



LEETON
SHIRE COUNCIL

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 24 MAY 2023
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 (Director Corporate), Tom Steele (Director Operations), Michelle Evans (Executive Manager Economic and Community Development), Tracy Pearce-Brambley (Executive Manager People and Culture), and Sarah Graham (Governance and Customer Service Coordinator), Lawrence Amato (Manager Finance), Graham Bradley (Chairman – Audit, Risk and Improvement Committee) via videoconference.

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 

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

23/048

Resolved

Endorsed Cr. Nardi's apology that she will be arriving late at tonight's Ordinary Council Meeting being Wednesday 24 May 2023.

(Moved Cr. Maytom, seconded Cr. Morris)

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

23/049

Resolved

THAT the minutes of the Ordinary Council Meeting held on Wednesday 26 April 2023, as circulated, be taken as read and CONFIRMED.

(Moved Cr. Ciccio, seconded Cr. Smith)

ADDITIONAL/LATE ITEMS

NIL

5. **DISCLOSURES OF INTERESTS**

Mayor Cr. Reneker disclosed a significant non-pecuniary conflict of interest in Item 7.8 Round Two of the 2022/23 Community Strengthening Grants Program allocations as he is the President of the Leeton Family and Local History Society and is a member of Creative Connection Riverina Association. Mayor Mayor Cr. Reneker elected to leave the Chambers when the allocation for Leeton Family and Local History Society and Creative Connection Riverina Association was being considered.

Deputy Mayor Cr. Kidd disclosed a significant non-pecuniary conflict of interest in Item 7.8 Round Two of the 2022/23 Community Strengthening Grants Program allocations as his wife is an applicant of the Physical Activity Leaders Network (auspiced by Murrumbidgee Local Health District) and they are both employees of Murrumbidgee Local Health District (MLHD). Deputy Mayor Cr. Kidd elected to leave the Chambers when the allocation for Physical Activity Leaders Network (auspiced by MLHD) was being considered.

Cr. Weston disclosed a less than significant non-pecuniary conflict of interest in Item 7.8 Round Two of the 2022/23 Community Strengthening Grants Program allocations as he is a member of the Leeton Family and Local History Society. Cr. Weston elected to stay in the Chambers when the allocation for Leeton Family and Local History Society was being considered.

6. MAYORAL MINUTES

Item 6.1 MAYORAL MINUTE – DAMAGING INCREASE IN EMERGENCY SERVICES LEVY COSTS

23/050

Resolved

THAT:

1. Council writes to the Treasurer, the Minister for Emergency Services, the Minister for Local Government and local State Member (**Attachment 1**):
 - a. Expressing Council's strong opposition to the NSW Government's last minute decision to impose an enormous Emergency Services Levy (ESL) cost increase on Councils for 2023/24 by scrapping the ESL subsidy for councils and at a time after Council has publicly advertised its Operational Plan and annual budget to the community;
 - b. Noting that because of the unannounced 71% increase in the State Emergency Service budget and an 18% increase in the Fire and Rescue NSW budget, Council's draft budget must now increase by a further \$177K which continues state led imposts that impact Councils' capacity to provide essential community services and infrastructure.
 - c. Advising that the Government's decision may force Council's to reduce important local services and/or the cancellation of necessary infrastructure projects;
 - d. Calling on the NSW Government to take immediate action to:
 - i. restore the ESL subsidy in 2023/24,
 - ii. urgently introduce legislation to decouple the ESL from the rate peg to enable councils to recover the full cost on behalf of the NSW Government,
 - iii. develop a fairer, more transparent and financially sustainable method of funding critically important emergency services in consultation with local government.
2. Council writes to the Chair of the Independent Pricing and Regulatory Tribunal (IPART) advising that Council's forced emergency services contribution is manifestly disproportionate to the 2023/24 rate cap, which has resulted in additional financial stress (**Attachment 2**).
3. Council writes to the President of LGNSW seeking the Association's ongoing advocacy to bring about a relief in the burden of Councils' emergency services contribution.

(Moved Mayor Cr. Reneker)

7. REPORTS TO COUNCIL

GENERAL MANAGER'S MATTERS

The Mayor invited the ARIC Chairman, Mr. Graham Bradley to address the Councillors about his letter to the Mayor, which was attached to the Council report.

Item 7.1 MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 11 MAY 2023

23/051

Resolved

THAT Council:

1. Notes the minutes of the Audit, Risk and Improvement Committee meeting held on Thursday 11 May 2023.
2. Notes the Chairman's Report to the Mayor and Councillors from the Audit, Risk and Improvement Committee meeting held on Thursday 11 May 2023.
3. Notes the request of the Audit, Risk and Improvement Committee that Council revisits all Special Rate Variation options to return financial sustainability to Council's General Fund.

(Moved Cr. Kidd, seconded Cr. Weston)

Cr. Nardi entered the meeting, the time being 07:26 PM.

Mr. Bradley left the meeting, the time being 07:36 PM.

Item 7.2 MINUTES OF RAMJO MEETING - 24 FEBRUARY 2023

23/052

Resolved

THAT Council receives for information the minutes of the RAMJO meeting held on Friday 24 February 2023.

(Moved Cr. Smith, seconded Cr. Kidd)

Procedural Motion

23/053

Resolved

THAT Council amends the order of business:

1. Item 7.6 – moves ahead of agenda Item 7.3 due to presenter availability.

2. Item 7.4 – moves ahead of agenda Item 7.3 due to presenter availability.

(Moved Cr Morris, seconded Cr Kidd)

Item 7.6 INVESTMENTS REPORT FOR APRIL 2023

23/054

Resolved

THAT Council notes the information contained in the Investments Report for April 2023.

(Moved Cr. Kidd, seconded Cr. Morris)

Item 7.4 2022/23 BUDGET REVIEW FOR THE QUARTER ENDING 31 MARCH 2023

23/055

Resolved

THAT Council receives and adopts the revised budget estimates for the 2022/23 financial year.

(Moved Cr. Nardi, seconded Cr. Kidd)

Manager Finance left the meeting, the time being 08:05 PM.

Item 7.3 DELIVERY PROGRAM PROGRESS REPORT FOR QUARTER 2 AND 3 - 2022/23

23/056

Resolved

THAT Council notes for information Council's progress of implementing the commitments outlined in Quarter 2 and 3 (October 2022 to March 2023) of Leeton Shire Council's Delivery Program (DP) 2022-2025.

(Moved Cr. Weston, seconded Cr. Maytom)

CORPORATE MATTERS

Item 7.5 FEES PAYABLE TO MAYORS AND COUNCILLORS - LOCAL GOVERNMENT REMUNERATION TRIBUNAL ANNUAL REPORT AND DETERMINATION 2023

23/057

Resolved

THAT Council fix the annual fees for the 2023/24 financial year at the current 2022/23 fees payable plus the 3% per annum increase, being \$11,704 per Councillor and \$25,549 for the Mayor. Total allocation is \$130,884.

(Moved Cr Kidd, seconded Cr Weston)

Cr. Ciccica left the meeting, the time being 08:23 PM.

Cr. Ciccica returned to the meeting, the time being 08:24 PM.

ECONOMIC AND COMMUNITY DEVELOPMENT MATTERS

Item 7.7 PLANNING PROPOSAL TO AMEND LAND USE TABLE FOR RU5 VILLAGE ZONE

23/058

Resolved

THAT Council resolves to:

1. Make the Planning Proposal to amend the land use table associated with zone RU5 Village in Leeton Local Environmental Plan 2014.
2. Forward the Planning Proposal to the Department of Planning and Environment to request that Parliamentary Counsel draft the planning instrument.

(Moved Cr. Nardi, seconded Cr. Kidd)

For the Motion

Cr. Weston
Cr. Kidd
Cr. Morris
Cr. Ciccia
Cr. Nardi
Cr. Reneker
Cr. Smith
Cr. Holt
Cr. Maytom

Against the Motion

Unanimous

Item 7.8 ROUND TWO OF THE 2022/23 COMMUNITY STRENGTHENING GRANTS PROGRAM ALLOCATIONS

23/059

Resolved

THAT Council:

1. Approves the following applications for funding under Round Two of the 2022/23 Community Strengthening Grants program:

Leeton Eisteddfod Society	\$2,000
Leeton Senior Citizen's Committee	\$349
Boys to the Bush	\$1,909
Leeton Army Cadets	\$1,700
Leeton District Dressage Club	\$1,000
MIA Branch of the MS Society	\$1,350

(Moved Cr. Nardi, seconded Cr. Maytom)

Mayor Cr. Reneker left the meeting, the time being 08:42 PM.

Deputy Mayor Cr. Kidd left the meeting, the time being 08:42 PM.

Cr. Weston took the Chair.

Community Strengthening Grant Allocation to Leeton Family and Local History Society Inc

23/060

Resolved

That Council approves an allocation \$1,996 to Leeton Family and Local History Society Inc under Round Two of the 2022/23 Community Strengthening Grants Program.

(Moved Cr. Maytom, seconded Cr. Smith)

Community Strengthening Grant Allocation to Physical Activity Leaders Network (auspiced by MLHD)

23/061

Resolved

That Council approves an allocation of \$2,000 to Physical Activity Leaders Network (auspiced by MLHD) under Round Two of the 2022/23 Community Strengthening Grants Program.

(Moved Cr. Holt, seconded Cr. Nardi)

Community Strengthening Grant Allocation to Creative Connection Riverina Association (auspiced by Western Riverina Arts)

23/062

Resolved

That Council approves an allocation of \$2,000 to Creative Connection Riverina Association (auspiced by Western Riverina Arts) under Round Two of the 2022/23 Community Strengthening Grants Program.

(Moved Cr. Smith, seconded Cr. Morris)

Mayor Cr. Reneker returned to the meeting, the time being 08:46 PM and resumed as Chair.

Deputy Mayor Cr. Kidd returned to the meeting, the time being 08:46 PM.
Director Corporate left the meeting, the time being 08:48 PM.

Director Corporate returned to the meeting, the time being 08:51 PM.

Cr. Nardi left the meeting, the time being 08:53 PM.

Cr. Nardi returned to the meeting, the time being 08:55 PM.

8. NOTICES OF MOTION

Nil

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 gallery 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.

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.

23/063

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 gallery 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. Maytom)

Council closed its meeting at 09:07 PM and the gallery left the Chambers.

Item 9.1 CHANGE OF NAME OF PURCHASER VARIOUS LOTS VANCE ESTATE STAGE 3 AND EXTENSION IN TIME FOR DEVELOPER REBATES

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).

23/064

Resolved

THAT Council:

1. Notes and endorses the following name changes for purchase options within Vance Estate Stage 3:
 - a. **Lots 108 and 109 in the proposed plan of subdivision** Change AIM Equipment to BCD Rural Pty Ltd. Resolution 22/160.

- b. **Lots 105 and 106 in the proposed plan of subdivision** Change Cedarrock to Interbrands Pty Ltd as trustee for Alaraz Property Holdings Unit Trust. Resolution 22/160.
2. Approves an extension to the sales finalisation date for the Developer Rebate to 30 June 2024 with the same conditions as resolution 22/160 dated 27 October 2022.

(Moved Cr. Holt, seconded Cr. Maytom)

REVERSION TO OPEN COUNCIL

23/065

Resolved

THAT this meeting of the Closed Council revert to an open meeting of the Council, the time being 09:14 PM.

(Moved Cr. Ciccia, seconded Cr. Smith)

The Mayor advised that during the Closed Council resolutions were passed. The General Manager read out the resolutions made in Closed Council for Item 9.1.

10. COUNCILLOR ACTIVITY REPORTS

Item 10.1 COUNCILLOR ACTIVITY REPORT

23/066

Resolved

THAT Council notes the Councillor activity reports submitted for the period between 27 April to 23 May 2023.

(Moved Cr. Kidd, seconded Cr. Weston)

11. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 09:15 PM

..... signed by
the Chairman of the meeting held on
28 Jun 2023 at which meeting the
signature hereon was subscribed.