



**LEETON**  
SHIRE COUNCIL

**MINUTES OF THE ORDINARY  
COUNCIL MEETING  
THURSDAY 27 OCTOBER 2022  
COMMENCING AT 7.00PM  
AT THE COUNCIL CHAMBERS**

**Present:**

**Councillors:**

Cr Tony Reneker (Mayor), Cr. Michael Kidd (Deputy Mayor – via videoconference), Cr. Paul Smith, Cr. Krystal Maytom, Cr. Tony Ciccica, 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), Michelle Evans (Manager Economic and Community Development), Angela Stevens (Governance and Records Officer), and Sarah Graham (Customer Service and Governance Coordinator)

**Press:** Nil

**LEETON SHIRE COUNCIL**

T. (02) 6953 0911 F. (02) 6953 0977  
council@leeton.nsw.gov.au  
23-25 Chelmsford Place Leeton NSW 2705  
[www.leeton.nsw.gov.au](http://www.leeton.nsw.gov.au) 

1. **CIVIC PRAYER** Cr Weston
2. **ACKNOWLEDGEMENT OF COUNTRY** Cr Reneker
3. **APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE**

Nil – Cr Nardi advised she would be late

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

**22/144**

**Resolved**

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 28 September 2022, as circulated, be taken as read and CONFIRMED.

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

#### **ADDITIONAL/LATE ITEMS**

**22/145**

**Resolved**

THAT the following item, namely:

9.3. OFFER TO PURCHASE LAND VANCE INDUSTRIAL ESTATE STAGE 3  
is accepted as a Confidential late item onto this Agenda for discussion.

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

#### 5. **DISCLOSURES OF INTERESTS**

Cr Smith declared a non pecuniary - less than significant interest in Item Number 7.10 under the Local Government Act as he was approached by a member of the Leeton Pipe Band to provide advice on funding avenues to assist with this concert and one of the band members is a work colleague. Cr Smith stayed present at the meeting and participated in discussion.

#### 6. **MAYORAL MINUTES**

Nil

## **7. REPORTS TO COUNCIL**

### **GENERAL MANAGER'S MATTERS**

#### **Item 7.1 CHRISTMAS/NEW YEAR ARRANGEMENTS**

**22/146**

##### **Resolved**

THAT Council:

1. Approves Council's Depot, Administration Office, Library and Visitor Information Centre (VIC) be closed to the public for the Christmas/New Year period from close of business Thursday 22 December 2022 until Monday 2 January 2023 (inclusive) and reopen on Tuesday 3 January 2023 and that staff not required for other duties be permitted to take annual leave or other authorised leave for the 4 days which are not public holidays during the closure period.
2. Notes that the Leeton Museum and Gallery will remain open from 10am to 3pm on all holiday period days that are not public holidays, staffed by officers with minimal leave, volunteers and/or casuals.
3. Notes that signage stating that the VIC is temporarily operating from the Leeton Museum and Gallery will be prominently displayed at the VIC during the Christmas/New Year period.
4. Notes that a skeleton team will remain on duty over the holiday period for water and sewer treatment, operations, landfill, swimming pools, ranger services and on-call services.
5. Notes that LELC and Vacation Care will close from close of business on Friday 23 December 2023 and re-open on Monday 9 January 2023.
6. Notes that extensive pre-Christmas publicity be given to the changes to Council's operations over the Christmas/New Year Period.

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

Cr Nardi joined the meeting at 7:06pm

#### **Item 7.2 ANNUAL DISCLOSURES OF INTEREST RETURNS BY COUNCILLORS AND DESIGNATED PERSONS - 1 JULY 2021 - 30 JUNE 2022**

**22/147**

##### **Resolved**

THAT Council receives and notes the report on the 2021/22 Annual Disclosure of Interest Returns by Councillors, senior management and designated persons.

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

**Item 7.3 MINUTES OF RAMJO MEETING – 25 FEBRUARY 2022**

The General Manager asked that this report be withdrawn as the meeting minutes are not currently available.

**CORPORATE MATTERS**

**Item 7.4 INVESTMENTS REPORT FOR SEPTEMBER 2022**

**22/148**

**Resolved**

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

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

**Item 7.5 UPDATED TEMPORARY TRADE OF WATER ALLOCATION POLICY**

**22/149**

**Resolved**

THAT Council:

1. Endorses the DRAFT Temporary Trade of Water Allocation Policy October 2022 with minor corrections including the definitions of a Wet and Dry Year.
2. Places the DRAFT Temporary Trade of Water Allocation Policy October 2022 on public exhibition for 28 days, and, if no feedback is received, the policy will be considered adopted after the exhibition period.

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

**Item 7.6 POLICY REVIEW - 2022**

**22/150**

**Resolved**

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

- Fraud and Corruption Prevention Policy
- Council Workshop Policy

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

**OPERATIONAL MATTERS**

**Item 7.7 AUTOMATIC WATER METER REPLACEMENT PROJECT REVIEW**

**22/151**

**Resolved**

THAT Council notes the information on the Automatic Water Meter Replacement project contained in the report.

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

**ACTIVATION MATTERS**

**Item 7.8 APPLICATIONS FOR LOCAL HERITAGE PLACES GRANTS FOR 2022/23**

**Motion**

THAT Council approves the following Local Heritage Places Grant offers for 2022/23:

<b>Applicant</b>	<b>Work to be done</b>	<b>Total Project Cost</b>	<b>Funding Requested</b>	<b>Funding Recommended</b>	<b>Applicant's Contribution</b>
David Hawken (St Andrew's Church)	Restoration of windows at St Andrew's Church	\$4,451	\$2,225	\$2,200	\$2,251
Beverly Johnson	Restoration of walls & ceiling at former Anglican Church	\$7,500	\$3,750	\$3,500	\$4,000
Tracy Catlin	External restoration works and roof painting to Whitton Post Office	\$12,265	\$5,000	\$4,300	\$7,965
Gordon Files	External upgrade and painting to walls of shop	\$11,880	\$5,000	\$5,000	\$6,880
Evonne Newton	Replace windows, repair weather boards and repainting to west wall of House	\$9,240	\$4,620	\$4,000	\$5,240

(incl GST)		\$45,336	\$20,595	\$19,000	\$26,336
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(Moved Cr Weston, seconded Cr Nardi)

**Amendment**

Reduce grants amounts by 33% to allow for other projects during the year.

(Moved Cr Ciccica, seconded Cr Holt)

Amendment was **lost**.

**22/152**

**Resolved**

THAT Council approves the following Local Heritage Places Grant offers for 2022/23:

Applicant	Work to be done	Total Project Cost	Funding Requested	Funding Recommended	Applicant's Contribution
David Hawken (St Andrew's Church)	Restoration of windows at St Andrew's Church	\$4,451	\$2,225	\$2,200	\$2,251
Beverly Johnson	Restoration of walls & ceiling at former Anglican Church	\$7,500	\$3,750	\$3,500	\$4,000
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(incl GST)		\$45,336	\$20,595	\$19,000	\$26,336
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(Moved Cr Weston, seconded Cr Nardi)

Cr Holt recorded his vote against the resolution.

**Item 7.9 ADOPTION OF LEETON DEVELOPMENT CONTROL PLAN 2022**

**22/153**

**Resolved**

THAT Council:

1. Approves the Leeton Shire Council Development Control Plan 2022 to apply to the Leeton Local Government Area.
2. Places notice of its decision to approve the Leeton Shire Council Development Control Plan 2022 for adoption on its website within 28 days of the resolution.
3. Sends a copy of the approved Leeton Shire Development Control Plan 2022 to the Planning Secretary of the Department of Planning and Environment within 28 days of the resolution.

(Moved Cr Kidd, seconded Cr Ciccia)

**Item 7.10 QUICK RESPONSE GRANT APPLICATION - LEETON PIPE BAND**

**22/154**

**Resolved**

THAT Council awards the Leeton Pipe Band a \$2,000 Quick Response Grant to go towards the coordination of their 100 Year Celebration Event on 26 November 2022.

(Moved Cr Maytom, seconded Cr Kidd)

Cr Nardi left the meeting 8:14pm and returned 8:15pm.

**Item 7.11 MINUTES OF THE YANCO COMMUNITY HALL AND MARKET  
COMMITTEE MEETING - 8 AUGUST 2022 (AGM) AND 12 SEPTEMBER  
2022**

**22/155**

**Resolved**

THAT Council:

1. Receives for information the Minutes of the Yanco Community Hall and Market Committee AGM held on 8 August 2022 and September monthly meeting held on 12 September 2022.

2. Endorses the election of the office bearers of the Yanco Community Hall and Market Committee for the 2022/23 Financial Year.
3. Endorses a \$500 donation from the Yanco Community Hall and Market Committee to the Yanco Town Improvement Committee that will go directly towards the cost of purchasing street decorations to be displayed in the leadup to the Christmas festive season in Yanco.

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

**Item 7.12 MINUTES OF THE YANCO TOWN IMPROVEMENT COMMITTEE MEETING  
- 4 OCTOBER 2022**

**22/156**

**Resolved**

THAT Council receives for information the Minutes of the Yanco Town Improvement Committee meeting held on 4 October 2022.

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

**8. NOTICES OF MOTION**

Nil

Councillor Activity Reports were brought forward in the agenda to make the Confidential reports the last item. Item 10 refers.

**9. 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.

**Item 9.1 CHELMSFORD TOWN SQUARE TENDER**

**Item 9.2 LEETON REGIONAL AQUATIC CENTRE WATERSLIDE TENDER**

**Item 9.3 OFFER TO PURCHASE LAND VANCE INDUSTRIAL ESTATE STAGE 3**



**22/157**

**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 Ciccia, seconded Cr Smith)**

As there were no people in the gallery at this time, the Council moved directly into Closed Council at 8.28pm.

**CLOSED COUNCIL - CONFIDENTIAL ITEMS**

**PROCEDURAL MOTION**

**22/158**

**Resolved**

Councillors requested a short adjournment of the meeting to read the late report.

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

The Mayor adjourned the meeting at 8.29pm.

The meeting resumed at 8:36pm.

**PROCEDURAL MOTION**

**22/159**

**Resolved**

Bring forward Item 9.3 due to presenter availability.

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

**Item 9.3 OFFER TO PURCHASE LAND VANCE INDUSTRIAL ESTATE STAGE 3**

**22/160**

**Resolved**

THAT Council:

1. Accepts the offer as per Option 1 in the report from AIM Equipment for lots 108 and 109 in the proposed plan of subdivision.
2. Accepts the offer as per Option 1 in the report from Cedarock for lot 106 in the proposed plan of subdivision.
3. Accepts the call option offer as per Option 1 in the report from Cedarock for lot 105 in the proposed plan of subdivision.
4. Accepts the offer as per Option 1 in the report from JNJ Asset Management Pty Ltd Trustee for NGUT 2333 Trust for lots 111, 112, 115 and 117 in the proposed plan of subdivision.
5. Authorises the Mayor and the General Manager to execute all the documents relating to the Contract for Sale and Transfer of Lots 105, 106, 109, 108, 111, 112, 115, and 117 in the proposed plan of subdivision for Vance Industrial Estate Stage 3 between Leeton Shire Council, AIM Equipment, Cedarock and JNJ Asset Management Pty Ltd Trustee for NGUT 2333 Trust.
6. Notes that Vance Industrial Estate is undergoing a full market valuation from a registered valuer.
7. Council approves the General Manager to negotiate the sale of Vance Estate Stage 3 allotments for a period expiring on 31 August 2025, on the following conditions:
  - a. Minimum sale price per allotment reflecting current market valuation but no less than the minimum identified in the Background section of the report.
  - b. A discount of up to 5% can be negotiated for multiple allotment purchases by the same purchaser.
  - c. A development rebate of up to 5% of the purchase price up to a maximum claim of \$20,000 (excluding GST) can be negotiated for sales finalised prior to 31 January 2024, where the first critical stage inspection (footings) is:
    - i. Completed within 24 months of the purchase date of the allotment.
    - ii. That the critical inspection is submitted to Council and completed to the satisfaction of Council.
  - d. Final sale price and conditions negotiated remain subject to Council approval as per Section 377 (1h) of the *Local Government Act 1993*.

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

## 9.1 CHELMSFORD PLACE TENDER

### Motion

THAT Council postpones the project, with the project to be delivered in stages in future works programs, and formally requests NSW Public Spaces Legacy Program to retain the funding for future delivery.

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

The motion was **lost**.

### 22/161

#### **Resolved**

THAT Council defers making a decision on next steps until a further Council workshop at which the General Manager should report back advocacy to State Government Ministers to retain the funding beyond the current deadline date and provide feedback from the funders about the option of reducing the scope to fit the available grant allocations.

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

## EXTENSION OF TIME

### 22/162

#### **Resolved**

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

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

## Item 9.2 LEETON REGIONAL AQUATIC CENTRE WATERSLIDE TENDER

### 22/163

#### **Resolved**

THAT Council:

1. Accepts the tender from Swimplex Aquatics to design, supply and install a waterslide at the Leeton Regional Aquatic Centre.
2. Authorises the Mayor and the General Manager to execute all documents relating to the contract between Leeton Shire Council and Swimplex Aquatics.
3. Approves the additional funding of \$41,079 from Council's Infrastructure Internal Restriction for the project.

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

Cr Nardi left the meeting 10.24pm.

Cr Nardi returned 10.26pm.

### **REVERSION TO OPEN COUNCIL**

**22/164**

#### **Resolved**

THAT this meeting of the Closed Council revert to an open meeting of the Council, the time being 10.33pm.

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

The Mayor advised that during the Closed Council three resolutions were passed. The General Manager read out the resolutions made in Closed Council for Items 9.1, 9.2 and 9.3.

## **10. COUNCILLOR ACTIVITY REPORTS**

### **Item 10.1 COUNCILLOR ACTIVITY REPORT**

**22/165**

#### **Resolved**

THAT Council notes the Councillor Activity Reports for the period 29 September 2022 to 27 October 2022.

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

## **11. CONCLUSION OF THE MEETING**

There being no further business the meeting closed at 10.35pm.

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