



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
THURSDAY 23 JUNE 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, Cr. Tracey
Morris and Cr George Weston

Staff:

Jackie Kruger (General Manager), Mandy Rogers (Group Manager Corporate),
Tom Steele (Group Manager Operations), Andrew Reilly (Group Manager Shire
Activation), Sarah Graham (Customer Service & Governance Coordinator), Angela
Stevens (Records and Governance Officer), Lawrence Amato (Finance Manager)
and Luke Tedesco (Manager Environment and Sustainability via video conference)

Press: Nil

LEETON SHIRE COUNCIL

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1. **CIVIC PRAYER** Cr Matthew Holt
2. **ACKNOWLEDGEMENT OF COUNTRY** Mayor Cr Tony Reneker
3. **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE**

Nil

4. **CONFIRMATION OF MINUTES AND MATTERS ARISING**

22/066

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 25 May 2022, as circulated, be taken as read and CONFIRMED.

(Moved Cr Smith, seconded Cr Kidd)

5. **DISCLOSURES OF INTERESTS**

Nil

6. **PUBLIC REPRESENTATIONS**

Nil

7. **MAYORAL MINUTES**

Nil

8. **REPORTS TO COUNCIL**

GENERAL MANAGER'S MATTERS

Item 7.1 FEES PAYABLE TO MAYORS AND COUNCILLORS - LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION 2022

MOTION

THAT Council fixes the annual fees for the 2022/23 financial year at the maximum amount allowable, being \$12,650 per Councillor and \$27,600 for the Mayor.

(Moved Cr Weston, seconded Cr Morris)

The motion was lost.

22/067

Resolved

THAT Council fixes the annual fees for the 2022/23 financial year at the same rate as the 2021/22 year, being no increase.

(Moved Cr Kidd, seconded Cr Holt)

Note: Cr Weston recorded his vote against.

Item 7.2 CHAIRMAN'S REPORT ON AND MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - MAY 2022

22/068

Resolved

THAT Council:

1. Notes the Minutes of the Audit, Risk and Improvement Committee meeting held on 19 May 2022 and the Chairman's Report to the Mayor and Councillors.
2. Endorses the ARIC recommendation to not include RFS assets in Council's financial statements on a matter of principle, based on the fact that Council does not control, manage, or govern RFS assets.
3. Endorses the action of conveying Council's concerns on the treatment of RFS assets to the Local Member, the Minister for Emergency Services, the Minister for Local Government and the Deputy Premier.

(Moved Cr Maytom, seconded Cr Ciccia)

Item 7.3 POLICY REVIEW 2022

22/069

Resolved

THAT Council endorses the following draft policies for public exhibition for 28 days, and, if no feedback is received, the policies will be considered adopted after the exhibition period:

- Child Safe Policy
- Frost Control Fans Policy.

(Moved Cr Weston, seconded Cr Maytom)

Item 7.4 YOUTH DEVELOPMENT GRANT APPLICATION

22/070

Resolved

THAT Council:

1. Awards Jett Lui a \$250 Youth Development Grant to assist with the costs associated with attending the 2022 Rugby League School Sport Australian Championships in Redcliffe from 3 – 8 July 2022.

2. Delegates the awarding of future youth development grants to the General Manager, with advice to Councillors to be circulated via a Media Release and the six-monthly Delivery Plan progress reports.

(Moved Cr Nardi, seconded Cr Smith)

CORPORATE MATTERS

Item 7.5 ADOPTION OF THE DELIVERY PROGRAM 2022-2025 AND LONG TERM FINANCIAL PLAN 2022-2032

22/071

Resolved

THAT Council:

1. Adopts the Delivery Program 2022–2025 with the following amendments:
 - Correct typo in 5.1 – Land Use Planning.
 - Add reference to:
 - Strategic planning for potential outages as a result of extreme weather in 8.3.
 - Need to lobby for an increase in funding for noxious weeds management in 8.4.
 - Add reference to pursuing Canal Street and Pine Avenue road swap in 6.1.
2. Adopts the Long Term Financial Plan 2022-2032
3. Endorses the Deputy Mayor Cr Michael Kidd as Leeton Shire Council's representative on the Riverina Regional Library Advisory Committee.

(Moved Cr Weston, seconded Cr Kidd)

Item 7.6 ADOPTION OF THE OPERATIONAL PLAN, BUDGET AND REVENUE POLICY (INCLUDING THE SCHEDULE OF FEES AND CHARGES) FOR THE 2022/23 FINANCIAL YEAR

22/072

Resolved

THAT Council adopts, as presented:

1. The Operational Plan for the 2022/23 financial year
2. The Budget for the 2022/23 financial year
3. The Revenue Policy for the 2022/23 financial year, including the Schedule of Fees and Charges for the 2022/23 financial year, with the following amendments:

Budget

- Authority to proceed with the Council table/chambers sound system

technology is subject to a detailed proposal and business case being tabled with Council in July 2022 for consideration.

Fees and Charges

- Page 234 – correct typo, separated (red)
- Page 234 – under Waste Disposal and Recycling, remove section on green waste load.
- Page 8 – Landfill access fee is now called the Landfill Management Charge
- Page 35 – 9.2 – Green waste should be removed.
- Page 35 – Free recycling to be identified in greater detail.
- Page 42 – Mountford park stage charge of \$20 (not for profit), to be charged as a bond not a fee. Monitor over the next 12 months.

(Moved Cr Weston, seconded Cr Maytom)

Item 7.7 THE MAKING OF RATES AND CHARGES FOR THE 2022/23 FINANCIAL YEAR

22/073

Resolved

THAT Council authorises the General Manager to prepare and serve the following 2022/23 Rate Notices or, in her absence, they may be served by the Group Manager Corporate.

1. Ordinary Rates

a) Ordinary Rate - Residential

In accordance with section 494 of the *Local Government Act 1993*, Council make the Base Amount \$492 for Ordinary Rates for the 2022/23 financial year, which represents 48% of the total revenue for the Residential Rating category and make the Ad Valorem component of the rate at 0.00748273 cents in the dollar on all land value of all rateable land within the Residential Rating category.

b) Ordinary Rate - Farmland

In accordance with section 494 of the *Local Government Act 1993*, Council makes the Base Amount \$762 for Ordinary Rates for the 2022/23 financial year, which represents 20% of the total revenue for the Farmland Rating category and make the Ad Valorem component of the rate at 0.00772242 cents in the dollar on all land value of all rateable land within the Farmland Rating category.

c) Ordinary Rate – Business

In accordance with section 494 of the *Local Government Act 1993*, Council makes the Base Amount \$342 for Ordinary Rates for the 2022/23 financial year, which represents 25% of the total revenue for the Business Rating category and make the Ad Valorem component of the rate at 0.0901359 cents in the dollar on all land value of all rateable land within

the Business Rating category.

2. Charges – Sewerage Local Fund

a) Sewerage Annual Charge - Residential

That Council makes the Sewerage Annual Charge – Residential for the 2022/23 financial year \$670 for each parcel of land categorised as Residential land within the Leeton, Yanco and Whitton Sewerage Local Rate Areas in accordance with section 501 of the *Local Government Act 1993*.

b) Sewerage Annual Charge – Non-Residential

The charge is to apply to each water meter attached to the assessment categorised as Non-Residential land within the Leeton, Yanco and Whitton Sewerage Local Rate Areas in accordance with section 501 of the *Local Government Act 1993*.

The usage charge is proposed to be \$ 1.25 cents per kilolitre with a minimum charge equivalent to the Residential charge of \$ 670.00.

The Non-Residential Sewer Access charge be as follows:

Meter Size	2022/2023 (\$)
20mm	142.00
25mm	223.00
32mm	365.00
40mm	571.00
50mm	891.00
80mm	2,283.00
100mm	3,566.00
150mm	8,023.00
200mm	14,263.00

3. Interest Rate on Overdue Rates and Charges

That the interest rate to be charged on all overdue Rates and Charges and arrears during the 2022/23 financial year to be set at 6% for the period 1 July 2022 to 30 June 2023.

4. Domestic Waste Management Charge

That Council makes a Domestic Waste Management Charge under

section 496 of the *Local Government Act 1993* of \$300 on all rateable parcels of land for which there is a full waste collection service.

5. Waste Management Charge

That Council makes a Waste Management Charge under section 501 of the *Local Government Act 1993* of \$300 to the non-residential and non-rateable parcels of land in the Leeton Shire Council area being rendered a full waste collection service.

6. Landfill Management Charge

That Council makes a Landfill Management Charge under section 501 of the *Local Government Act 1993* of \$65 (GST Inclusive) to all parcels of land not having access to the Domestic Waste Collection Service under section 496 and Waste Collection Services under section 501 of the *Local Government Act 1993*.

That Council makes a Landfill Management Charge under section 501 of the *Local Government Act 1993* of \$65.00 (GST Inclusive) for each parcel of rateable land for which the service is available and is unoccupied.

Note that for properties that receive a full waste collection service (Point 4 above), the landfill Management Charge is included in their \$300 charge)

7. Recycling Service Charge

That Council makes a Recycling Service Charge under section 501 of the *Local Government Act 1993* of \$150 on all parcels of land for which there is a full Domestic Recycling Collection Service.

Recycling Services for non-residential and non-rateable properties will be optional and those properties wishing to use the service will be charged at the rate of \$150 per annum.

8. Water Charges

That Council makes the following water charges:

a) Access Charges

Meter Size	2022/2023 (\$)
20mm	295.00
25mm	295.00
32mm	750.00
40mm	1,170.00
50mm	1,881.00

65mm	3,180.00
80mm	4,817.00
100mm	7,200.00
150mm	12,643.00

b) Consumption Charges – Residential

- for the first 300 kilolitres (kL) = \$1.25 per kL
- from 301 kilolitres to 600 kilolitres = \$1.75 per kL
- thereafter = \$3.10 per kL

Strata Properties with single meter \$1.92 per kL for all consumption.

c) Consumption Charges – Non Residential

- for the first 300 kilolitres (kL) = \$1.25 per kL
- thereafter = \$1.75 per kL

9. Stormwater Management Charge

That Council makes a Stormwater Management Charge under section 496A of the *Local Government Act 1993* of \$25 for developed residential properties, \$12.50 for each residential strata unit and \$25 for eligible properties within the Ordinary Business Rating category area and \$12.50 for each business strata title unit.

10. On-site Sewerage Management Service Fee

That Council makes an annual Administration Service Fee under Section 608 (2) of the *Local Government Act 1993* of \$11 per annum for an approval to operate a system of sewerage management.

11. Fees and Charges

That Council makes the Fees and Charges for the 2022/23 financial year as per the adopted Operational Plan 2022/23 and 2022/23 Revenue Policy (including the 2022/23 Fees and Charges).

(Moved Cr Morris, seconded Cr Kidd)

Item 7.8 INVESTMENTS REPORT FOR MAY 2022

22/074

Resolved

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

(Moved Cr Morris, seconded Cr Kidd)

Group Activation Shire Manager left meeting 9:03pm

Group Activation Shire Manager returned 9:04pm

Item 7.9 COMMUNITY NOMINATIONS FOR COUNCIL COMMITTEES

22/075

Resolved

THAT Council endorses the following community committee nominees for the term of Council:

Committee	Councillor Representation 2021 -2024	Community representative nominee	
Section 355 Committees			
Leeton's Men's Shed	Cr Reneker Cr Ciccia	George Reynolds - President	
		Lindsay Marsh - Secretary	
		Ron Hutton - Treasurer	
Light Up Leeton Committee	Cr Weston Cr Maytom	Amy Davis	Julie Maytom
		Sarah Graham	Robyn Retallick
		Alma Herrmann	Gwen Spadaro
		Ray Herrmann	Daniel Watt
		Jenny Davidson	Peter Davidson
Murrami Community Hall Committee	Cr Ciccia Cr Reneker	No nominations received	
SunRice Festival Committee	Cr Weston Cr Nardi	Julie Axtill	Brodie Smith
		Sally Doig	Chris Thompson
		Sarah Graham	Colin Thompson
		Denise McGrath	Daniel Watt
		Nadine McLean	Kym Webb
		Katelyn Mills	Cheryl Whymark
		Vicki Poulson	Sue Browne
Whitton Community Hall Committee	Cr Smith Cr Reneker	Tracey Catlin	Barbara Smith
		Lexi Hone	Shannon Morris
Whitton Court House and Historical Museum Committee	Cr Kidd Cr Maytom	Tracy Catlin	Margaret Strong
		Barb Smith	
Yanco Community Hall Committee	Cr Reneker Cr Kidd	Beryl Coelli	Yvonne Milvain
		Terry Coelli	
		Hugh Milvain	
Advisory Committees/Working Groups			

CBD Enhancement Advisory Committee	Cr Morris Cr Weston Cr Kidd Cr Holt Cr Nardi	Wendy Senti (Local Family & Local History Society)	
		Peter Davidson	
Leeton Flood Plain Management Committee	Cr Smith Cr Reneker	No community nominations received	
Leeton Shire Heritage Committee	Cr Weston Cr Ciccica	Margaret Strong	Wendy Senti
Leeton Tree Advisory Committee	Cr Holt Cr Kidd	Peter Davidson	Jodi (Jo) Roberts
Leeton Weeds Committee	Cr Ciccica Mayor Reneker	Peter Davidson	
Action Committees			
Whitton Town Improvement Committee	Cr Reneker Cr Smith	Tracy Catlin	Craig Kefford
		Ron DeMamiel	Lorraine Kefford
		Lexi Hone	Margaret Strong
		Deborah Morden	
Yanco Town Improvement Committee	Cr Reneker Cr Smith	Annette Ashton	Hugh Milvain
		Halina Capstick	Karen O'Grady
		Suzanne Driscoll	Frances Porter
		Tessa Hamilton	Daniel Watt
		Tracey Hamilton	Graham Williams
		Helen Macarthur	

Noting also:

The following committees remain unchanged from the previous term:

- Gogeldrie Weir Committee
- Roxy Redevelopment Committee
- Henry Lawson Cottage Committee

The following Committees need to be advertised/re-advertised:

- Australia Day Committee
- CBD Enhancement Committee
- Murrami Hall Committee
- Leeton Floodplain Management Committee.

(Moved Cr Smith, seconded Cr Maytom)

Cr Ciccica left meeting at 9:11pm

Cr Ciccica returned at 9:15pm

Item 7.10 QUICK RESPONSE GRANT APPLICATION

22/076

Resolved

THAT Council awards the Leeton Rainbow Pride Collective Inc a \$253 Quick Response Grant to purchase a teardrop flag in celebration of NAIDOC Week 2022.

(Moved Cr Ciccia, seconded Cr Nardi)

Item 7.11 DRAFT PLAN OF MANAGEMENT - RESERVE 62184 - MOUNTFORD PARK

22/077

Resolved

THAT Council:

1. Attests that it has considered Native Title Manager advice in relation to the Draft Plan of Management for Reserve 62184.
2. Requests approval from the Minister Administering the *Crown Land Management Act 2016* to approve the annexed Draft Plan of Management for Reserve 62184.
3. Upon approval from the Minister Administering the *Crown Land 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 Kidd, seconded Cr Weston)

OPERATIONAL MATTERS

Item 7.12 SUBMISSION TO NSW PARLIAMENTARY ENQUIRY INTO SPEED LIMITS

22/078

Resolved

THAT Council endorses making a submission to the NSW Parliamentary Enquiry into Speed Limits.

(Moved Cr Kidd, seconded Cr Smith)

ACTIVATION MATTERS

Item 7.13 DRAFT LEETON DEVELOPMENT CONTROL PLAN 2022

22/079

Resolved

THAT Council resolves to endorse the draft Leeton DCP for community consultation over a two-month period, with a view to reconsidering community comment at the September 2022 Council Meeting ahead of final adoption, and subject to minor updates to the heritage section to remove blanket heritage assessments for houses over 50 years old and provide more clarity on heritage colours.

(Moved Cr Weston, seconded Cr Kidd)

Group Operations Manager left meeting 9:22pm

Group Operations Manager returned 9:26pm

Item 7.14 PUBLIC EXHIBITION OF EMPLOYMENT ZONES

22/080

Resolved

THAT Council:

1. Receives the report for information.
2. Notes the proposed employment zones are being advertised on Council's webpage and Facebook page as well as the Irrigator.

(Moved Cr Maytom, seconded Cr Weston)

Item 7.15 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMUNITY WORKSHOP, INAUGURAL YANCO TOWN IMPROVEMENT COMMITTEE MEETING AND COMMITTEE TERMS OF REFERENCE

22/081

Resolved

THAT Council:

1. Receives for information the notes taken from the Yanco Town Improvement Workshop held on Monday 9 May 2022.
2. Receives for information the Minutes of the inaugural Yanco Town Improvement Committee meeting held on Monday 6 June 2022.
3. Endorses the Terms of Reference for the Yanco Town Improvement Committee.

(Moved Cr Smith, seconded Cr Morris)

9. NOTICES OF MOTION

Nil

10. LATE REPORT

Item 10.1 SUBMISSION OF A LATE REPORT – ROXY THEATRE SEATING TENDER

22/082

Resolved

THAT Council accepts a late Confidential report on the Roxy Theatre Seating Tender.

(Moved Cr Kidd, seconded Cr Nardi)

11. CONFIDENTIAL MATTERS

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.

22/083

Resolved

- 1 That Council moves into Closed Council to consider business identified, together with any late reports tabled at the meeting.
- 2 That in accordance with Section 10A(2) of the *Local Government Act, 1993*, the Public and Press be excluded from the meeting to enable Council to determine items listed in Confidential Matters for the reasons indicated.
- 3 That the report relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the *Local Government Act 1993*.

(Moved Cr Smith, seconded Cr Morris)

ITEM 11.1 ROXY REDEVELOPMENT SEATING TENDER

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).

With no public in the gallery Council closed the meeting to the public at 9.39pm.

Cr Morris left the meeting 9.39pm

Cr Morris returned 9.42pm

Customer Service and Governance Coordinator left the meeting 9.42pm

Cr Kidd left the meeting 9.43pm

Customer Service and Governance Coordinator returned 9.44pm

Cr Kidd returned 9.45pm

CLOSED COUNCIL – CONFIDENTIAL ITEMS

Recommendation

22/084

Resolved

THAT Council:

1. Confirms the inclusion of fixed seats in the Roxy dress circle in the scope of the Roxy redevelopment build, noting that the fixed seats in the Roxy dress circle had been identified as value managed out of the scope previously considered by Council.
2. Confirms funding of up to the amount nominated in the report for retractable seating and loose chairs in the Roxy auditorium and fixed seats in the Roxy dress circle and Roxy II, noting that \$300K of that will be reimbursed back to Council within 12 months through the fundraising efforts of the Roxy Redevelopment Committee and that an additional \$29K will need to be sourced from the infrastructure reserve, if required, to add to the current voted budget.
3. Formally declines to accept any of the tenders received for the Roxy Seating, RFT LSC 2022-146 on the basis of comparison complexities that hinder performance based specification evaluation, and price.
4. Formally elects to enter into negotiations with one or more suppliers – including Maxwood, Profurn, Starena and Camatica - with a view to entering into a contract or contracts in relation to delivery of all or part of the Roxy seating components, including the retractable seating and loose seats in the Roxy auditorium and fitted seats in the Roxy dress circle and Roxy II Theatre.
5. Authorises the General Manager, Mayor and Deputy Mayor (who is also the Portfolio Lead for Arts and Culture) to let the contract or contracts on Council's behalf.

(Moved Cr Kidd, seconded Cr Nardi)

Note: Cr Ciccica recorded his vote against.

Extension of Time

22/085

Resolved

THAT with the time being 10pm, Council continues with the meeting to complete its deliberations and discussions.

(Moved Cr Smith, seconded Cr Weston)

Cr Nardi left the meeting 10.20pm
Cr Nardi returned 10.24pm

REVERSION TO OPEN COUNCIL

22/086

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 10.34pm.

(Moved Cr Smith, seconded Cr Weston)

The Mayor advised that during the Closed Council one resolution was passed. The General Manager read out the resolution made in Closed Council for Item 11.1.

12. COUNCILLOR ACTIVITY REPORT

As noted

13. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 10.45pm.

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