

## **Kyogle Council**

**Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 11 July 2016.**

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### **PRESENT**

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie Creedy, Cr Ross Brown, Cr Janet Wilson, Cr Chris Simpson, Cr John Burley, Cr Robert Dwyer, Cr Lindsay Passfield and Cr Michael Reardon.

### **IN ATTENDANCE**

The General Manager, the Director of Assets and Infrastructure Services, the Director of Planning and Environmental Services, the Manager of Corporate Services, and 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. Ross Brown declared an interest in the following item/s:

- Item 13B.1 Development Applications Determined and Outstanding for the period 1 June 2016 to 30 June 2016 -- DA No 2016/43  
Reason for Declaration -- Partner of the applicant is an employee.

## **ITEM 5 QUESTION TIME**

Councillor Ross Brown left the meeting at 5.01pm.

Neil Schneider, long-term resident of Kyogle Council area and ratepayer: I would like to speak about the piggery that we believe is operating illegally at Hillyards Road. The piggery has affected the quiet enjoyment of neighbouring residents' private property. Neighbouring property owners have had to deal with odour problems and run-off from the piggery. Local residents do not believe this piggery has continuing use rights. When is Council going to shut down this piggery?

Director of Planning and Environmental Services: The Hillyards Road piggery has been referred to Council's solicitors for action. A meeting is planned for early next week as the solicitor handling the case is currently out of the country. The council will be seeking advice on the best course of action regarding the continuing use rights issue and how that might be tested.

Councillor Ross Brown returned to the meeting at 5.03pm.

## **ITEM 6 PUBLIC ACCESS**

Doug Allan, President of the Kyogle Chamber of Commerce: I have some concerns about events which took place at the Extraordinary Meeting on 27 June 2016. It was mentioned in those minutes that Councillors Passfield, Brown and Dwyer asked to delete the funding of \$345,000 for the new signage for the entries into Kyogle and the villages and \$30,000 for a Christmas tree for Kyogle.

From the Kyogle and District Chamber of Commerce point of view we strongly support the beautification of the entries to Kyogle and Villages. At our meeting held last week it was discussed that the towns and villages need to present a certain image that says we have pride of place to people entering our town and villages. We also must have clean streets when visitors explore our town and villages and by that I mean bird droppings in the street should not be a feature.

The chamber also supports the Christmas tree. We would like to see it in the amphitheatre. From our point of view, while a Christmas tree is a religious symbol, it brings all people together regardless of their religious beliefs.

The Chamber supports both the signage and the Christmas tree. We would like to see the town presented better. In my personal business position I see people coming and going in and out of the town and over the last few weeks of the school holidays I have seen people from Darwin, Chinchilla, Gloucester, and South Australia. These are all new people coming into town to have a look at it. I think the town should be presented in its best possible format, so it looks good for everybody.

I would like to express my disappointment that at last week's chamber meeting after we had spoken at some length about having the town look good and presented at its best that Councillor Dwyer, as a representative of the Council, didn't mention that a motion had been put forward to delete the signage/Christmas tree funds from the budget. I had thought that with Council and the Chamber working together that we had a good level of communication. I would appreciate it if communications were made more transparent in the future.

**110716/01 RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor Lindsay Passfield:

That Council allow Mrs Debbie Johnston's request for public access.

**CARRIED**

FOR VOTE - Unanimous vote

Debbie Johnston:

The Chamber of Commerce and the West of the Range are on the same page basically -- that's the short version of my address.

I wish to make some comments regarding Item 9 and 9.2, Notices of Motions being proposed at this meeting by Councillors Brown, Simpson and Dwyer.

In Item 9, the Councillors propose removing the funding allocated for village and LGA branding and signage and transferring those funds to a particular bridge on Back Creek Road, stating bridge repair is a higher priority than signage.

I have had the opportunity to discuss this proposal with a number of people, many living west of the range and none I have spoken to have been in favour of this proposal. We request Councillors do not support this proposal. Council has put a lot of energy and funding into promoting the Kyogle LGA, establishing a great Visitor Information Centre, sending Council representatives to expos to spread the word of how great this area is to visit and indeed stay for a while. This has been a great way of promoting our beautiful area and villages and funding well allocated. We need to continue this promotion by 'dressing up the villages' to suit the message given, with well maintained, informative and suitable signage. Council must be congruent in the message it is sending.

If a farmer has a tractor break down, they cannot abandon all other farm maintenance projects at the expense of the tractor. Fencing must still be maintained, livestock must still be cared for, pastures readied for future seasons or the financial capacity and productivity of that farm would be at risk. So it is with the Kyogle LGA. Maintenance and future planning must continue, while funding is lobbied for and granted for bridges, and indeed road repairs, maintenance and replacement. Signage is one of those maintenance factors where the importance of which cannot be ignored or denied. Signage is our best chance to give a good first impression to our new visitor, who we want to come back again and again. Let the signs display our love of our area and the pride we have for where we live.

The people who visit the area have been given great messages of clean air, fantastic scenery, the 'Gateway to the Rainforest', a great place to bring the family and even, 'Come for a day, stay for a lifetime.' Council needs to continue this great work by supporting these messages and giving visitors a great first impression when they drive into a village. Let's not allow them to have thoughts that, 'they can't be bothered to even maintain their signs'! This would be far more detrimental that can be expressed by me here this evening.

Visitors enjoy the sense of community, atmosphere, scenery, friendliness and the calmer way of life found in the villages. We need to be clear on what the message is we wish to convey to visitors, and signs that look old and tattered give a very negative message, which is not what we desire at all.

I was proud to be part of the Focus Groups that worked on the Community Strategic Plan that has been adopted by Council. Some of the recommendations included in that Plan are:

- To develop the Kyogle Council area brand, to identify what makes the Kyogle Council area unique and why people come to visit.
- Develop budget for a branding exercise – listed as a short term goal.
- Enhance the sense of inclusion.
- Ensure Council's planning is integrated and long term, reflecting the community's desires expressed through the ten year community strategic plan.

Of course there are many other points in that Council approved plan that I could mention here now, to show that supporting this Notice of Motion does not align with the community strategic plan.

I ask the Councillors who make this motion this evening, if they have taken the time to drive to the villages and discuss this topic with those who live there? Have they gone to have a look at what state the village signs are in?

I have done this drive and can report that many of the signs are in a poor state structurally and the images are peeling and many are in bad repair. After this topic has been raised, I now note that many from Kyogle itself are also unhappy with the degrading state of Kyogle signs that announce to a visitor they have arrived here.

At a bare minimum, the signs need replacing. Most people I have discussed this with like the images on the signs that represent the area, but are open to other ideas. The current structural design of the signs appears to have a weakness in the same spot that suggests they are not strong enough to cope with the high winds we experience at times, so this structural design issue needs to be addressed before any replacement occurs.

Another issue I wish to raise, as a sidenote here, is the direction signage located at Sandilands on the Bruxner Highway. These signs indicate that when you turn onto Woodenbong Road/Mt Lindesay Highway, you can travel to Bonalbo and Urbenville. This road does not end at Urbenville; it goes directly through to Brisbane. This needs to be clearly signed at this turn off, to possibly increase visitors into Bonalbo.

As well, I do not recall any signage at this point, indicating that there is a caravan park in Bonalbo. We request that the appropriate inquiries are made to rectify this signage deficiency as a priority please.

I wish to also make brief comment on the second motion the Councillors wish to pose this evening that of removing the funding allocated for Christmas tree.

Mrs Johnston was asked to conclude her presentation at this time as her five minutes time limit had run out.

**110716/02 RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor Lindsay Passfield.

That Council allow Mr Tom Pratt's request for public access.

**CARRIED**

FOR VOTE - Unanimous

Tom Pratt, of Back Creek Road, Bentley: The closure of the Back Creek Road Bridge has created a lot of hardships. The bridge is impassable and while we recognise concerns about signs, you have to prioritise if you don't have the funds to do everything. And having access to a bridge is critical and should be a priority.

I understand that Council can't wave a magic wand and replace the bridge overnight, but I would ask Council to consider repairing the bridge to a point where low-weight vehicles could cross it. The 13km round trip to detour the bridge is certainly imposing hardship on families who have lived in the area for generations and a lot of other people.

I ask Council, if at all possible, that you consider repairing the bridge to a point where it is accessible to kids crossing the bridge to get to school, for people wanting to get to town, or to their properties. And if funding has been made available from the Federal Government as announced by our local member to completely replace the bridge, then that would be ideal.

The bridge is of major concern to our community and I can't stress enough how important it is. In an ideal world we would love to have Christmas trees, signs, town beautification and all the rest, but the bridge is a necessity, it's urgent and I think it takes precedence to the other issues under discussion.

I have been asked to represent our community here tonight and I implore Kyogle Councillors to take on board our concerns and do your best to give us access across that creek.

**ITEM 7      CONFIRMATION OF MINUTES**

**7.1   CONFIRMATION OF THE MINUTES OF THE 14 JUNE 2016 ORDINARY MEETING**

**REPORT BY:   GENERAL MANAGER'S OFFICE**  
**CONTACT:     GENERAL MANAGER DAVID TUXFORD**

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**110716/03   RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor John Burley.

That Council adopts the Minutes of the Ordinary Meeting held on 14 June 2016.

**CARRIED**

FOR VOTE - Unanimous vote

**7.2   CONFIRMATION OF THE MINUTES OF THE 27 JUNE EXTRAORDINARY MEETING**

**REPORT BY:   GENERAL MANAGER'S OFFICE**  
**CONTACT:     GENERAL MANAGER DAVID TUXFORD**

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**110716/04   RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Maggie Creedy.

That Council adopts the minutes of the Extraordinary Meeting held on 27 June 2016.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 8      MAYORAL MINUTE**

Nil.

**ITEM 9      NOTICES OF MOTION**

**9.1 NOTICE OF MOTION: COUNCILLORS BROW, SIMPSON AND DWYER -  
REALLOCATION OF FUNDS FOR LGA SIGNAGE AND  
BRANDING**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT  
CONTACT: GENERAL MANAGER DAVID TUXFORD**

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Moved by Councillor Ross Brown, seconded by Councillor Chris Simpson.

That Council varies the 2016/2017 Budget by:

- a) Removing the \$345,000 allocation for Village, LGA Signage and Branding in Urban Streets Capital Works and transferring that amount to Bridge Capital Works Projects;
- b) A new line item be added to Bridge Capital Works for Boorabee Park Bridge on Back Creek Road in the 2016/2017 Budget and the \$345,000 be allocated for the bridge repair/replacement.

Councillor Janet Wilson foreshadowed a motion:

That Council defer the Civic Pride Program (Signage and Branding) until the October 2016 Ordinary Meeting of Council.

Moved by Councillor Ross Brown, seconded by Councillor Chris Simpson.

That Council varies the 2016/2017 Budget by:

- a) Removing the \$345,000 allocation for Village, LGA Signage and Branding in Urban Streets Capital Works and transferring that amount to Bridge Capital Works Projects;
- b) A new line item be added to Bridge Capital Works for Boorabee Park Bridge on Back Creek Road in the 2016/2017 Budget and the \$345,000 be allocated for the bridge repair/replacement.

**LOST**

FOR VOTE - Ross Brown, Lindsay Passfield, Chris Simpson, Bob Dwyer

AGAINST VOTE - Janet Wilson, John Burley, Danielle Mulholland, Michael Reardon, Maggie Creedy

Councillor Wilson withdrew her foreshadowed motioned.

**9.2 NOTICE OF MOTION: COUNCILLORS BROWN, DWYER AND SIMPSON -  
REALLOCATION OF FUNDS FOR KYOGLE CHRISTMAS TREE**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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Moved by Councillor Ross Brown, seconded by Councillor Chris Simpson.

That Council varies the 2016/2017 Budget by:

- a) Removing the \$30,000 allocation for Christmas Tree Kyogle in the Urban Streets Capital Works and transferring that amount to Bridge Capital Works Projects.
- b) Allocating \$30,000 to Boorabee Park Bridge on Back Creek Road in the 2016/2017 Budget for that bridge repair/replacement.

Councillor Danielle Mulholland foreshadowed a motion:

That Council allocate additional funds in the 2016/17 and 2017/18 Capital Works Program to fund the replacement of Bridge No 15-7428 on Back Creek Road, being \$50,000 in 2016/17 and \$600,000 in 2017/18.

Moved by Councillor Ross Brown, seconded by Councillor Chris Simpson.

That Council varies the 2016/2017 Budget by:

- a) Removing the \$30,000 allocation for Christmas Tree Kyogle in the Urban Streets Capital Works and transferring that amount to Bridge Capital Works Projects.
- b) Allocating \$30,000 to Boorabee Park Bridge on Back Creek Road in the 2016/2017 Budget for that bridge repair/replacement.

**LOST**

FOR VOTE - Ross Brown, Lindsay Passfield, Chris Simpson, Bob Dwyer  
AGAINST VOTE - Janet Wilson, John Burley, Danielle Mulholland, Michael Reardon, Maggie Creedy

**110716/05 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor Ross Brown.

That Council allocate additional funds in the 2016/17 and 2017/18 Capital Works Program to fund the replacement of Bridge No 15-7428 on Back Creek Road, being \$50,000 in 2016/17 and \$600,000 in 2017/18 subject to Council receiving the additional government funding promised by the local Federal Member prior to the 2016 Federal election.

**CARRIED**

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Chris Simpson, Maggie Creedy, Bob Dwyer  
AGAINST VOTE - Michael Reardon



**ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil.

**ITEM 11 DELEGATES REPORTS**

**11.1 DELEGATES REPORT: COUNCILLORS DANIELLE MULHOLLAND AND  
MICHAEL REARDON - GENERAL ASSEMBLY OF LOCAL  
GOVERNMENT**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: COUNCILLORS DANEILLE MULHOLLAND AND MICHAEL  
REARDON**

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Councillor Ross Brown left the meeting at 6.34pm

Councillor Ross Brown returned to the meeting at 6.38pm

**110716/06 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Chris Simpson.

That Council receives and notes the report, *Delegates Report: Councillors Danielle Mulholland and Michael Reardon -- National General Assembly of Local Government.*

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 12 INFORMATION PAPERS**

**12.1 COUNCIL RESOLUTIONS REQUIRING ACTION**

**REPORT BY: GENERAL MANAGER'S OFFICE**

**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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**110716/07 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer.

That Council receives and notes the report, *Council Resolutions Requiring Action.*

**CARRIED**

FOR VOTE - Unanimous vote

## **12.2 MONTHLY FINANCE REPORT**

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

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### **110716/08 RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor Chris Simpson.

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

**CARRIED**

FOR VOTE - Unanimous vote

## **12.3 WORKS PROGRAM PROGRESS REPORT**

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

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### **110716/09 RESOLVED**

Moved by Councillor Chris Simpson, seconded by Councillor Janet Wilson.

That Council receives and notes the information contained in the Works Program Progress Report June 2016.

**CARRIED**

FOR VOTE - Unanimous vote

## **ITEM 13 GENERAL MANAGER 'S REPORT**

### **ITEM 13A TECHNICAL SERVICES REPORT**

#### **13A.1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES**  
**CONTACT: DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

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### **110716/10 RESOLVED**

Moved by Councillor Chris Simpson, seconded by Councillor Maggie Creedy.

That Council:

1. Receives and notes the report, *Minutes of the Local Traffic Committee*.

2. Approve the temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday 4 September 2016 between the hours of 7am and 4pm in accordance with the minor works application submitted 19 May 2016 by Kyogle Association for Christian Education Incorporated.
3. Endorse the application of the event Border Ranges Rally on 26 and 27 August 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.
4. Endorse the application of the event Yowie Country Rally on 22 October 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.

**CARRIED**

FOR VOTE - Unanimous vote

### **13A.2 KYOGLE SES BUILDING EXTENSIONS**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES**

**CONTACT: DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

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#### **110716/11 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Michael Reardon.

That Council;

1. Receives and notes the report, *Kyogle SES Building Extensions*.
2. Updates the capital works budget for Emergency Services to include an additional capital income and additional capital expenditure of \$163,600 (ex GST) to allow the construction of the extensions to the Kyogle SES building.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13B PLANNING SERVICES REPORT**

**13B.1 DEVELOPMENT APPLICATIONS DETERMINED AND OUTSTANDING FOR THE PERIOD 1 JUNE 2016 TO 30 JUNE 2016**

**REPORT BY: PLANNING AND ENVIRONMENTAL  
CONTACT: EXECUTIVE MANAGER PLANNING AND ENVIRONMENT  
MANFRED BOLDY**

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**110716/12 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Ross Brown.

That Council:

With the exception of the following item in which Councillor Ross Brown has declared an interest,

- Cr Ross Brown Item 13B.1 Development Applications Determined and Outstanding DA 2016/43 - Reason for Declaration - Partner of the applicant is an employee.

Receives and notes the information contained in the report Development Applications Determined and Outstanding for the period 1 June 2016 to 30 June 2016.

**CARRIED**

FOR VOTE - Unanimous vote

Councillor Ross Brown left the meeting at 6.53pm

**110716/13 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Michael Reardon.

That Council receives and notes the information contained in the report Development Applications Determined and Outstanding for the period 1 June 2016 to 30 June 2016 only in relation to DA2016/43 in which Councillor Ross Brown has declared an interest.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown

Councillor Ross Brown returned to the meeting at 6:55pm.

**13B.2 PLANNING PROPOSAL TO AMEND THE KYOGLE LOCAL ENVIRONMENTAL PLAN 2012 TO PERMIT DEVELOPMENT OF CARAVAN PARKS IN ZONES RU1 AND RU2 AND AMEND THE KYOGLE DEVELOPMENT CONTROL PLAN 2014 TO PROVIDE DEVELOPMENT GUIDELINES APPLICABLE TO CARAVAN PARKS**

**REPORT BY: PLANNING AND ENVIRONMENT**

**CONTACT: DIRECTOR PLANNING AND ENVIRONMENT, MANFRED BOLDY**

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**110716/14 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor John Burley.

That Council:

1. Receives and notes the report on the proposed amendment of the KLEP and KDCP to permit development of caravan parks with the consent of Council on rural zoned land.
2. Amends the KLEP through the preparation of a Planning Proposal in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EPAA) to include 'caravan parks' as development that is permissible with consent in Zones RU1 and RU2.
3. Authorise the General Manager to finalise the Planning Proposal consistent with the contents of the report to Council and submit the Planning Proposal to the Department of Planning and Environment (the Department) for review and Gateway Determination.
4. On receipt of a Gateway Determination to proceed with the LEP amendment, authorise the General Manager to make any necessary changes to the Planning Proposal in accordance with the requirements of the Department and proceed with the LEP amendment process in accordance with the provisions of Part 3 Division 4 of the EPAA including community and agency consultation.
5. Prepare an amendment to the KDCP in accordance with the provisions of Part 3 Division 6 of the EPAA to add 'caravan parks' to the applicable development types in Part 4 of Chapter 1 *Non-residential development in Zones RU1, RU2, RU3 and RU4*.
6. Conduct the public exhibition of the draft KDCP in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.
7. Review the draft KDCP in light of any submissions made during public exhibition.
8. Be presented with a further report following the conclusion of the public consultation stage and consideration of any submissions received for the LEP and DCP amendments.

**CARRIED**

FOR VOTE - Unanimous vote

Councillor Ross Brown called for a division under section 375A of the *Local Government Act 1993*.

<b>FOR</b>	<b>AGAINST</b>
Cr Danielle Mulholland	
Cr Robert Dwyer	
Cr Maggie Creedy	
Cr Janet Wilson	
Cr John Burley	
Cr Chris Simpson	
Cr Ross Brown	
Cr Lindsay Passfield	
Cr Michael Reardon	

**ITEM 13C ENVIRONMENT SERVICES REPORT**

Nil.

**ITEM 13D CORPORATE SERVICES REPORT**

**13D.1 COUNCILLOR FEES - LOCAL GOVERNMENT REMUNERATION TRIBUNAL**

**REPORT BY: GENERAL MANAGER**

**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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**110716/15 RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor Janet Wilson.

That Council:

1. Receives and notes the report on Local Government Remuneration Tribunal
2. Adopts the following Councillor and Mayoral fees for 2016/2017:

Councillor Annual Fee:	\$11,290
Mayoral Fee:	\$24,630

**CARRIED**

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Michael Reardon, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Danielle Mulholland, Chris Simpson

**13D.2 MINUTES OF THE INTERNAL AUDIT COMMITTEE**

**REPORT BY: ADMINISTRATION AND COMMUNITY**

**CONTACT: EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY  
CAROL ONEILL**

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**110716/16 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Michael Reardon.

That Council receives and notes the minutes of the Internal Audit Committee meetings held 26 May 2016 and 23 June 2016.

**CARRIED**

FOR VOTE - Unanimous vote

**13D.3 POLICY REVIEW**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: MANAGER CORPORATE SERVICES (GOVERNANCE)**

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Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland.

That Council:

1. Receives and notes the contents of the report, *Policy Review*
  2. Revokes the following policies that have been identified as being operational in nature and therefore are not required to be Council-adopted policies:
    - Complaint Handling Policy
    - Consultative Committee Policy
    - Email and Internet Usage Policy
    - Employee Benefits Policy
    - Harassment and Bullying Policy
    - Human Resources Strategy Policy
    - Non-smoking Policy
    - Occupational Health and Safety Disciplinary Policy
    - Records Management Policy
    - Rehabilitation Policy
    - Skate Park Policy
    - Social Media Policy
    - Swimwear Policy
    - Vehicle Policy
  3. Places copies of General Manager-approved policies on Council's web site as deemed appropriate by the General Manager in line with section 3.1 of the adopted Governance Policy.
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Councillor Lindsay Passfield foreshadowed a motion that:

That the General Manager review these policies removing all procedural aspects and bring this issue back to Council for consideration.

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland.

That Council:

1. Receives and notes the contents of the report, *Policy Review*
2. Revokes the following policies that have been identified as being operational in nature and therefore are not required to be Council-adopted policies:
  - Complaint Handling Policy
  - Consultative Committee Policy
  - Email and Internet Usage Policy
  - Employee Benefits Policy
  - Harassment and Bullying Policy
  - Human Resources Strategy Policy
  - Non-smoking Policy
  - Occupational Health and Safety Disciplinary Policy
  - Records Management Policy
  - Rehabilitation Policy
  - Skate Park Policy
  - Social Media Policy
  - Swimwear Policy
  - Vehicle Policy
3. Places copies of General Manager-approved policies on Council's web site as deemed appropriate by the General Manager in line with section 3.1 of the adopted Governance Policy.

**LOST**

FOR VOTE - Janet Wilson, John Burley, Danielle Mulholland, Michael Reardon  
AGAINST VOTE - Ross Brown, Lindsay Passfield, Chris Simpson, Maggie Creedy, Bob Dwyer

### **110716/17 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Ross Brown.

That the General Manager review these policies removing all procedural aspects and bring this issue back to Council for consideration.

**CARRIED**

FOR VOTE - Ross Brown, Lindsay Passfield, Chris Simpson, Maggie Creedy, Bob Dwyer  
AGAINST VOTE - Janet Wilson, John Burley, Danielle Mulholland, Michael Reardon



**ITEM 13E COMMUNITY SERVICES REPORT**

Nil.

**ITEM 13F GENERAL MANAGER'S REPORT**

**13F.1 STATEWIDE MUTUAL FUND**

**REPORT BY: GENERAL MANAGER**

**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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**110716/18 RESOLVED**

Moved by Councillor Maggie Creedy, seconded by Councillor Chris Simpson.

That Council receives and notes the contents of the report, *Statewide Mutual Fund*.

**CARRIED**

FOR VOTE - Unanimous vote

**13F.2 FAR NORTH COAST WEEDS**

**REPORT BY: GENERAL MANAGER**

**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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**110716/19 RESOLVED**

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

That Council:

1. Receives and notes the reports, *Far North Coast Weeds* and *Delegation by Kyogle Council to Rous County Council*.
  2. Delegate to the General Manager the authority to negotiate a service level agreement between Kyogle Council and Rous County Council for the provision of noxious weeds management services for Kyogle Council that will meet its obligations as the local control authority for its area under the *Noxious Weeds Act 1993* within the current budget allocation provided in Council's adopted Operational Plan for 2016/2017.
  3. Advise Rous County Council of its decision.
  4. Advise the NSW Office of Local Government of its decision.
  5. Being a local control authority under the *Noxious Weeds Act 1993* ('the Act') and pursuant to section 68 of that Act:
    - a. Delegate to Rous County Council the functions of Kyogle Council, as a local control authority, that are capable of being delegated under the Act to Rous County Council.
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- b. Delegate to the position of General Manager, Rous County Council the functions of Kyogle Council, as a local control authority, that are capable of being delegated under the Act to the position.
- c. Delegate to the position of Manager Operations, Rous County Council the functions of Kyogle Council, as a local control authority, under sections 12, 18, 18A, 20, 36A, 41, 45 and 64 of the Act.
- d. Delegate to Philip Courtney, Rous County Council the functions of Kyogle Council, as a local control authority, under sections 12, 18, 18A, 20(3), 36A, 45 and 64 of the Act.
- e. Delegate to the positions of Senior Noxious Weeds Officer, Rous County Council and Noxious Weeds Officer, Rous County Council the functions of Kyogle Council, as a local control authority, under section 45 (excluding section 45(2)(b)) of the Act.

**CARRIED**

FOR VOTE - Unanimous vote

### **13F.3 REGIONAL DEVELOPMENT AUSTRALIA PRIORITIES**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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#### **110716/20 RESOLVED**

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

That Council;

1. Receives and notes the report, *Regional Development Australia Priorities*.
2. Advises Regional Development Australia Northern Rivers that Council's top three priorities for consideration in the regional/strategic plan are;
  - a) Summerland Way Corridor Development (East of Mount Lindesay Deviation)
  - b) "First Mile" Industry Transport Links
  - c) Affordable Housing Developments

**CARRIED**

FOR VOTE - Unanimous vote

### **13F.4 DICK SMITH HISTORIC SITE INFORMATION BAY**

**REPORT BY: GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER DAVID TUXFORD**

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#### **110716/21 RESOLVED**

Moved by Councillor Michael Reardon, seconded by Councillor Chris Simpson.

That Council:

1. Receives and notes the report, *Dick Smith Historic Site Information Bay*.

2. Proceed with option 2 and make representations to the RMS to incorporate information on the Dick Smith landing site into the Tabulam Bridge reconstruction project.

**CARRIED**

FOR VOTE - Unanimous vote

#### **ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

Nil.

#### **ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING**

Councillor Chris Simpson:

- Land Management NSW has a new draft policy out, did Council make a submission and if so, can I have a copy of that submission please?

Director of Planning and Environmental Services:

Council did make a submission on the draft legislation. The submission in general terms said there wasn't enough information contained in the legislation. There was a lot of information missing -- there were no regulations, no maps, no calculators to work out offsets and the like.

I met with the Secretary for the Department of Planning and the Environment last week as part of a general round table with general managers and NOROC planners. The draft legislation was one of the items raised in discussions at the round table and I think it's fair to say the feedback from the Secretary was that there is still a lot more work to be done on it. There is still some resolution to be made between her two departments. The Planning Department and the Environment Department have different ideas and I think it's also fair to say that at a political level there is quite a lot of dissatisfaction and misunderstanding in relation to the draft bill from both sides of politics. It was noted at today's NOROC planners meeting by some of the other councils that within their areas they have got dissatisfaction from both the farmers' side and the environmentalists' side.

I am planning to send Councillors a short email outline on what the bill is about -- the bill is quite lengthy and quite complex. I will also be sending out a power point presentation that the Department gave to a number of other councils on the draft legislation as well as the copy of the submission council submitted in relation to the draft bill.

- Under the proposed legislation, Local Land Services will be responsible for implementation. I am concerned that the LLS won't have the ability to do that and it may be passed on to Council. Will there be a cost to Council to manage the new Land Management NSW system?

Director of Planning and Environmental Services

On my reading of the bill, and again this was discussed at today's NOROC planners meeting, there is a very real risk of that being the case as there would be extra costs to councils. There will be a need to vet some of the technical reports that people many need to prepare through consultants for development proposals. To what extent councils will be expected to vet some of that information is unclear. It is very technically orientated in terms of ecological reports and the like. All of the councils at today's meeting identified that they don't have that resource available. That was also put to Secretary of Planning and Environment at that meeting last week.

Councillor Maggie Creedy left the meeting at 7.29pm.

Councillor Ross Brown:

- All Councillors were sent an email by Mr David Sneath in relation to the weight limit on Upper Collins Creek bridge that has impacted on his business. Can we have a quick reply from staff in writing in relation to that issue and whether or not Council has any plans either immediate or in the short term to alleviate that problem of the weight limit on that bridge.

Councillor Michael Reardon:

- Could I have a costing done on galvanising the hand rails on Peacock Creek Bridge at Bonalbo?
- I would also like a costing done on putting a new LED light on the light pole at the Kyogle pool.

Councillor Maggie Creedy returned to the meeting at 7.33pm.

## **ITEM 16      CONFIDENTIAL BUSINESS PAPER**

Nil.

## **MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 7.34pm.

Signature of Chairperson.....

