1993*.

{Reason: to provide for a suitable vehicular access to the development in accordance with Council's minimum standards and minimise impact on pedestrian access facilities.}

22. Application under Section 138 of the Roads Act 1993

A separate Council approval under Section 138 of the *Roads Act 1993* is required prior to any works commencing within the road reserve, including the upgrading of access driveways for this development. An application must be submitted to Council and approved prior to commencement of works within the road reserve.

The Section 138 application is to include:

- a. Detailed construction plans, including a long section where appropriate.
- b. Details of the contractors engaged to undertake works within the road reserve. The contractor must maintain public liability insurance cover to the minimum value of \$20M. The policy shall specifically indemnify Council from all claims arising from the execution of the works. Documentary evidence of the currency of the policy shall be provided to Council prior to the commencement of work and upon request, during the progress of the work.
- c. A Traffic Control Plan (TCP) that has been prepared by a person with the applicable certification from Roads and Maritime Services (RMS) in accordance with AS1742.32009 and the RMS current version of the "Traffic Control at Worksites" manual.

{Reason: Compliance with Roads Act 1993 Section 138 for undertaking work on a public road reserve}

23. Construction vehicles

Vehicles used in the construction of the development are to be managed such that they do not inhibit traffic flow within the road reserve. At no time are construction or delivery vehicles to block the road or private accesses without prior approval of Council through a Section 138 Application under the Roads Act.

{Reason: to ensure traffic effects are minimised.}

24. Damage to public infrastructure

Any damage incurred to the footpath, kerbing and guttering, road or road shoulder, or any other utility services, shall be repaired/restored at full cost to the Developer and in accordance with Council's adopted AUS-SPEC #1 Development Specification Series - Construction standards. Should the Developer not complete repairs as necessary, and/or as directed by Council, Council will undertake such repair work(s) and recover the cost(s) from the Developer.

Note: It is recommended that the Applicant record the existing conditions of all footpaths, road and other Council property adjoining the subject site prior to the Contractor taking possession of the site).

{Reason: Implementation of Council policy}

25. Stormwater drainage

The stormwater from the proposed development is to be directed to the Council's existing drainage system along Daalbata Road.

The legal point of stormwater discharge for the development is on the Council's existing drainage system. A method of routing this stormwater must be determined. Additionally, the stormwater discharge drainage system must be constructed to comply with the following requirements as a minimum:

- a. All plumbing within the site must be carried out in accordance with relevant provisions of Australian Standard AS/NZS 3500.3 (as amended) Plumbing and Drainage – Stormwater Drainage.
- b. All overland surface flow paths must have a practical and satisfactory destination with due consideration to erosion and sediment control during all stages of development. A system to prevent overland flows discharging onto adjoining properties shall be implemented.
- c. Any interruption to the natural overland flow of stormwater drainage which could result in the disruption of amenity, or drainage or deterioration to any other property is not permitted.
- d. All overflow from rainwater tanks shall be collected and piped to the legal point of discharge.
- e. Only a single point of discharge from the development site is permitted to the legal point of stormwater discharge.

{Reason: To ensure stormwater is controlled adequately.}

26. Approved Plans

A copy of the stamped approved plans shall be kept on site for the duration of site works and be made available upon request to either the Principal Certifier or an officer of the Council.

{Reason: To ensure the Principal Contractor has access to the approved plans.}

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

27. Application for any Occupation Certificate

Application for any Occupation Certificate shall be submitted through the NSW Planning Portal and approved by the Principal Certifier prior to occupation of the building.

{Reason: Compliance with Clause 37 of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021.}

28. Occupation

The premises shall not be occupied until the Occupation Certificate has been issued.

{Reason: Compliance with Clause 42 (3) of the Environmental Planning & Assessment (Development Certification & Fire Safety) Regulation 2021.}

29. Developer Contributions

In accordance with Leeton Shire Council Developer Contribution Plan (Fixed Levy – Section 7.12), the applicant shall pay the following levy:

- a. Amount of Levy
\$2,737 (1.0% of the development cost)
- b. Timing and Method of Payment
The levy shall be paid in the form of cash, credit or bank cheque made out to Leeton Shire Council. Evidence of payment to Leeton Shire Council shall be submitted to the Principal Certifier prior to the issue of any occupation certificate.
- c. Indexing
The levy will be adjusted in accordance with the requirements of the Leeton Shire Councils Developer Contribution Plan (Fixed Levy – Section 7.12)

{Reason: To meet the demands for public services and facilities as a result of the development within the Leeton Shire.}

30. Final Fire Safety Certificate

Prior to the issue of any occupation certificate, a Final Fire Safety Certificate issued by an appropriately qualified person shall be obtained for all the Essential Fire Safety Measures installed in the building. A copy of the Fire Safety Certificate shall be submitted to the Commissioner of NSW Fire Brigade and Council and prominently displayed in the building.

{Reason: To ensure compliance with Section 41 & 85 of the Environmental Planning and Assessment Development Certification & Fire Safety Regulation 2021.}

31. Sewer Service & Stormwater Drainage Diagrams

The contracted plumber as the “responsible person” must submit a Sewer Service Diagram (SSD) and stormwater drainage diagram to Leeton Shire Council as the delegated Water Authority, and the owner of the land or owner's agent for all plumbing and drainage work on a sanitary drainage system. The SSD is required to be submitted Prior to the issue of any Occupation Certificate. The plans must comply with the following requirements;

- a. A4 and A3 SSD Templates are available via the Fair Trading website
- b. For all drawings larger than A3 only PDF & AutoCAD versions are accepted using the correct Fair Trading SSD legend and sign off template.
- c. All drawn and required text information on the diagram must be complete and legible in a fine point black pen
- d. SSD must be drawn to a scale. Preferred scales are: 1:100; 1:200; 1:250; 1:500
- e. North point must be shown on the diagram
- f. Include only symbols and abbreviations as shown on the template legend

- g. All lettering and figures are to be drawn clear and legible
- h. Diagrams are only to show sanitary drainage up to the point of connection within the property boundary, property boundaries and building outlines
- i. Clearly show the sanitary drainage layout up to the point of connection within the property boundary indicating all internal points, external drainage, trade waste and any greywater treatment / diversion system up to the point of connection with the Network Utility Operator's sewer including any existing sanitary drainage remaining in use on the property
- j. Street name and number (for street frontage) and/or Lot number and DP (deposited plan) number.
- k. Suburb and municipality
- l. if there is no connection to a Network Utility Operator's sewer please label as private sewer, community title, onsite septic tank or AWTs etc.

{Reason: To comply with the requirement of NSW Fair Trading and Leeton Shire Council as the delegated Water Authority.}

32. Rectification of Damage to Public Infrastructure

Prior to the issue of any occupation certificate, any damage to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of public infrastructure. Any damage to Council's infrastructure which is obvious before construction is to be immediately notified to Council to avoid later conflict.

{Reason: To ensure that any damage to Council's property is at the full cost to the developer. Environmental Planning & Assessment Act 1979 Section 4.15 (6) (a)}

33. Sealing of Vehicle Manoeuvring Areas

Prior to the issue of any Occupation Certificate, the sealing of all internal driveways, parking areas, vehicular turning areas and access driveway required under conditions 8 and 21 shall be completed.

{Reason: to provide a surface that will withstand the proposed traffic movements and to suppress dust and noise levels so as not to cause a nuisance to adjoining properties.}

34. Parking Spaces

Prior to the issue of any Occupation Certificate, delineation and signage shall be provided to distinguish designated parking spaces.

{Reason: to provide car parking spaces commensurate with the level of development.}

35. Landscaping

Prior to the issue of an occupation certificate the proposed landscaping shall be completed.

{Reason: To maintain and improve the aesthetic quality of the development}

ONGOING USE

36. Maintenance

The sealing of the vehicle access driveway is to be always maintained.

{Reason: to ensure the access remains suitable and the road reserve is maintained safe with no obstructions.}

37. Annual Fire Safety Statement

The owner of the building shall ensure the Essential Fire Safety Measures are inspected and an Annual Fire Safety Statement issued. A copy of the Annual Fire Safety

Statement shall be submitted to the Commissioner of NSW Fire Brigade and Council and prominently displayed in the building.

{Reason: To ensure compliance with Part 12 of the Environmental Planning and Assessment Development Certification & Fire Safety Regulation 2021.}

(Moved Cr. Nicholas Wright, seconded Cr. Michael Kidd)

Vote

For

Cr. Boston Edwards
Cr. George Weston
Cr. Krystal Maytom
Cr. Michael Kidd
Cr. Nicholas Wright
Cr. Sandra Nardi
Cr. Sarah Tiffen
Cr. Stephen Tynan
Cr. Tracey Morris

Against

Nil

Cr. Sarah Tiffen left the meeting via video conference at the time being 7:30 pm.

Cr. Sarah Tiffen, returned to the meeting via video conference at the time being 7:37 pm.

ITEM 8.1.4. DELEGATIONS OF THE AUTHORITY OF THE MAYOR

OCM 24/64

Resolved

THAT Council delegates authority under Section 377 of the Local Government Act 1993 to the Mayor – and, in the absence of the Mayor, the Deputy Mayor for the period of the Mayor's absence – to exercise and/or perform on behalf of the Council the following powers, authorities, duties and functions:

Conferring Powers or Duties under the Local Government Act 1993

To give effect to the law, Council's adopted policies, resolutions and directions, provided that such delegation is not sub-delegated without specific approval of Council or as prescribed under the *Local Government Act 1993*.

Powers or Duties Under Other Legislation

If, under an Act other than the *Local Government Act 1993*, a function is conferred or imposed on the Mayor, the function is taken to be conferred or imposed on the Council and the Mayor has delegated authority to exercise and/or perform on behalf of the Council the powers, authorities, duties and functions as prescribed under that other Act.

Preside at Meetings and Functions of Council

Preside at all meetings of Council, Committees and public meetings convened by Council at which the Mayor is present, unless Council otherwise appoints another Councillor or person to perform this function.

Negotiations on Behalf of Council

In conjunction with the General Manager, to participate in negotiations on behalf of the Council with third parties and in connection with the sale, purchase and lease of land and buildings. This function is subject to the limitation that no contractual agreement is to be entered into without a resolution of Council.

Represent Council – Government and Other Forums

To represent Council in conjunction with the General Manager in deputations to government, inquiries and other forums where it is appropriate that the Mayor should present the Council position. To represent Council on regional organisations and at inter-governmental forums at regional, State and Commonwealth levels.

Sign and Execute Documents

To sign correspondence and other documents, subject to the limitation that execution of any documents under Council Seal must be carried out in compliance with Regulation 400 of the Local Government (General) Regulation 2021.

Issue Media Releases

To make media statements and issue media releases in respect of Council subject to prior consultation with the General Manager.

Manage the General Manager's Contract

To act as Council's delegate for the purpose of the day-to day management of the General Manager's contract.

To manage complaints against the General Manager.

Approval of Leave – General Manager

Approve of Leave for the General Manager in terms of the provisions of the General Manager's Contract of Employment with the Council.

Conferences, Seminars, Meetings and Courses

To approve, jointly with the General Manager, the attendance of Councillors, both within and outside the Shire boundaries:

- i. At any seminar, conference, meeting or course, in excess of one day duration or where an overnight stay is involved, or
- ii. To attend to Council business, as considered necessary by the Mayor and the General Manager provided that:
 - Such delegation shall not be exercised if there is a prior Council meeting at which the attendance might be considered allowing sufficient time for registration, arrangements etc.
 - Provision has been made for such expenditure in Council's budget.
 - With reasonable expenses to be reimbursed by the Council in accordance with Councillor's Payment of Expenses and Provision of Facilities policy.

Legal

When considered necessary by the Mayor, to request the General Manager to obtain legal advice or legal representation, regarding any matter in which Council is or may become involved.

Urgent Works

To authorise work, not approved in the Operational Plan, which in the Mayor's opinion is urgent, at a cost not exceeding \$100K.

Civic and Ceremonial Functions

Approve Civic Receptions, in conjunction with General Manager, and carry out the Civic and Ceremonial functions of the Mayoral Office.

Policy Making

To exercise, in cases of necessity, the policy making functions of the governing body of the Council between meetings of the Council.

Citizenship Ceremonies

To perform Citizenship Ceremonies and Receive a Pledge of Commitment.

(Moved Cr. Michael Kidd, seconded Cr. Sandra Nardi)

Manager Building, Planning and Health, left the meeting at the time being 7:48 pm.

ITEM 8.1.5. DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

OCM 24/65

Resolved

THAT Council delegates to the General Manager the authority to exercise all functions that Council is capable of delegating and is not prohibited from doing so under section 377 of the *Local Government Act 1993*.

(Moved Cr. Nicholas Wright, seconded Cr. Michael Kidd)

Director Corporate/ CFO left the meeting at the time being 7:41 pm.

Director Corporate/ CFO, returned to the meeting at the time being 7:52 pm.

ITEM 8.1.6. COUNCIL REPRESENTATION ON COMMITTEES (INTERNAL AND EXTERNAL)

OCM 24/66

Resolved

THAT Council appoints the Councillors noted in the following table as representatives, for the length of the current Council term (October 2024 to September 2028), to the Committees and organisations listed in the following table, noting that the Mayor may attend the meetings of any of the Council Committees as a voting member:

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
Section 355 Committees			
Light Up Leeton Committee	Cr. Edwards Cr. Wright	Events Officer	Meetings are held Thursday evenings at 6pm at Soldiers Club. Assistance is appreciated at event.

			Note: Light Up Leeton still doesn't have a President or Secretary. Events Officer is currently filling in the role as Secretary.
SunRice Festival Committee	Cr. Tiffen Cr. Tynan	Events Officer	Meetings are held Thursday evenings at 7pm. Monthly meetings starting in May of the year prior to the festival, increasing to fortnightly in Feb the year of, to weekly in the month prior. Assistance is appreciated over SunRice Festival Easter weekend in 2026, held bi-annually.
Whitton Court House & Historical Museum Committee	Cr. Kidd Cr. Wright	Museum, Gallery & Heritage Coordinator	Meetings are held on the third Monday of the month at 6pm. This committee needs reinvigoration at the local level.
Whitton Town Hall Committee	Cr. Edwards Alt: Cr. Wright	Manager Business Services	Meetings are held quarterly, generally on the third Monday of the month at 6pm.
Yanco Hall & Market Committee	Cr. Maytom Alt: Cr. Wright	Manager Business Services	Meetings are held on the second Monday of the month at 1:00pm.

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
Advisory Committees / Working Groups			
Audit, Risk & Improvement Committee (ARIC) <i>(no community reps but 3 independent members)</i>	Cr. Tynan Alt: Cr. Morris	Manager Governance, Corporate & Customer Service	Meetings are held quarterly on the second Thursday at 3:30pm.
Community Grant Funding Working Group	Cr. Nardi Cr. Maytom Cr. Tiffen	Director Community & Economic Development	Meetings are held bi-annually in May and November at 8am.
General Manager's Review Committee <i>(no community reps)</i>	Cr. Weston Cr. Kidd Cr. Morris	Local Government NSW	Meetings are held annually, during business hours.
Gogeldrie Riverside Park & Facilities	Cr. Kidd Cr. Maytom	Manager Business Services	Meetings are held twice a year, after business hours, or as required.
Infrastructure Working Group	Cr. Wright Cr. Edwards Cr. Kidd	Director Operations	Meetings are held quarterly during business hours.

Leeton Flood Plan Management Committee	Cr. Wright Cr. Tynan	Manager Roads & Drainage	TBA
Leeton Local Traffic Committee	Cr. Tynan Cr. Wright	Roads Safety Officer	Meetings are held quarterly during business hours. Note: Due to the requirements of NSW Police and Transport for NSW these meetings dates can change. Electronic Meetings may also be held for any urgent matters that arise between meetings.
Leeton Shire Heritage Committee	Cr. Kidd Cr. Wright	Manager Building, Planning & Health	Quarterly on the third Thursday in the month during business hours.
Leeton Tree Advisory Committee	Cr. Kidd Cr. Tiffen Cr. Edwards	Manager Open Spaces & Recreation	Meetings are held bi-annually (or as required) on a Wednesday at 9:00am.
Leeton Weeds Committee	Cr. Tynan Cr. Edwards	Regulatory Services Coordinator	Meetings are held bi-annually (or as required), during business hours.
Oval User Committee	Cr. Kidd Cr. Nardi	Manager Open Spaces & Recreation	This is a new committee as requested by Councillors, meeting dates to be confirmed Will be a minimum once per year.
Roxy Redevelopment Committee (RCC)	Cr. Kidd Cr. Nardi Cr. Tynan Cr. Tiffen Cr. Morris	Manager Community Development & Cultural Services	Meetings are held bi-monthly in the evening or more frequently if required.
Youth Council	Cr. Nardi Cr. Maytom Cr. Tiffen	Director Community & Economic Development	Meets every second month on a Monday at noon for an hour.

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
Action Committees			
Henry Lawson Cottage Committee	Cr. Weston Cr. Tiffen	Building Services Coordinator	Meetings are held twice a year, during business hours.
Leeton Australia Day Committee <i>(no community reps)</i>	Cr. Weston Cr. Kidd Cr. Nardi	Events Officer	Meetings are held in September to February (as required). Expected to attend / help run Australia Day.

Sporting Walk of Fame	Nil – in recess	Manager Open Spaces & Recreation	Currently in recess
Whitton Town Improvement Committee	Cr. Kidd Cr. Wright	Manager Business Services	Meetings are held quarterly on the third Monday at 6:00pm, held at the Whitton Town Hall.
Yanco Town Improvement Committee	Cr. Edwards Cr. Maytom	Manager Business Services	Meetings are held monthly on the first Monday at 6:00pm, held at the Yanco All Servicemen's Club.

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
External Committees / Organisations			
Fivebough & Tuckerbill Wetlands Advisory Committee	Cr. Edwards Alt: Cr. Tiffen	General Manager / Manager Governance, Corporate & Customer Service	Meetings are held quarterly at 10:00am, in Council Chambers.
Sturt Highway Taskforce <i>(no community reps)</i>	Cr. Kidd Alt: Cr. Maytom	Director Operations	Next meeting will be held on Tuesday 29 October 2024 at 9:30am at Narrandera's Ex-Servicemen's Club.
Collaborative Care Health	Cr. Kidd Cr. Wright	General Manager / Shire Health Project Coordinator	Meetings will be held monthly for the period of the project (estimated 2 years).
Leeton Business Chamber	Cr. Maytom Alt: Cr. Edwards	Director Community & Economic Development	Meetings are held monthly; times and days vary – although are generally held before or after business hours.
Murray Darling Association (MDA)	Cr. Morris Alt: Cr. Kidd	General Manager	Meetings are held quarterly, during business hours.
Country Mayor's Association (CMA) <i>(no community reps)</i>	Cr. Weston Alt: Cr. Kidd	General Manager	Meetings are held quarterly, during business hours.
Bushfire Management Committee	Cr. Wright Alt: Cr. Tiffen	Manager Environmental Sustainability / Director Operations	Meetings are held quarterly, during business hours.

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
Shared Services Committees / Organisations			
Narrandera-Leeton Airport Management Committee <i>(no community reps)</i>	Cr. Kidd Cr. Edwards	Director Community & Economic Development	Meetings are held bi-annually during business hours.
Riverina Regional Library (RRL) Advisory Committee <i>(no community reps)</i>	Cr. Kidd Alt: Cr. Tiffen	Director Community & Economic Development	Next meeting will be held on Wednesday 6 November 2024 at 9:30am via Zoom or at RRL Admin Centre, Wagga. Note: The Councillor may also attend SW Zone meetings and NSW Library Assoc meetings
Riverina and Murray Joint Organisation (RAMJO) <i>(no community reps)</i>	Cr. Weston Alt: Cr. Kidd	General Manager	Meetings are held quarterly, during business hours. Meetings are generally held bi-annually in March and October
Joint Western Regional Planning Panel	Cr. Weston Cr. Morris	Manager Building, Planning & Health	As required.

Committee	Councillor Representation 2024-2028	Responsible Staff Officer	Meeting Schedule
Liaison Committees			
Leeton & Districts Local Lands Council Liaison	Cr. Weston Alt: Cr. Kidd	General Manager	Meetings are held quarterly (or as required), during business hours.
Murrumbidgee Irrigation Liaison	Cr. Morris Alt: Cr. Weston	General Manager	Meetings are held bi-annually, during business hours.
Police Liaison	Cr. Kidd Alt: Cr. Weston	General Manager	Meetings are held quarterly (or as required), during business hours.
Yanco Agricultural Institute	Cr. Morris Alt: Cr. Weston	General Manager	3 x per year
PALM Scheme Alliance	Cr. Weston Alt: Cr. Kidd	General Manager	As required

(Moved Cr. Boston Edwards, seconded Cr. Krystal Maytom)

ITEM 8.1.7. COUNCILLOR PORTFOLIOS

OCM 24/67

Resolved

THAT Council appoints the Councillors as listed in the table below the portfolio leads for the length of the current Council term (October 2024 to September 2028):

Portfolio Leads	Councillor Representation
Agriculture (including R&D)	Cr. Morris
Arts & Culture	Cr. Kidd
CBD Enhancement & Local Economy (including nighttime economy)	Cr. Edwards
Digital Capability & Connectivity	Cr. Edwards
Diversity & Inclusion	Cr. Wright
Education	Cr. Tiffen
Environmental Sustainability (including climate change)	Cr. Tiffen
Health Services (including mental health)	Cr. Kidd
Heritage & Art Deco	Cr. Wright
Housing	Cr. Tynan
Sports & Recreation	Cr. Nardi
Tourism & Events	Cr. Maytom
Water Security	Cr. Morris
Welcoming Leeton	Cr. Weston
WR Connect	Cr. Weston
Youth & Children	Cr. Nardi

(Moved Cr. Krystal Maytom, seconded Cr. Stephen Tynan)

ITEM 8.1.8. COUNTBACK TO FILL CASUAL VACANCIES IN THE OFFICE OF A COUNCILLOR

OCM 24/68

Resolved

THAT Council:

1. Pursuant to section 291A(1)(b) of the *Local Government Act 1993*, declares that casual vacancies occurring in the office of a Councillor within 18 months after the last ordinary election of Councillors for the Council on 14 September 2024, are to be filled by a Countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the Electoral Commissioner for NSW of Council's decision within 7 days of this decision.
2. Notes the confusion with the interpretation of 'first meeting' and requests the General Manager to ask the Office of Local Government and Electoral Commission, and/or Minister of Local Government, to accept the first Ordinary Meeting of Leeton Shire Council to be the first meeting.

(Moved Cr. Michael Kidd, seconded Cr. Krystal Maytom)

Having declared a conflict of interest on Item 8.1.9 the Mayor Cr. George Weston left the meeting at the time being 8:03 pm and the Deputy Mayor Cr. Michael Kidd took the chair.

ITEM 8.1.9. ROXY COMMUNITY THEATRE - BUILD AND BUDGET UPDATE - OCTOBER 2024

OCM 24/69

Resolved

THAT Council receives the update on the Roxy build project.

(Moved Cr. Nicholas Wright, seconded Cr. Boston Edwards)

Roxy Project Manager left the meeting at the time being 8:23 pm.

Mayor Cr. George Weston returned to the meeting at the time being 8:23 pm and took the chair.

Procedural Motion – Meeting Adjourned

OCM 24/82

Resolved

THAT Council adjourned the meeting at the time being 8:24 pm to hear the public representation on Item 8.1.10 from:

- Sarah McIntyre

(Moved Cr. Sandra Nardi, seconded Cr. Krystal Maytom)

Procedural Motion – Meeting Resumed

OCM 24/83

Resolved

THAT Council resolved to resume the meeting, at the time being 8:28 pm.

(Moved Cr. Michael Kidd, seconded Cr. Sandra Nardi)

ITEM 8.1.10. ROXY COMMUNITY THEATRE - ENDORSEMENT FOR NEW STRUCTURE AND EOI

OCM 24/70

Resolved

THAT Council:

1. Rescinds the decision to implement MODEL 2b (Resolution 24/069).
2. Agrees to explore the option of outsourcing the day-to-day operations of the Roxy Theatre by calling for non-binding Expressions of Interest from suitable organisations and asking the Roxy Redevelopment Committee to review any responses and make a recommendation back to Council on how Council might proceed, noting the availability of a notional investment of \$245K pa for operations and Council's ongoing coverage of utilities at an estimated cost of \$50K pa and touring show sponsorship of \$35K (noting all figures to be adjusted annually by at least the rates cap).
3. Agrees to research alternative operating models for the Roxy Community Theatre in parallel with point 2 above and then present all options to Council for a final decision.

(Moved Cr. Michael Kidd, seconded Cr. Nicholas Wright)

Manager Cultural Services left the meeting at the time being 9:05 pm.

Roxy Project Director left the meeting at the time being 9:05 pm.

Executive Manager People and Culture left the meeting at the time being 9:05 pm.

ITEM 8.1.11. RESULTS OF THE LEETON SHIRE COUNCIL COMMUNITY SATISFACTION SURVEY 2024

OCM 24/71

Resolved

THAT Council receives and notes for information the results of the Leeton Shire Council Community Satisfaction Survey 2024.

(Moved Cr. Stephen Tynan, seconded Cr. Michael Kidd)

Cr. Sarah Tiffen left the meeting at the time being 9:05 pm.

Cr. Sarah Tiffen returned to the meeting at the time being 9:10 pm.

ITEM 8.1.13. STATE OF THE SHIRE REPORT 2021 – 2024

OCM 24/90

Resolved

THAT Council notes the status update on the State of the Shire Report 2021-2024.

(Moved Cr. Nicholas Wright, seconded Cr. Krystal Maytom)

Procedural Motion – Dealing with Items Together

OCM 24/84

Resolved

THAT Council consider Item 8.2.1 and Item 8.2.2 of business together.

(Moved Cr. Michael Kidd, seconded Cr. Nicholas Wright)

ITEM 8.2.1. INVESTMENT REPORT FOR AUGUST 2024

ITEM 8.2.2. INVESTMENT REPORT FOR SEPTEMBER 2024

OCM 24/85

Resolved

THAT Council notes the information contained in the Investments Report for August and September 2024.

(Moved Cr. Michael Kidd, seconded Cr. Stephen Tynan)

**ITEM 8.2.3. ANNUAL DISCLOSURES OF INTEREST RETURNS BY COUNCILLORS AND
DESIGNATED PERSONS - 1 JULY 2023 TO 30 JUNE 2024**

OCM 24/73

Resolved

THAT Council:

1. Notes for information that the 2023/2024 Annual Disclosure of Interest Returns have been submitted as required, on time, and have been made publicly available by eight (8) out of the nine (9) Councillors, senior management, and designated persons have been submitted as required.
2. Notes for the record that former Councillor Matthew Holt did not return a completed Annual Disclosure of Interest Return.

(Moved Cr. Michael Kidd, seconded Cr. Stephen Tynan)

ITEM 8.3.1. MINUTES OF THE LOCAL AREA TRAFFIC COMMITTEE MEETING OCTOBER 2024

The General Manager noted for the record that Transport for NSW had confirmed that the Leeton Outback Band Spectacular move to Chelmsford Town Square on Saturday 9 November 2024 and associated road closure could be dealt with in the same manner as the movie night.

OCM 24/74

Resolved

THAT Council notes the minutes for information and endorses the recommendations of the Local Area Traffic Committee meeting held on 8 October 2024.

(Moved Cr. Michael Kidd, seconded Cr. Krystal Maytom)

ITEM 8.3.2. CAPITAL WORKS UPDATE REPORT - MAJOR PROJECTS - OCTOBER 2024

OCM 24/75

Resolved

THAT Council notes for information the Quarterly Capital Works Update Report – Major Projects as of the 20 October 2024.

(Moved Cr. Michael Kidd, seconded Cr. Nicholas Wright)

9. NOTICES OF MOTION

Nil

10. CONFIDENTIAL MATTERS

Procedural Motion – Move into Closed Council

OCM 24/76

Resolved

1. That Council moves into Closed Council to consider business identified,
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. Krystal Maytom, seconded Cr. Stephen Tynan)

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 9:30 pm and the public and press left the Chambers.

(Moved Cr. Krystal Maytom, seconded Cr. Stephen Tynan)

ITEM 10.1. SUPPLY OF VARIOUS QUARRIED PRODUCT TENDER - LSC 2024-007

OCM 24/77

Resolved

THAT Council:

1. Accepts the submitted tendered rates to form a panel for Quarried Material Supply for the period of two (2) years, covering financial years 2024- 2026.
2. Authorises the contract documents to be signed by the General Manager.

(Moved Cr. Krystal Maytom, seconded Cr. Stephen Tynan)

ITEM 10.2. VANCE ESTATE STAGE 3 - LAND SALES

OCM 24/78

Resolved

THAT Council:

1. Rescinds all previous sales price resolutions for Vance Estate Phase 3.
2. Approves the General Manager to negotiate the sale of Vance Estate Stage 3 allotments for a period expiring on 28 February 2026 at no less than the Minimum Sale Price per allotment as outlined in this report, plus GST.
3. Authorises the Mayor and General Manager to sign and seal all documentation in relation to the sale of all or part of the Vance Estate Stage 3 allotments under the terms detailed in item 2 above and requires these sales to be reported to Council at the next Council Meeting.
4. Notes that Vance Estate Stage 3 allotment sales that do not meet the above criteria will be individually presented for consideration by Council.

(Moved Cr. Michael Kidd, seconded Cr. Boston Edwards)

Procedural Motion – Reversion to Open Council

OCM 24/79

REVERSION TO OPEN COUNCIL

THAT this meeting of the Closed Council reverts to an open meeting of the Council, the time being 9:50 pm.

(Moved Cr. Krystal Maytom, seconded Cr. Michael Kidd)

11. CONCLUSION OF THE MEETING

There being no further business, the meeting closed at 9:52 pm.

..... signed by
the Chairman of the meeting held on
Tuesday 26 November 2024 at which meeting the
signature hereon was subscribed.