



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 23 FEBRUARY 2022
COMMENCING AT 7.00PM
AT THE COUNCIL CHAMBERS**

Present:

Councillors:

Cr Tony Reneker (Mayor), Cr Michael Kidd (Deputy Mayor), Cr Paul Smith, Cr Krystal Maytom, Cr Tony Ciccia, Cr Matt Holt, Cr Sandra Nardi and Cr Tracey Morris

Staff:

Jackie Kruger (General Manager), Mandy Rogers (Group Manager Corporate), Tom Steele (Group Manager Operations), Andrew Reilly (Group Manager Shire Activation), Kerrie-Anne Hare (Executive Manager IPR, Governance and Engagement), Lawrence Amato (Manager Finance) and Gerard Simms (Manager ICT)

Press:

LEETON SHIRE COUNCIL

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1. CIVIC PRAYER - Cr Weston

2. ACKNOWLEDGEMENT OF COUNTRY – Mayor Cr Tony Reneker

Presentation of Acknowledgement of Country created by the community and Councillors at the 2022 Australia Day ceremony, featuring gum leaves.

The framed Acknowledgement, an initiative of the Leeton and District Aboriginal Land Council and members of the Leeton Wiradjuri community, was presented to Council by William and Annmaree Ingram.

Mayor Tony Reneker gracefully accepted the artwork on behalf of Council.

Cr Kidd arrived at 7.05pm.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE

Nil

Cr Nardi arrived at 7.07pm.

4. CONFIRMATION OF MINUTES AND MATTERS ARISING

22/001

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 22 December 2021, as circulated, be taken as read and CONFIRMED.

(Moved Cr Morris, seconded Cr Weston)

5. DISCLOSURES OF INTERESTS

Cr Smith declared a less than significant non-pecuniary interest in Item 8.18 – Youth Development Grant Application – because he recently secured the business services of the applicant's mother.

6. PUBLIC REPRESENTATIONS

Nil

7. MAYORAL MINUTES

Item 1.1 COUNCILLOR PORTFOLIOS

22/002

Resolved

THAT Council adopts a system of 'portfolio leads', as listed in the following table:

Health	Cr Ciccica
Water Security	Cr Smith
Business	Cr Maytom

Housing	Cr Kidd
Arts and Culture	Cr Kidd
WR Connect Intermodal	Cr Reneker
Police Liaison	Cr Reneker
Aboriginal Liaison	Cr Reneker
Financial Sustainability	Cr Morris
Education	Cr Holt
Youth	Cr Nardi
CBD Enhancement Strategy	Cr Weston
Heritage	Cr Weston

(Moved Cr Reneker)

8. REPORTS TO COUNCIL

GENERAL MANAGER'S MATTERS

Item 8.1 DELEGATIONS OF AUTHORITY TO THE MAYOR

22/003

Resolved

THAT Council:

1. 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 the 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.

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:
 - o 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.
 - o Provision has been made for such expenditure in Council's budget.
 - o 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 the Council is or may become involved.

Urgent Works

Authorise any work when an emergency situation arises, at a cost not

exceeding \$50,000 in any particular situation.

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 Kidd, seconded Cr Morris)

Item 8.2 DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER

22/004

Resolved

THAT Council:

1. Rescinds all previous resolutions regarding delegations to the General Manager.
2. Delegates to the General Manager the authority to exercise all functions that Council is capable of delegating and is not prohibited from so doing under section 377 of the *Local Government Act 1993*.

(Moved Cr Kidd, seconded Cr Weston)

Item 8.3 COUNCIL REPRESENTATION ON COMMITTEES (INTERNAL AND EXTERNAL)

22/005

Resolved

THAT Council appoints the Councillors noted in the following table as representatives, for the length of the current Council term, 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 2021-2024	Responsible Staff Officer	Meeting Schedule
Section 355 Committees			
Leeton's Men's Shed	Cr Ciccia Cr Reneker	Executive Manager IPR, Governance and Engagement	Monthly on the second Wednesday at 9.30am
Light Up Leeton Committee	Cr Weston Cr Maytom	Events Officer	Monthly meetings starting In July/ August, increasing to fortnightly in Oct and weekly in Nov. Days and times vary

Murrumbidgee Community Hall Committee	Cr Ciccio Cr Reneker	Admin Officer – Community Services	Minimum once a year
SunRice Festival Committee	Cr Weston Cr Nardi	Events Officer	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. Held on a Thursday. Times vary but generally at 7pm
Whitton Community Hall Committee	Cr Smith Cr Reneker	Admin Officer – Community Services	Quarterly on the third Monday of month at 6pm
Whitton Court House and Historical Museum Committee	Cr Kidd Cr Maytom	Manager Cultural Services	Monthly on the third Monday of the month – Evenings
Yanco Community Hall Committee	Cr Reneker Cr Kidd	Admin Officer – Community Services	Monthly on the second Monday of the month at 12.30pm
Advisory Committees/Working Groups			
Audit, Risk and Improvement Committee (ARIC)	Cr Morris – Voting Cr Holt – Non Voting	Executive Manager IPR, Governance and Engagement	Quarterly – Feb, May, Aug, Nov at 6:30pm
CBD Enhancement Advisory Committee	Cr Morris Cr Weston Cr Kidd Cr Holt Cr Nardi	Group Manager Operations	Ad hoc
Community Grant Funding Working Group (previously Committee)	Cr Smith Cr Nardi Cr Holt	Corporate and Community Planning Officer	Biannually – May and Nov – at 8am
General Manager Review Committee	Cr Reneker Cr Kidd Cr Holt Councillor Selected by GM	Local Government NSW	Annually
Gogeldrie Weir Recreational Facilities Committee	Cr Weston Cr Ciccio Cr Kidd	Manager Visitor Services and Local Activation	Quarterly – Evenings
Infrastructure Working Group	Cr Kidd Cr Ciccio Cr Smith	Group Manager Operations	Quarterly during business hours
Leeton Flood Plain Management Committee	Cr Smith Cr Reneker	Manager Roads and Drainage	TBA
Leeton Local Traffic Committee	Cr Ciccio Cr Holt	Roads Safety Officer or	Quarterly during business hours
Leeton Shire Heritage Committee	Cr Weston Cr Ciccio	Manager Planning, Building and Health	Bimonthly on the third Thursday of the month

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		and Manager Cultural Services	during business hours
Leeton Tree Advisory Committee	Cr Holt Cr Kidd	Managers Open Space and Recreation	Biannually or as required – 9am on a Wednesday
Leeton Weeds Committee	Cr Ciccia Mayor Reneker	Regulatory Services Coordinator	Biannually or as required – during business hours
Leeton Youth Council, formerly Leeton Youth Committee	Cr Nardi Cr Reneker Cr Maytom	Corporate and Community Planning Officer	Quarterly at lunchtime, dates to be determined with schools
Roxy Community Theatre Advisory Committee – In Recess	Future Governance to be determined		
Roxy Redevelopment Committee (Build and Operations)	Cr Kidd Cr Morris Cr Nardi Cr Holt	General Manager	Bi-monthly in the evening
Action Committees			
Leeton Australia Day Committee	Cr Weston Cr Reneker	Events Officer	Sept to Feb – as required
Sporting Walk of Fame	Cr Reneker	Manager Open Space and Recreation	As required at 9am.
Henry Lawson Cottage Committee	Cr Weston Cr Ciccia	Building Services and Roxy Redevelopment Coordinator	Quarterly
Whitton Town Improvement Committee	Cr Reneker Cr Smith	Manager Visitor Services and Local Activation	Quarterly on a Monday at 7pm
Yanco Town Improvement Committee	Cr Reneker Cr Smith	Manager Visitor Services and Local Activation	Quarterly on the second Monday of the month at 12.30pm
Health Advisory Committee (Internal)	Cr Reneker Cr Maytom Cr Ciccia	Shire Health Project Coordinator	Monthly at lunch time
External Committees/Organisations			
Country Mayors Association	Cr Reneker	General Manager	Quarterly
Leeton Business Chamber	Cr Weston Cr Morris	Economic Development Manager	Monthly. Meeting times vary but are before and after business hours
Bushfire Management Committee	Cr Reneker	Group Manager Operations	Quarterly during business hours
Murray Darling Association	Cr Smith – Voting Cr Weston – Non-Voting Cr Holt – Non-voting	General Manager	Quarterly during business hours

Fivebough and Tuckerbil Wetlands Advisory Committee	Cr Reneker Cr Kidd	Staff	Quarterly in the mornings
Shared Services Committees/Organisations			
Narrandera-Leeton Airport Management Committee	Cr Reneker Cr Smith	Group Manager Shire Activation	Biannually during business hours
Riverina and Murray Joint Organisation	Mayor Reneker	General Manager	Quarterly during business hours
Liaisons			
Executive Aboriginal Strategic Liaison	Cr Reneker Cr Maytom	General Manager	Biannually
Executive Murrumbidgee Irrigation Strategic Liaison	Cr Reneker Cr Smith	General Manager	Biannually
Police Liaison	Cr Reneker	General Manager	Quarterly or as required during business hours

(Moved Cr Smith, seconded Cr Weston)

Item 8.4 ADOPTION OF THE LEETON SHIRE COUNCIL CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE LEETON SHIRE COUNCIL CODE OF CONDUCT

22/006

Resolved

THAT Council adopts the new Leeton Shire Council Code of Conduct and associated Procedures for the Administration of the Leeton Shire Council Code of Conduct.

(Moved Cr Holt, seconded Cr Nardi)

Item 8.5 COUNCIL MEETING DATES MARCH 2022 TO FEBRUARY 2023

22/007

Resolved

THAT Council adopts the following:

1. Ordinary Council Meetings be held on the fourth Wednesday of every month excluding January 2023 to allow for school holidays, with the dates being:
 - Wednesday 23 March 2022
 - Wednesday 27 April 2022
 - Wednesday 25 May 2022
 - Thursday 23 June 2022
 - Wednesday 27 July 2022
 - Wednesday 24 August 2022

- Wednesday 28 September 2022
 - Thursday 27 October 2022
 - Wednesday 23 November 2022
 - Wednesday 14 December 2022
 - Wednesday 22 February 2023
2. An Extraordinary Council Meeting be held on Wednesday 11 May 2022 for the purpose of endorsing the Annual Budget and revised Delivery Program and Operational Plan.
 3. Council Meetings will be held at 7pm.
 4. In the case of an urgent administrative matter or emergency situation and after consultation with the Mayor the General Manager, the date, time and location of a Council Meeting may be altered by giving as much notice to the Councillors and the public as is practicable.

(Moved Cr Smith, seconded Cr Weston)

Item 8.6 APPOINTMENT OF MEMBERS TO THE AUDIT, RISK AND IMPROVEMENT COMMITTEE FOR THE CURRENT COUNCIL TERM

22/008

Resolved

THAT Council appoints:

1. Mr Graham Bradley as the independent Chair of the Audit, Risk and Improvement Committee
2. Mr Bill Robertson and Mr Emerson Doig as independent members of the Audit, Risk and Improvement Committee
3. Cr Tracey Morris as Council's voting representative on the Audit Risk and Improvement Committee
4. Cr Matt Holt as Council's non-voting/alternate representative on the Audit Risk and Improvement Committee
5. Ms Bobbie Pannowitz as a non-voting independent member of the Audit, Risk and Improvement Committee on the understanding that she will be a regular attendee at the meetings.

(Moved Cr Kidd, seconded Cr Morris)

Item 8.7 DRAFT MOTIONS FOR SUBMISSION TO THE 2022 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

22/009

Resolved

THAT Council endorses the following motions for submission to the 2022 National General Assembly of Local Government:

- 1. Improve health access and outcomes in rural, regional and remote Australia:** This National General Assembly calls on the Australian Government to partner with State and Territory Governments to drive improvements in health access and outcomes in rural, regional and remote Australia, including exploring innovative models of care and more flexible allocation of funding.
- 2. Restore Financial Assistance Grants (FAGS):** This National General Assembly calls on the Australian Government to:
 - restore Local Government Financial Assistance Grants to a level equal to at least 1% of Commonwealth taxation revenue
 - remove the requirement to allocate 30% of the General Purpose Component of Financial Assistance Grants on the basis of population increases/decreases.

(Moved Cr Kidd, seconded Cr Weston)

Item 8.8 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 11 NOVEMBER 2021

22/010

Resolved

THAT Council endorses the Minutes of the Audit, Risk and Improvement Committee meeting held on 11 November 2021, notes the Fraud Control Framework Review Report and adopts the Action Plan Priority List contained within.

(Moved Cr Morris, seconded Cr Kidd)

Item 8.9 DELIVERY PROGRAM AND OPERATIONAL PLAN PROGRESS REPORT FOR QUARTER 2, 2021/22

22/011

Resolved

THAT Council notes for information the Leeton Shire Council Delivery Program and Operational Plan Quarter 2 Progress Report (October to December 2021), noting that the Leeton Regional Aquatic Centre is noted as needing attention and not as 'on track'.

(Moved Cr Ciccia, seconded Cr Maytom)

CORPORATE MATTERS

Item 8.10 2021/22 BUDGET REVIEW FOR THE QUARTER ENDING 31 DECEMBER 2021

22/012

Resolved

THAT Council considers the QBR as at 31 December 2021, and approves the changes as recommended by Management.

(Moved Cr Morris, seconded Cr Ciccia)

Item 8.11 INVESTMENTS REPORT FOR DECEMBER 2021

22/013

Resolved

THAT Council notes the information contained in the Investments Report for December 2021.

(Moved Cr Morris, seconded Cr Weston)

Item 8.12 INVESTMENTS REPORT FOR JANUARY 2022

22/014

Resolved

THAT Council notes the information contained in the Investments Report for January 2022.

(Moved Cr Morris, seconded Cr Kidd)

Item 8.13 RESERVE 85835 (WAIPUKARAU PARK) - DRAFT PLAN OF MANAGEMENT

22/015

Resolved

THAT Council:

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management for Reserve 85835.
2. Requests approval from the Minister Administering the *Crown Lands Management Act 2016* to approve the annexed Draft Plan of Management for Reserve 85835.
3. Upon approval from the Minister Administering the *Crown Lands Management Act 2016* Council amends the Draft Plan of Management if required by the Minister and places it on public exhibition as per Section 38 of the *Local Government Act 1993*.

(Moved Cr Weston, seconded Cr Kidd)

ACTIVATION MATTERS

Item 8.14 LEETON EARLY LEARNING CENTRE EXPANSION PROJECT

22/016

Resolved

THAT Council:

1. Approves the expansion of the LELC project with a view to opening the additional classroom in 2023.
2. Continues to pursue grant funding opportunities, where available.
3. Approves further council funding of up to \$300,000 in addition to the \$200,000 allowed for in the 2021/22 Budget for the project if grant funding is not forthcoming by 1 July 2022. Such funding is to be repaid from funds generated by the LELC.
4. Approves the General Manager to determine the source of funding (ie cash reserves or loans) and to execute any documentation in relation to that funding.

(Moved Cr Weston, seconded Cr Nardi)

Item 8.15 DEFERRED DEVELOPER CONTRIBUTIONS POLICY - COMMUNITY FEEDBACK

22/017

Resolved

THAT Council defer this matter until the April 2022 Ordinary Council Meeting.

(Moved Cr Ciccia, seconded Cr Smith)

Item 8.16 NOMINATION OF PANEL MEMBERS FOR THE WESTERN REGION REGIONAL PLANNING PANEL

22/018

Resolved

THAT Council:

1. Appoints Cr Weston and Cr Morris as Leeton Shire Council members of the Western Joint Regional Planning Panel (JRPP) for a 3-year term commencing 24 February 2022.
2. Appoints Mr Emerson Doig and Mr Greg O'Callaghan as alternate members representing Leeton Shire Council on the Western JRPP for a 3-year term commencing 24 February 2022.
3. Approves a sitting fee of \$300 per day in cases where an appointed

community member represents Leeton Shire Council on the Western JRPP.

(Moved Cr Maytom, seconded Cr Kidd)

Item 8.17 MINUTES OF THE LIGHT UP LEETON COMMITTEE - 11 NOVEMBER TO 6 DECEMBER 2021

22/019

Resolved

THAT Council receives for information the Minutes of the Light Up Leeton Committee meetings held on 11 November, 18 November, 25 November and 6 December 2021.

(Moved Cr Weston, seconded Cr Kidd)

LATE ITEM

22/020

Resolved

Accept the late item 8.18 – Youth Development Grant Application – Jett Teerman.

(Moved Cr Nardi, seconded Cr Holt)

Item 8.18 YOUTH DEVELOPMENT GRANT APPLICATION – JETT TEERMAN

22/021

Resolved

THAT Council awards Jett Teerman a \$250 Youth Development Grant to assist with the costs associated with representing Leeton and the Riverina at the Little Athletics New South Wales State Championships in Sydney, NSW on 19–20 March 2022.

(Moved Cr Holt, seconded Cr Kidd)

9. NOTICES OF MOTION

Nil

10. COUNCILLOR ACTIVITY REPORTS

Item 10.1 COUNCILLOR ACTIVITY REPORT

22/022

Resolved

THAT Council notes the Councillor Activity Reports for the period 13 January 2022 to 23 February 2022.

(Moved Cr Smith, seconded Cr Reneker)

11. CONFIDENTIAL MATTERS

Nil

12. CONCLUSION OF THE MEETING

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

..... signed by
the Chairman of the meeting held on
23 Mar 2022 at which meeting the
signature hereon was subscribed.