Kyogle Council

Confirmed Minutes of the Extraordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Friday 22 June 2007.

PRESENT

Cr. E. Bennett, (Mayor in the Chair), Cr. J. Marriott, Cr. L. Passfield, Cr. J. O'Neill, Cr. D. Liska and Cr. B. Hannigan.

IN ATTENDANCE

The General Manager, the Director of Technical Services, the Director of Corporate & Community Services, the Director of Planning & Environmental Services and the Personal Assistant to Planning & Environmental Services.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 12.01 pm

ITEM 1 APOLOGIES

Apologies were received from Councillor Ian Kirkpatrick and Councillor Peter Lewis.

220607/ 1 RESOLVED

Moved Councillor Bryan Hannigan, seconded Councillor Jim O'Neill.

That the apologies be accepted and the leave of absences be granted.

ITEM 2 OPENING PRAYER

The Mayor read the opening prayer and acknowledged that the meeting was being held on Bundjalung Country.

ITEM 3 DECLARATION OF INTERESTS BY COUNCILLORS/STAFF

Nil

ITEM 4 GENERAL MANAGER 'S REPORT

4.1 ADOPTION OF 2007/2008 MANAGEMENT PLAN

220607/ 2 RESOLVED

Moved Councillor Bryan Hannigan, seconded Councillor Jeff Marriott.

1. That Council adopt the revised 2007/2008 Management Plan, incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary;

2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.351460 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of $158.00 which is expected to yield 14.2% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

3. That a Farmland Rate, to be known as the "Dip Site Rate" of 0.351460 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable dip sites and all rateable parcels separately valued and connected to another property but aggregated for farming purposes, in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993;

4. That a Residential Rate, to be known as the "Residential Rate" of 1.201900 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of $158.00 which is expected to yield 42.8% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

5. That a Residential Rate, to be known as the "Residential – Kyogle" Rate of 1.094219 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of $187.00 which is expected to yield 24.1% of revenue in this

category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

6. That a Residential Rate, to be known as the "Rural Residential Rate" of 0.643373 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of $158.00 which is expected to yield 21.5% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

7. That a Business Rate, to be known as the "Business Rate" of 0.704440 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of $158.00 which is expected to yield 41.4% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

8. That a Business Rate, to be known as the "Business – Kyogle" Rate of 1.319577 cents in the dollar on the Land Value be now made for the rating year 1 July, 2007 to 30 June, 2008 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of $187.00 which is expected to yield 15.8% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

9. That the following Water Supply Charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

   Access Charges

   - Vacant Property $75.00
   - 20mm Connection $192.00
   - 25mm Connection $302.00
   - 32mm Connection $494.00
   - 40mm Connection $768.00
   - 50mm Connection $1,207.00
   - 80mm Connection $3,072.00
   - 100mm Connection $4,800.00
   - Fire Service Connection $192.00

   Consumption Charges (Minimum account of $5.00 per billing period applies)

Consumption up to 200kL usage	$1.05 per kL
Consumption above 200kL usage	$1.75 per kL

10. That the following Residential Sewerage Charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge $526.00

11. That the following Non Residential Sewerage Charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of $526.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• 20mm Connection	$192.00
• 25mm Connection	$302.00
• 32mm Connection	$494.00
• 40mm Connection	$768.00
• 50mm Connection	$1,207.00
• 80mm Connection	$3,072.00
• 100mm Connection	$4,800.00

Consumption Charges
$0.88 per kL

12. That the following Trade Waste Charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers requiring nil or minimal pre-treatment

Annual Trade Waste Fee	$72.00
Re-inspection Fee	$68.00

(b) Trade Waste – Dischargers requiring prescribed pre-treatment

Annual Trade Waste Fee	$72.00
Re-inspection Fee	$68.00
Consumption Charge	$1.00/kL

13. That the following Domestic Waste Management charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Section 496 and Sections 502 and 503 of the Local Government Act 1993;

- Occupied Premises $230.00
- Unoccupied Premises $ 20.00

14. That the following Commercial Waste charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Section 501 of the Local Government Act 1993;

    - Commercial Properties $260.00

15. That the following On Site Sewerage Management charges be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Section 501 of the Local Government Act 1993;

    - OSMS Annual Charge $27.00

16. That the following Stormwater Management charge be made for the rating year 1 July, 2007 to 30 June, 2008, in accordance with Section 496A of the Local Government Act 1993;

    - Stormwater Management Charge $25.00

17. That Council set the Rate of Interest, to apply for the rating year 1 July, 2007 to 30 June, 2008, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 9% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;

18. That Council adopt the Schedule of Fees and Charges contained in the Appendix to the Management Plan in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

19. That subject to the approval of the Minister for Local Government, Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

CARRIED

ITEM 5 CONFIDENTIAL BUSINESS PAPER

5.01 MOVE INTO CLOSED COUNCIL

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.

The matters and information are the following;

(c) information that would, if disclosed, confer a commercial advantage

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 5.1- Tenders for replacement of four bridges

Tender details, should they be revealed, may result in commercial disadvantage to parties involved in the tender process. Some information provided to Council by tenderers is provided on the basis that Council will treat is as commercial in confidence.

It is not in the public interest to reveal all details of these tenders or the assessment process. Tenderers have provided sensitive information about their operations in the confidence that their details will not be made public by Council. The practice of publication of sensitive information provided by tenderers could result in the withholding of such information by tenderers and reduction in the provision of information relevant to council's decision.

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.

220607/ 3 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Bryan Hannigan.

1. That council resolve into closed council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. That the correspondence and reports 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.

Council Closed its meeting at 12.35 p.m. The public and media left the Chamber.

CARRIED

5.02 MOVE OUT OF CLOSED COUNCIL

220607/ 4 RESOLVED

Moved by Councillor Bryan Hannigan, seconded by Councillor Lindsay Passfield.

That Council move out of Closed Council and into Open Council.

Open Council resumed at 12.53 p.m.

CARRIED

5.03 RESOLUTIONS FROM THE CLOSED COUNCIL MEETING

220607/ 5 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Bryan Hannigan.

That the following resolution of council while the meeting was closed to the public were read to the meeting by the Mayor.

CARRIED

5.1 TENDERS FOR REPLACEMENT OF FOUR BRIDGES

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1. That the following tenders from Bridge Solutions Australia be accepted:

Bridge 361-B2565 Bean Creek:	$ 442,523.40 including GST
Bridge 57-2503 Ghinni Ghi Road	$ 175,223.40 including GST
Bridge 58-330 Green Pigeon Road	$ 395,531.40 including GST
Total:	$1,013,278.20 including GST

2. That no tender be accepted for bridge 59-10535 Gradys Creek Road and that fresh tenders be invited for this bridge.

3. That the mayor and general manager be authorised to execute under the common seal of Council the contract documentation with Bridge Solutions Australia.

CARRIED

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 12.55 p.m.

Signature of Chairperson…….