

Kyogle Council

Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 10 April 2017.

PRESENT

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie May, Cr Earle Grundy, Cr Janet Wilson, Cr Kylie Thomas, Cr John Burley, Cr Robert Dwyer, Cr Lindsay Passfield and Cr Hayden Doolan.

IN ATTENDANCE

The General Manager, the Acting Director Assets and Infrastructure Services, the Director of Planning and Environmental Services, the Manager Corporate Services (Governance), the Personal Assistant to the General Manager.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5pm.

ITEM 1 APOLOGIES

Nil

ITEM 2 OPENING PRAYER

The Mayor read the opening prayer.

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Mayor acknowledged that the meeting was being held on the Traditional Lands of the Bundjalung people.

ITEM 4 DECLARATION OF INTERESTS

Cr Kylie Thomas declared that as the owner of a bridge building company she had an ongoing conflict with Council's bridge building and maintenance program. She asked that councillors seeking to discuss the program give her the opportunity to leave the Chamber before any discussion takes place.

In regards to tonight's meeting Cr Thomas declared an interest in the following items;

- Item 12.2 Works Program Progress Report, project numbers W 721, 748, 792, 793 and 794.

Reason for Declaration - Owner of a bridge building company

Cr. John Burley declared an interest in the following item/s:

- Item 16.1 General Manager's Performance Agreement
Reason for Declaration - Relative of staff member

General Manager Graham Kennett declared an interest in the follow item/s:

- Item 16.1 General Manager's Performance Agreement
Reason for Declaration - Relates to the General Manager

ITEM 5 QUESTION TIME

Nil.

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 13 MARCH 2017 ORDINARY COUNCIL MEETING

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: GENERAL MANAGER

100417/01 RESOLVED

Moved by Councillor Maggie May, seconded by Councillor Janet Wilson.

That Council adopt the Minutes of the Ordinary Meeting held on 13 March 2017.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

COMMITTEE TO ADMINISTER KYOGLE EMERGENCY DISASTER RELIEF FUND

100417/02 RESOLVED

Moved by Councillor Danielle Mulholland.

That Council establishes a Committee consisting of the Mayor, and one representative from each of the local ADRA, CWA, Lions and Red Cross groups to administer assistance through the Kyogle Emergency Disaster Relief Fund to assist with the recovery from the recent flood event.

CARRIED

FOR VOTE - Unanimous vote

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - COUNCILLOR MAGGIE MAY; NARRABRI GAS PROJECT

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: COUNCILLOR MAGGIE MAY

Moved by Councillor Maggie May, seconded by Councillor Janet Wilson.

That Kyogle Council make a submission to the NSW Department of Planning and Environment consultation on the Narrabri Gas Project Environmental Impact Statement opposing the approval of the Santos project in the Pilliga Forest on the following grounds:

- a. An unacceptable risk to groundwater resources in the Great Artesian Basin from the more than 800 wells proposed to be drilled and fracked in the project.
- b. The potential risk to farmland and farmers' income through the pollution of the water table with heavy metals and salt.
- c. The risk of salination to prime agricultural land through the dumping of tons of salt and use of reclaimed water from the mining process.
- d. The destruction of habitat for wildlife including threatened species in the largest temperate woodland in NSW.
- e. The destruction of the homelands of the Gomeroi/Gamilaraay people.
- f. The negative impacts on the Narrabri community including health, housing, noise, light and air pollution.
- g. The risk to Kyogle LGA that a vital agricultural area which supplies food, livestock, fodder and fibre to our community will be compromised with resulting loss of supply.
- h. The risk to the Northern Rivers, Australia and the planet with the continued mining and development of coal seams, through unconventional gas extraction with the resultant release of greenhouse gases including CO₂ and methane.
- i. Australia is not short of gas, there is an abundance of gas available for Australia and for export if sensible policies on gas extraction and reservation for domestic use are made. To risk valuable farmlands and the Great Artesian Basin water supply for the short term profit of Santos is unacceptable and this project should not be approved.

LOST

FOR VOTE - Janet Wilson, Maggie May

AGAINST VOTE - Lindsay Passfield, Danielle Mulholland, Bob Dwyer, Kylie Thomas, Hayden Doolan, Earle Grundy, John Burley

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

ITEM 11 DELEGATES REPORTS

11.1 DELEGATES REPORT: COUNCILLOR MAGGIE MAY - KYOGLE AUSTRALIA DAY CELEBRATIONS

**REPORT BY: COUNCILLOR MAGGIE MAY
CONTACT: GENERAL MANAGER**

100417/03 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Kylie Thomas.

That Council receives and notes the delegates report provided by Cr Maggie May on the Kyogle Australia Day celebrations.

CARRIED

FOR VOTE - Unanimous vote

ITEM 12 INFORMATION PAPERS

12.1 MONTHLY FINANCE REPORT

**REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: MANAGER FINANCIAL SERVICES**

100417/04 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Earle Grundy.

That Council receives and notes the information contained in the Monthly Financial Report.

CARRIED

FOR VOTE - Unanimous vote

12.2 WORKS PROGRAM PROGRESS REPORT MARCH 2017

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: MANAGER FINANCIAL SERVICES

Moved by Councillor Janet Wilson, seconded by Councillor Hayden Doolan.

That Council receives and notes the information contained in the Works Program Progress Report March 2017.

Councillor Earle Grundy foreshadowed a motion seconded by Councillor Lindsay Passfield

That Council:

- 1.Thank staff for their hard work in relation to the management of the flood emergency and the recovery process.
- 2.Write a letter of thanks to the range of services involved in the recovery process and the emergency management of the event.

100417/05 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Hayden Doolan.

That Council receives and notes the information contained in the Works Program Progress Report March 2017.

CARRIED

FOR VOTE - Unanimous vote

100417/06 RESOLVED

Moved by Councillor Earle Grundy, seconded by Councillor Lindsay Passfield.

That Council:

- 1.Thank staff for their hard work in relation to the management of the flood emergency and the recovery process.
- 2.Write a letter of thanks to the range of services involved in the recovery process and the emergency management of the event.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A ASSETS AND INFRASTRUCTURE SERVICES REPORT

Nil.

ITEM 13B PLANNING AND ENVIRONMENTAL SERVICES REPORT

Nil.

ITEM 13C GENERAL MANAGER'S REPORT

13C.1 DRAFT WORKFORCE MANAGEMENT PLAN 2017-2021

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: MANAGER CORPORATE SERVICES

100417/07 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield.

That Council:

1. Receives and notes the report, *Kyogle Council Workforce Management Plan 2017/2021*.
2. Adopts the *Kyogle Council Workforce Management Plan 2017/2021*.

CARRIED

FOR VOTE - Unanimous vote

13C.2 DRAFT DELIVERY PROGRAM/OPERATIONAL PLAN 2017/18

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: GENERAL MANAGER

Moved by Councillor Robert Dwyer, seconded by Councillor Janet Wilson.

That Council:

1. Receives and notes the report, *Integrated Planning and Reporting - Draft 2016/2017 Delivery Program/Operational Plan – Draft Six Monthly report template and Draft Fees and Charges*
2. Places the draft Operational Plan 2017/2018 and Delivery Program 2017/2021 on public exhibition until 19 May 2017 and seek submissions from the community on its content.
3. Places the draft Fees and Charges 2017/2018 on public exhibition until 19 May 2017 and seek submissions from the community on its content.

Councillor Lindsay Passfield moved an amendment, seconded by Councillor Robert Dwyer:

That Council:

1. Receives and notes the report, *Integrated Planning and Reporting - Draft 2016/2017 Delivery Program/Operational Plan – Draft Six Monthly report template and Draft Fees and Charges*
2. Places the draft Operational Plan 2017/2018 and Delivery Program 2017/2021 on public exhibition until 19 May 2017 and seek submissions from the community on its content.
3. Places the draft Fees and Charges 2017/2018 on public exhibition until 19 May 2017 and seek submissions from the community on its content.
4. Amend the *Draft 2016/2017 Delivery Program/Operational Plan*, at page 16, to delete the line item Kyogle Gardens Caravan Park development, cabin construction.

LOST

FOR VOTE - Lindsay Passfield, Danielle Mulholland, Bob Dwyer, Earle Grundy

AGAINST VOTE - Janet Wilson, Maggie May, Kylie Thomas, Hayden Doolan, John Burley

100417/08 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Janet Wilson.

That Council:

1. Receives and notes the report, *Integrated Planning and Reporting - Draft 2016/2017 Delivery Program/Operational Plan – Draft Six Monthly report template and Draft Fees and Charges*
2. Places the draft Operational Plan 2017/2018 and Delivery Program 2017/2021 on public exhibition until 19 May 2017 and seek submissions from the community on its content.
3. Places the draft Fees and Charges 2017/2018 on public exhibition until 19 May 2017 and seek submissions from the community on its content.

CARRIED

FOR VOTE - Janet Wilson, Bob Dwyer, Maggie May, Kylie Thomas, Hayden Doolan, Earle Grundy, John Burley

AGAINST VOTE - Lindsay Passfield, Danielle Mulholland

**13C.3 2017 NATIONAL GENERAL ASSEMBLY OF LOCAL
GOVERNMENT**

**REPORT BY: GENERAL MANAGER
CONTACT: GENERAL MANAGER**

100417/09 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Hayden Doolan.

That Council:

- 1.Receives and notes the report, *2017 National General Assembly of Local Government*.
- 2.Adopts the following motions to be submitted to the National General Assembly Sub-Committee as well as the State and Territory Local Government Associations for inclusion in the NGA Business Papers:
 - a. That the National General Assembly calls on the Federal Government to create a rural portfolio.
 - b. That the National General Assembly call on the State and Federal Governments to differentiate between rural and regional grants (as opposed to quarantining grant money for 'regional' areas) and that this differentiation be reflected in the criteria of grants, affording rural, remote and isolated communities a better chance of success when applying for grant funding.
 - c. That the National General Assembly work with relevant State and Federal departments to create incentives and support for local energy networks in rural towns and villages using renewable energy and energy storage technology.
 - d. That the National General Assembly work with the Federal Communications Minister and NBN Co to redress the inequity in access to high speed internet via the NBN network in rural areas.

CARRIED

FOR VOTE - Unanimous vote

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Councillor Maggie May:

- Can Councillors be provided with regular updates on Council's flood recovery?

General Manager:

I will circulate to all Councillors information on the natural disaster recovery as it develops.

Councillor Kylie Thomas:

- Can we send out an email to Gradys Creek residents about the six week delay in the Gradys Creek Bridge Replacement Project?

Acting Director Assets and Infrastructure Services:

Yes, that can be done. We have been keeping residents updated via emails and it's time we sent out another email.

Councillor Lindsay Passfield:

- In Grevillia, Gorge Creek comes through the village and does a series of really sharp turns. One of those turns is getting close to eroding the Summerland Way. There has been about six metres of soil gouged out of creek bank. Can management have a look at the situation to see how it can be arrested before it becomes a major problem?

Councillor Robert Dwyer:

- I have had several phone calls and face-to-face consultations with people concerned about the line markings on Kyogle Road past Hurfords. All the straight stretch of road has been marked with double lines, preventing people from overtaking. People are concerned that if they get stuck behind a truck or caravan there and they can't overtake on the straight stretch, there are very few places people can safely overtake after that. My question is, who is responsible for the double line marking? It has never been double lines there before?

Acting Director Assets and Infrastructure Services:

I will have to take that question on notice.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

ITEM 16.01 MOVE INTO CLOSED COUNCIL

ITEM 16.1 GENERAL MANAGER'S PERFORMANCE AGREEMENT

This report is CONFIDENTIAL in accordance with Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following

(a) personnel matters concerning particular individuals

It is not in the public interest and would be contrary to privacy provisions to reveal these details.

Pursuant to Section 10A(4), the public were invited to make representations to the council meeting before any part of the meeting was closed, as to whether that part of the meeting should be closed.

100417/10 RESOLVED

Moved by Councillor Kylie Thomas, seconded by Councillor Hayden Doolan.

That Council:

1. Resolved to move into closed council to consider business identified, together with any late reports tables at the meeting.
2. Pursuant to Section 10A(1)-(3) of the Local Government Act, exclude the media and the public from the meeting on the basis that the business to be considered is classified confidential under provisions of Section 10A(2) as outlined above.
3. Withhold the correspondence and reports relevant to the subject business from the media and the public as required by Section 11(2) of the Local Government Act.

CARRIED

FOR VOTE - Unanimous vote

Council closed its meeting at 6.02pm. The public and the media left the chamber.

Councillor John Burley left the meeting at 6.02pm.

The Director of Environment and Planning left the meeting at 6.02pm.

16.02 OPEN COUNCIL RESUMES

100417/12 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Hayden Doolan.

That Council move out of Closed Council into Open Council.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

Open Council resumed at 6.10pm.

The Mayor read the following resolutions of Closed Council to the meeting.

GENERAL MANAGER'S PERFORMANCE AGREEMENT CONFIDENTIAL

REPORT BY: GENERAL MANAGER
CONTACT: GENERAL MANAGER

100417/11 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Hayden Doolan.

That Council:

1. Receive and note the report, *General Manager's Performance Agreement*.
2. Endorse the General Manager's Performance Agreement April 2017.
3. Adopt the following Committee Membership structure:

| Committee | Councillor Member(s) |
|------------------------------------|---|
| General Manager's Review Committee | Mayor, and two Councillors. (The General Manager has the option of nominating another Councillor). |

4. That Council appoints the following two Councillors to the General Manager's Review Committee; Councillor Janet Wilson and Councillor Maggie May.

CARRIED

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland, Bob Dwyer, Maggie May, Hayden Doolan, Earle Grundy

AGAINST VOTE - Kylie Thomas

ABSENT. DID NOT VOTE - John Burley

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 6.11pm.