

**MINUTES OF THE ORDINARY
COUNCIL MEETING
WEDNESDAY 27 APRIL 2022
COMMENCING AT 7.00PM
AT THE COUNCIL CHAMBERS**



LEETON
SHIRE COUNCIL

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, Cr George Weston

Staff:

Jackie Kruger (General Manager), Mandy Rogers (Group Manager Corporate), Andrew Reilly (Group Manager Shire Activation), Kerrie-Anne Hare (Executive Manager IPR Governance) and Luke Tedesco (Acting Group Manager Operations)

Press: Nil

LEETON SHIRE COUNCIL

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

Nil

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

22/044

Resolved

THAT the Minutes of the Ordinary Council Meeting held on Wednesday 23 March 2022, as circulated, be taken as read and CONFIRMED, *noting that in Item 11.1 Riverina Regional Library Proposal, the period be updated to 4 years not 3 years to reflect the standard terms for joining the Riverina Regional Library and that a Councillor be appointed to the Riverina Library Board.*

THAT the Minutes of the Extraordinary Council Meeting held on Tuesday 19 April 2022, as circulated, be taken as read and CONFIRMED.

(Moved Cr Kidd, seconded Cr Nardi)

ADDITIONAL/LATE ITEMS

22/045

Resolved

THAT the following item, namely:

9.1. SUNRICE FESTIVAL - ACKNOWLEDGING A VERY SUCCESSFUL EVENT
be accepted as a late item onto this Agenda for discussion.

(Moved Cr Smith, seconded Cr Holt)

5. **DISCLOSURES OF INTERESTS**

Nil

6. **PUBLIC REPRESENTATIONS**

Nil

7. **MAYORAL MINUTES**

Nil

8. REPORTS TO COUNCIL

GENERAL MANAGER'S MATTERS

Item 8.1 PAYMENT OF COUNCILLOR SUPERANNUATION

22/046

Resolved

THAT Council takes up the option of making superannuation contribution payments to Councillors, with contributions to eligible superannuation accounts nominated by Councillors to commence from 1 July 2022.

(Moved Cr Weston, seconded Cr Morris)

Item 8.2 PRIMARY DISCLOSURE OF INTEREST RETURNS BY COUNCILLORS AS AT 20 DECEMBER 2021

22/047

Resolved

THAT Council receives and notes the report on the Primary Disclosure of Interest Returns by Councillors as at 20 December 2021.

(Moved Cr Ciccio, seconded Cr Kidd)

Item 8.3 MINUTES OF COUNTRY MAYORS MEETING - 11 MARCH 2022

22/048

Resolved

THAT Council receives for information the Minutes of the Country Mayors Association meeting held on Friday 11 March 2022.

(Moved Cr Weston, seconded Cr Kidd)

Item 8.4 MINUTES OF RAMJO MEETING - 25 FEBRUARY 2022

22/049

Resolved

THAT Council receives for information the Minutes of the RAMJO meeting held on Friday 25 February 2022.

(Moved Cr Kidd, seconded Cr Maytom)

Item 8.5 INVITATION TO PARTICIPATE IN BUSH BURSARY/COUNTRY WOMEN'S ASSOCIATION (NSW) SCHOLARSHIP PROGRAM 2022

22/050

Resolved

THAT Council participates in the 2022 Bush Bursary/Country Women's Association of NSW Scholarship Program as a host Council for two students at a total cost of \$3,000 (excluding GST).

(Moved Cr Maytom, seconded Cr Holt)

Item 8.6 YOUTH DEVELOPMENT GRANT APPLICATION

22/051

Resolved

THAT Council awards Vula Wate a \$250 Youth Development Grant to assist with the costs associated with representing the Riverina in the under 15's Rugby League team at the 2022 NSW Combined High Schools (NSWCHS) Rugby League 15's competition in Queanbeyan on Tuesday 3 May 2022.

(Moved Cr Smith, seconded Cr Nardi)

Item 8.7 MINUTES OF THE LEETON MENS SHED COMMITTEE - 8 DECEMBER 2021 TO 9 MARCH 2022

22/052

Resolved

THAT Council receives for information:

1. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 8 December 2021.
2. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 9 February 2022.
3. The minutes of the Leeton Men's Shed Committee meeting held on Wednesday 9 March 2022.

(Moved Cr Holt, seconded Cr Ciccio)

CORPORATE MATTERS

Item 8.8 ENDORSEMENT OF THE DRAFT DELIVERY PROGRAM 2022-2025 AND DRAFT RESOURCING STRATEGY

22/053

Resolved

1. THAT Council endorses the following documents for public exhibition for the 30-day period from Friday 29 April 2022 until Sunday 29 May 2022:
 - the DRAFT Delivery Program 2022–2025, with correction of typographical errors and noting that costs will be added to each functional area table
 - the DRAFT Long-Term Financial Plan 2022–2032, with the addition of a table outlining the cost of services alongside the fees income for those services (page 16).
2. THAT Council adopts:
 - the DRAFT Strategic Asset Management Plan 2022–2032
 - the DRAFT Workforce Management Strategy 2022–2025, noting that employment costs account for 38% of total operating expenditure, not 45%.

(Moved Cr Ciccia, seconded Cr Weston)

Item 8.9 ENDORSEMENT OF THE DRAFT OPERATIONAL PLAN FOR 2022/23 (INCLUDING THE DRAFT BUDGET FOR 2022/23) AND DRAFT REVENUE POLICY (INCLUDING FEES AND CHARGES) FOR 2022/23

22/054

Resolved

THAT Council endorses for public exhibition for the 30-day period from Friday 29 April 2022 until Sunday 29 May 2022 the following documents:

1. The DRAFT Operational Plan 2022/23
2. The DRAFT Budget for the 2022/23 financial year
3. The DRAFT Revenue Policy for the 2022/23 financial year (including DRAFT Schedule of Fees and Charges for the 2022/23 financial year), noting that the endorsed version is the replacement version tabled at the 27 April 2022 meeting.

(Moved Cr Holt, seconded Cr Weston)

Cr George Weston left the meeting, the time being 8:01pm

Cr George Weston returned to the meeting, the time being 8:05pm.

Item 8.10 ADDITIONAL SPECIAL VARIATION

22/055

Resolved

THAT Council:

1. Rescinds its previous decision of 23 March 2022 to apply for a 2% Additional Rate Variation and instead
2. Resolves to apply for a permanent additional special variation (ASV) of 1.1% above the 0.7% rate peg (1.8% total) under section 508(2) of the *Local Government Act 1993*, as per the 2022/23 Budget endorsed for public consultation from 29 April 2022, and notes that:
 - o Council will budget to receive additional income of \$85,772 if the special variation is approved
 - o The ASV is required as Council anticipates that the 2022/23 Budget "Net operating result for the year before grants and contributions provided for capital purposes" will be a loss, in line with the 2021/22 Annual Financial Statements
 - o Council has considered the impact on ratepayers and the community in 2022/23, and future years, if the special variation is approved and considers that it is reasonable.

(Moved Cr Kidd, seconded Cr Weston)

Item 8.11 QUARTERLY CAPITAL WORKS UPDATE REPORT - MAJOR PROJECTS

22/056

Resolved

THAT Council notes for information the Quarterly Capital Works Update Report for the period January to March 2022.

(Moved Cr Kidd, seconded Cr Nardi)

Item 8.12 INVESTMENTS REPORT FOR MARCH 2022

22/057

Resolved

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

(Moved Cr Kidd, seconded Cr Weston)

Item 8.13 URBAN PARKS GENERIC - DRAFT PLAN OF MANAGEMENT

22/058

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 Land Management Act 2016* to approve the annexed Draft Plan of Management for Reserve 85835.
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 Weston, seconded Cr Morris)

OPERATIONAL MATTERS

**Item 8.14 PROPOSED IPART PEG FOR DOMESTIC WASTE CHARGES - RESPONSE
FROM LEETON SHIRE COUNCIL**

22/059

Resolved

THAT Council endorses objecting to the introduction of a Domestic Waste Management Charge peg and the publicising of Charge outliers and, instead, advocates that the NSW government pursues options to work directly and proactively with only those Councils they consider to be outliers.

(Moved Cr Weston, seconded Cr Kidd)

**Item 8.15 ADDITION OF RESERVE 751745 FOR FUTURE PUBLIC REQUIREMENTS TO
RESERVE 90972 MCCAUGHEY PARK - OFF LEASH PET AREA**

22/060

Resolved

THAT Council:

1. Approves the addition of Lot 7302 DP 1164094 (Reserve 751745 For Future Public Requirements) into Reserve 90972 known as McCaughey Park.
2. Requests approval from the Minister administering the *Crown Lands Management Act 2016* to approve the addition of Lot 7302 DP 1164094 (Reserve 751745 For Future Public Requirements) into Reserve 90972 known as McCaughey Park.
3. Confirms the land contained in Lot 7302 Deposited Plan 1164094, once added to Reserve 90972, be classified as Community land and Categorised as Park.

(Moved Cr Weston, seconded Cr Smith)

ACTIVATION MATTERS

**Item 8.16 DEFERRED DEVELOPER CONTRIBUTIONS POLICY - COMMUNITY
FEEDBACK**

22/061

Resolved

THAT Council adopts the updated Developer Contributions Deferred Payment Policy.

(Moved Cr Kidd, seconded Cr Maytom)

9. NOTICES OF MOTION

Item 9.1 SUNRICE FESTIVAL - ACKNOWLEDGING A VERY SUCCESSFUL EVENT

22/062

Resolved

THAT Council:

1. Writes to the SunRice Festival Committee and Balloon Subcommittee to congratulate them on the 2022 Festival success and to thank them for their tireless efforts as volunteers.
2. Contributes \$975.60 to the ambassador program to bring their charitable earning up to \$60,000, with funds to come from surplus grant funds or surplus community services budget.

(Moved Cr Weston, seconded Cr Smith)

10. COUNCILLOR ACTIVITY REPORTS - FOR INFORMATION

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.

22/063

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 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 Nardi)

Item 11.1 VANCE ESTATE STAGE 3 - LAND SALES

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).

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 9.16pm and the public and press left the Chambers.

CLOSED COUNCIL - CONFIDENTIAL ITEMS

Item 11.1 VANCE ESTATE STAGE 3 - LAND SALES

22/064

Resolved

THAT:

1. 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. A minimum sale price per allotment set by Council
 - 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.
2. Council 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 1 above, and requires these sales to be reported to Council at the next Quarterly Budget Review.
3. 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 Kidd, seconded Cr Morris)

REVERSION TO OPEN COUNCIL

22/065

Resolved

That this meeting of the Closed Council revert to an open meeting of the Council, the time being 9.32 pm.

(Moved Cr Nardi, seconded Cr Maytom)

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

12. CONCLUSION OF THE MEETING

There being no further business the meeting closed at 9.35 pm.

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