

## **Kyogle Council**

**Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 14 November 2016.**

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

### **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 an owner of a bridge building company she had an ongoing conflict of interest 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 take place.

Cr. Kylie Thomas declared an interest in the following item:

- Item 16.4 - Tender For Contract 2016/17 - 003 Pile Installation

Reason for declaration – Owner of bridge building company

Cr. Robert Dwyer declared an interest in the following item/s:

- Item 16.1 Legal Action Hillyards Road Piggery

Reason for Declaration – Item involves a family member

Cr. Hayden Doolan

- 13B.2 Community Funding Applications 2016/17

Reason for Declaration – Involvement with Kyogle Junior Rugby League Club

## **ITEM 5 QUESTION TIME**

Linda Clark: Will Council support the motion for the reinstatement of qualified nursing staff at the aged care unit at the Kyogle Multi-Purpose Service?

Councillor Danielle Mulholland: We won't know the answer until we have had the debate and to comment now would be a breach of the Code of Conduct.

Elva Jones: Before the end of the season, could Council obtain pricing for heating the 50 metre pool? The \$2.70 spectator fee turns grandparents away from the pool. The disabled toilets do not have locks which can cause embarrassment for users, can Council install locks on these doors?

Anne Reardon: When will the burnt bus in Bloore Street be removed?

Director Planning and Environmental Services: The bus is located on private property and Council has written to the land owners seeking advice of when the bus will be removed and has reserved the right to take further action if that doesn't happen.

Anne Reardon: Are the footpaths in CBD going to be cleaned before the Fairymount Festival to be held this weekend?

Acting General Manager: The footpaths are not going to be cleaned prior to the Fairymount Festival due to activities associated with the festival. They will be cleaned after the festival in the lead up to Christmas.

Michael Reardon: When will the lights be reinstated at Kyogle Swimming Pool. Michael Reardon asked that the response be provided in writing.

Acting General Manager: This will be done this financial year, possibly before the end of the pool season or shortly after.

Michael Reardon: When will the bridge at Bonalbo be painted? Michael Reardon asked that the response be provided in writing.

Acting Director Assets and Infrastructure Services: The works order has been issued for the job and it is hoped that it will be completed prior to Christmas.

Michael Reardon: Can the public have an answer why the meeting hours were changed?

Councillor Mulholland: There is a notion of motion on the matter on the agenda which will be debated at that time.

## **ITEM 6 PUBLIC ACCESS**

Robyn Chapman of the Kyogle Evening Branch of the Country Women's Association:

Kyogle Evening CSW has become concerned with reports of changes to rostering at Kyogle Memorial Multi-Purpose Service (MPS) which leaves a four hour shift in the MPS that was previously covered by an Assistant in Nursing (AiN) now covered by Health and Security Assistant (HSA).

AiNs have been replaced by HSAs for the 4-8pm shift in the Residential Aged Care facility of the hospital. Our CWA branch is concerned that the removal of nursing hours is affecting the standard of care for aged care residents and putting both patient and staff safety at risk. The difference in qualifications required between AiNs and HSAs is substantial. HSAs are not appropriately trained or qualified to provide personal care to aged care residents within Kyogle Memorial MPS.

AiNs have a minimum Certificate III qualification or are second year undergraduate nursing students. Their formal training totals around 360 hours, whereas the HSAs received three hours of basic training before they were expected to provide and assist with personal care.

Wayne Jones, Chief Executive of Northern NSW Health District is quoted in the Northern Rivers Talking Turkey as saying that "there have been no cuts", which is technically true, as there were eight extra hours of staffing support allocated to the hospital in March 2016. However a shuffling of the roster means that this shift is now no longer being covered by a more highly trained staff member, and the CWA is concerned that this is having a direct effect on patient safety at Kyogle MPS.

The CWA has been advocating for rural health services for nearly 100 years and any changes which reduce the level of care which was fought for by the CWA previously is particularly concerning.

The Kyogle Evening Branch of CWA is currently drafting a motion of urgency for CWA of NSW to vote on this issue at state level.

We would like Council to be aware that CWA is supportive of any action that Council could undertake to address this important issue and ensure an appropriate level of care for patients in our community.

**ITEM 7 CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF THE MINUTES OF THE 10 OCTOBER ORDINARY COUNCIL MEETING**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: ACTING GENERAL MANAGER**

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**141116/01 RESOLVED**

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

That Council adopts the minutes of the Ordinary Meeting held on 10 October 2016.

**CARRIED**

FOR VOTE - Unanimous vote

**7.2 CONFIRMATION OF THE MINUTES OF THE 24 OCTOBER 2016 EXTRAORDINARY MEETING**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: ACTING GENERAL MANAGER**

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**141116/02 RESOLVED**

Moved by Councillor John Burley, seconded by Councillor Robert Dwyer.

That Council adopt the minutes of the Extraordinary Meeting held on 24 October 2016.

**CARRIED**

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

AGAINST VOTE - Lindsay Passfield\*

**ITEM 8 MAYORAL MINUTE**

Nil.

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\* Councillor Lindsay Passfield was not at the Extraordinary Meeting and as such could not confirm the accuracy of the minutes and did not vote on the motion. In line with Council's Code of Meeting Practice, Councillor Passfield was deemed to have voted against the motion.

**ITEM 9 NOTICES OF MOTION**

**9.1 NOTICE OF MOTION - COUNCILLOR LINDSAY PASSFIELD; REPORT ON CONTENTIOUS DEVELOPMENT APPLICATIONS**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT  
CONTACT: COUNCILLOR LINDSAY PASSFIELD**

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**141116/03 RESOLVED**

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

That Council staff provide an update at the monthly Councillor workshop relating to contentious development matters which have potential to adversely impact economic development and employment in the Kyogle Local Government Area.

**CARRIED**

FOR VOTE - Unanimous vote

**9.2 NOTICE OF MOTION - COUNCILLOR LINDSAY PASSFIELD; RE-ESTABLISHMENT OF SUMMERLAND WAY PROMOTIONAL COMMITTEE**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT  
CONTACT: COUNCILLOR LINDSAY PASSFIELD**

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**141116/04 RESOLVED**

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

That Council re-establish the Summerland Way Promotional Committee (SWPC) with the same membership as when it was disbanded.

**CARRIED**

FOR VOTE - Unanimous vote

**9.3 NOTICE OF MOTION - COUNCILLOR LINDSAY PASSFIELD; CROSS BORDER MEETING STRATEGIC PLANNING**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT  
CONTACT: COUNCILLOR LINDSAY PASSFIELD**

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**141116/05 RESOLVED**

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

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That Kyogle Council sponsor a meeting between the authors of the South East Queensland Plan and the NSW North Coast Plan to discuss strategic planning issues that relate to these areas which share a strong community of interest but are separated by the State border.

**CARRIED**

FOR VOTE - Unanimous vote

#### **9.4 NOTICE OF MOTION - COUNCILLOR HAYDEN DOOLAN; STAFFING KYOGLE AGED CARE FACILITY**

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

**CONTACT: COUNCILLOR HAYDEN DOOLAN**

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#### **141116/06 RESOLVED**

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

That Council write to the Honourable Jillian Skinner, MP, Minister for Health, and express Council's concern that the aged care facilities have lost qualified staff hours and request that the hours be restored forthwith to protect the health and safety of the aged residents.

**CARRIED**

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland, Maggie May, Kylie Thomas, Hayden Doolan, Earle Grundy, John Burley

AGAINST VOTE - Bob Dwyer

#### **141116/07 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Kylie Thomas.

That Council contact the Minister for Health to address Council and affected staff on the proposed changes and the effect that they will have on our Multi-Purpose Service.

**CARRIED**

FOR VOTE - Lindsay Passfield, Danielle Mulholland, Bob Dwyer, Maggie May, Kylie Thomas, Earle Grundy

AGAINST VOTE - Janet Wilson, Hayden Doolan, John Burley

#### **9.5 NOTICE OF MOTION - COUNCILLOR MAGGIE MAY; WAIVE POOL ENTRY FEES FOR AUSTRALIA DAY 2017**

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**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: COUNCILLOR MAGGIE MAY**

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**141116/08 RESOLVED**

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

That Council waive all single entry fees and charges to all Council pools on Australia Day, Thursday 26 January 2017.

**CARRIED**

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

AGAINST VOTE - Lindsay Passfield, Danielle Mulholland

**9.6 RESCISSION MOTION - COUNCILLORS MAGGIE MAY, JOHN BURLEY, JANET WILSON; ORDINARY MEETING DATES AND TIME**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

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**141116/09 RESOLVED**

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

That Council change the meeting start times for the Tuesday 13 June 2017, Monday 10 July 2017 and Monday 14 August 2017 Ordinary Meetings from 3pm to 5pm.

**CARRIED**

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

AGAINST VOTE - Lindsay Passfield

**9.7 NOTICE OF MOTION - COUNCILLOR EARLE GRUNDY; SHELTER FOR BONALBO CARAVAN PARK**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: COUNCILLOR EARLE GRUNDY**

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**141116/10 RESOLVED**

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Moved by Councillor Earle Grundy, seconded by Councillor Janet Wilson.

That Council erect a shelter at Bonalbo Caravan Park over the paved area and new barbecue with \$11,000 to be added to the budget for the project.

**CARRIED**

FOR VOTE - Unanimous vote

## **9.8 NOTICE OF MOTION - COUNCILLOR ROBERT DWYER; STAGE FOR AMPHITHEATRE**

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

**CONTACT: COUNCILLOR ROBERT DWYER**

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Moved by Councillor Robert Dwyer, seconded by Councillor Danielle Mulholland.

That Council:

1. Facilitate the drawing up of plans for a suitable stage to be built at the Kyogle amphitheatre adjacent to the tourist information centre.
2. Attach an approximate costings to the plans.

**LOST**

FOR VOTE - Lindsay Passfield, Bob Dwyer, Kylie Thomas, Earle Grundy

AGAINST VOTE - Janet Wilson, Maggie May, Hayden Doolan, John Burley, Danielle Mulholland

### **141116/11 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor John Burley.

That Council collaborate with the relevant stakeholders including potential stage users to finalise a concept design for a suitable stage at the Kyogle amphitheatre for consideration in the 2017/18 budget.

**CARRIED**

FOR VOTE - Unanimous vote

## **ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

### **10.1 QUESTIONS FROM THE LAST COUNCIL MEETING**

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

**CONTACT: ACTING GENERAL MANAGER**

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### **141116/12 RESOLVED**

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

That Council receives and notes the report, *Questions from the Last Council Meeting*.

**CARRIED**

FOR VOTE - Unanimous vote

## **ITEM 11 DELEGATES REPORTS**

### **11.1 DELEGATE'S REPORT - 2016 RURAL AND REGIONAL PLANNING CONFERENCE**

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#### **141116/13 RESOLVED**

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

That Council receives and notes the Delegate's Report 2016 Rural and Regional Planning Conference.

**CARRIED**

FOR VOTE - Unanimous vote

## **ITEM 12 INFORMATION PAPERS**

### **12.1 MONTHLY FINANCE REPORT**

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

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#### **141116/14 RESOLVED**

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

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

**CARRIED**

FOR VOTE - Unanimous vote

### **12.2 WORKS PROGRAM PROGRESS REPORT**

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

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Having previously declared an interest, Councillor Thomas left the meeting at 6.56 pm.

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**141116/15 RESOLVED**

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

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

**CARRIED**

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE - Kylie Thomas

Councillor Thomas returned to the meeting at 6.58 pm

**ITEM 13 GENERAL MANAGER'S REPORT**

**ITEM 13A ASSETS AND INFRASTRUCTURE SERVICES REPORT**

**13A.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES DEPARTMENT**  
**CONTACT: ACTING GENERAL MANAGER**

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**141116/16 RESOLVED**

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

That Council:

1. Receives and notes the report *Local Emergency Management Committee*.
2. Proceeds with the proposal to combine its Local Emergency Management Committee with that of Lismore and Richmond Valley Councils.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13B PLANNING AND ENVIRONMENTAL SERVICES REPORT**

**13B.1 YOUTH ADVISORY COMMITTEE**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: MANAGER CORPORATE SERVICES / DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES**

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**141116/17 RESOLVED**

Moved by Councillor Hayden Doolan, seconded by Councillor John Burley.

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That Council:

1. Reiterates its strong support for the Youth Advisory Committee and youth generally in the Kyogle LGA and maintenance of in principle civic training opportunities for its youth when appropriate opportunities arise.
2. Requests its Youth Advisory Committee to consider and recommend any civic training priorities for further consideration by the Council as part of its on-going operational planning and implementation.

**CARRIED**

FOR VOTE - Unanimous vote

### **13B.2 COMMUNITY FUNDING APPLICATIONS 2016/2017**

**REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES**

**CONTACT: DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES**

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Having previously declared an interest, Councillor Hayden Doolan left the meeting at 7pm.

#### **141116/18 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Maggie May.

That Council receives and notes the report Community Funding Applications 2016/2017.

**CARRIED**

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland, Bob Dwyer, Kylie Thomas, Earle Grundy, John Burley  
AGAINST VOTE - Maggie May  
ABSENT. DID NOT VOTE - Hayden Doolan

Councillor Doolan returned to the meeting at 7.20 pm.

#### **141116/19 RESOLVED**

Moved by Councillor Maggie May, seconded by Councillor Kylie Thomas.

That Council adopts the following recipients for *Financial Assistance Policy* grants for the amounts indicated, being:

<b>Recipient</b>	<b>Amount of Grant</b>
<b>Individuals</b>	
Miles Brown	\$500

Recipient	Amount of Grant
Cooper Mulcahy	\$500
Katelyn Grimmett	\$500
Remy Leonard	\$500

**CARRIED**

FOR VOTE - Unanimous vote

Having previously declared an interest, Councillor Hayden Doolan left the meeting at 7.21 pm.

**141116/20 RESOLVED**

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

That Council adopts the following recipients for *Financial Assistance Policy* grants for the amounts indicated, being:

Recipient	Amount of Grant
<b>Organisations</b>	
Kyogle PA&H Society	\$1,000
Kyogle District Cricket Assoc.	\$1,000
Kyogle Junior Ruby League	\$1,000
Afterlee Pub. School P&C Assoc.	\$1,000
Bonalbo Common Trust	\$699
Kyogle Showground P&R Trust	\$1,000
Cawongla Playhouse	\$1,000
Bonalbo & District Community Hall Assoc.	\$661
Wadeville Reserve Trust	\$459
Kyogle & District Historical Society	\$1,000
Kyogle Rotary Club Inc.	\$1,000
Grevillia Hall Committee	\$1,000
Kyogle Land Care	\$1,000
Tunglebung Community Hall	\$1,000
Caroona Hostel Auxiliary	\$1,000
Bonalbo Show Society	\$1,000
Kyogle District Feather Club Inc.	\$1,000

**CARRIED**

FOR VOTE - Janet Wilson, Lindsay Passfield, Bob Dwyer, Kylie Thomas, Earle Grundy, John Burley

AGAINST VOTE - Danielle Mulholland, Maggie May

ABSENT. DID NOT VOTE – Hayden Doolan

Councillor Hayden Doolan returned to the meeting at 7.29 pm.

**13B.3 DRAFT KYOGLE MOUNTAIN BIKE TRAIL DEVELOPMENT REPORT**

**REPORT BY PLANNING AND ENVIRONMENTAL SERVICES**  
**CONTACT DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES**

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Councillor Kylie Thomas left the meeting at 7.29 pm.

**141116/21 RESOLVED**

Moved by Councillor Maggie May, seconded by Councillor John Burley.

That Council:

1. Receive and note the report *Draft Kyogle Mountain Bike Trail Development Report*.
2. Place the draft Kyogle Mountain Bike Trail Development Report on public exhibition and undertake consultation with the community and key stakeholders generally as outlined in this report.
3. Consider a further report on this matter following community and stakeholder consultation.

**CARRIED**

FOR VOTE - Janet Wilson, Lindsay Passfield, Bob Dwyer, Hayden Doolan, Earle Grundy, John Burley, Danielle Mulholland, Maggie May  
ABSENT. DID NOT VOTE - Kylie Thomas

Councillor Kylie Thomas returned to the meeting at 7.35 pm.

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

**13C.1 POLICY REVIEW**

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

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Councillor Maggie May left the meeting at 7.35 pm.

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

That Council:

1. Receives and notes the report *Policy Review*.
  2. Notes the policies listed in this report have been reviewed by the General Manager, Governance Officer and Internal Audit Committee and found to be procedural.
  3. In accordance with Sections 223 and 335 of the Local Government Act, Council's Governance Policy, and the recommendation of the Internal Audit
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Committee, rescind the policies from the management of the Governing Body and transfer them to the management, oversight and determination of the General Manager.

Councillor Maggie May returned to the meeting at 7.37 pm.

#### **141116/22 RESOLVED**

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

That Council:

1. Receives and notes the report *Policy Review*.
2. Notes the policies listed in this report have been reviewed by the General Manager, Governance Officer and Internal Audit Committee and found to be procedural.
3. In accordance with Sections 223 and 335 of the Local Government Act, Council's Governance Policy, and the recommendation of the Internal Audit Committee, rescind the policies from the management of the Governing Body and transfer them to the management, oversight and determination of the General Manager.

**CARRIED**

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

AGAINST VOTE - Lindsay Passfield, Bob Dwyer

#### **13C.2 ANNUAL REPORT 2015/2016**

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

**CONTACT: MANAGER CORPORATE SERVICES**

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#### **141116/23 RESOLVED**

Moved by Councillor Maggie May, seconded by Councillor Hayden Doolan.

That Council:

1. Receives and notes the report, *2015/16 Annual Report*.
2. In accordance with s.428 of the Local Government Act, 1993, post the Annual Report on Council's website and provide a copy to the Minister.

**CARRIED**

FOR VOTE - Unanimous vote

#### **13C.3 PRESENTATION OF THE 2015/2016 FINANCIAL STATEMENTS**

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

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**141116/24 RESOLVED**

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

That Council;

1. Receives and notes the report *Presentation of the 2015/16 Financial Statements*.
2. Presents to the public the Audited Financial Reports and Independent Audit Reports for the year ended 30 June 2016 in accordance with the Local Government Act 1993.

**CARRIED**

FOR VOTE - Unanimous vote

**13C.4 SEPTEMBER 2016 QUARTERLY BUDGET REVIEW**

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

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**141116/25 RESOLVED**

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

That Council:

1. Receives and notes the September 2016, Quarterly Budget Review Statement.
2. Approves the variation of estimates contained in the table below:

# STATEMENT OF SIGNIFICANT VARIANCES

## SEPTEMBER QUARTER BUDGET REVIEW

DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Administration - Employment Costs		(298,502)
Administration - Office Expenses		155,166
Administration - Other		(14,349)
Finance - ESPL Grant	13,537	
Finance - Revenue Sharing Grant	57,695	
Finance - Employment Costs		164,115
Town Planning - Employment Costs		73,962
Economic Development - Income	(3,861)	
Economic Development - Expenses		58,659
Community Services - Operating Costs		67,276
Pre Schools - Operating Costs		39,200
Pre Schools - Building Improvements		(15,264)
Libraries - Operating Costs		13,973
Libraries - Building Improvements		(67,084)
Rural Local Roads - Grant Income	892	
Bridges - Grant Income	(6,380)	
Swimming Pools - Operating Costs		(24,537)
Parks & Gardens - Operating Costs		(18,589)
Community Buildings - Operating Revenue	411,837	
Community Buildings - Operating Costs		70,109
Community Buildings - Buildings Improvements		82,348
Public Cemeteries - Operating Costs		(9,294)
Engineering Administration - Employment Costs		228,072
Engineering Administration - Recoveries		(574,585)
State Highways - Operating Costs		(132,633)
Plant Operations - Store Costs		(21,477)
<b>Totals</b>	473,720	(223,434)
	<b>Net Adjustment</b>	<b>697,154</b>

**CARRIED**

FOR VOTE - Unanimous vote



**13C.5 YOUTH ADVISORY COMMITTEE CHARTER**

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

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**141116/26 RESOLVED**

Moved by Councillor Hayden Doolan, seconded by Councillor Earle Grundy.

That Council adopt the Kyogle Council Youth Advisory Committee Charter.

**CARRIED**

FOR VOTE - Unanimous vote

**13C.6 FAIRMOUNT FESTIVAL COMMITTEE CHARTER**

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

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**141116/27 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Kylie Thomas.

That Council adopt the Fairymount Festival Committee Charter.

**CARRIED**

FOR VOTE - Janet Wilson, Danielle Mulholland, Bob Dwyer, Maggie May, Kylie Thomas, Hayden Doolan, John Burley  
AGAINST VOTE - Lindsay Passfield, Earle Grundy

**13C.7 AUSTRALIA DAY COMMITTEES CHARTER**

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

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**141116/28 RESOLVED**

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

That Council defer consideration of the charter until further consultation has been undertaken with the Committees.

**CARRIED**

FOR VOTE - Unanimous vote

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**141116/29 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor Maggie May.

That Council quarantine \$3500 for the West of the Range Committee. The remainder of the budget to be divided between Kyogle and Woodenbong Committees with Kyogle receiving \$4000 and Woodenbong receiving \$3500.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13.8 ABORIGINAL EDUCATION COMMITTEES' BARBECUE**

**REPORT BY: GENERAL MANAGER'S DEPARTMENT**  
**CONTACT: ACTING GENERAL MANAGER**

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**141116/30 RESOLVED**

Moved by Councillor Earle Grundy, seconded by Councillor Hayden Doolan.

That Council:

1. Receives and notes the report Aboriginal Education Committees' Barbecue;
2. Waive the admission fees for teachers, parents and students attending the joint Aboriginal Education Committees' Barbecue at the Kyogle Pool on Thursday 1 December 2016.

**CARRIED**

FOR VOTE – Unanimous vote

**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

**141116/31 RESOLVED**

Moved Councillor Janet Wilson, seconded Councillor John Burley.

That the report Urbenville School Intensive Learn To Swim be considered as urgent business.

**CARRIED**

FOR VOTE - Janet Wilson, Bob Dwyer, Maggie May, Kylie Thomas, Hayden Doolan, Earle Grundy, John Burley  
AGAINST VOTE - Lindsay Passfield, Danielle Mulholland

The Mayor declared the matter to be of great urgency.

**URBENVILLE SCHOOL INTENSIVE LEARN TO SWIM**

**141116/32 RESOLVED**

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

That Council:

1. Receives and notes the report Urbenville School Intensive Learn to Swim.
2. Extend the operating hours of the Woodenbong Swimming Pool complex to accommodate the Urbenville Public School Intensive Learn to Swim program at no charge to Urbenville Public School.
3. Write to Tenterfield Shire Council seeking contribution towards the additional costs of opening the pool to accommodate the Urbenville Public School.

**CARRIED**

FOR VOTE - Unanimous vote

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

Councillor Lindsay Passfield

- Have the cost reductions of the organisational restructure been realised?

Councillor Dwyer

- Can an update on the proposed changes to the planning laws be provided to the next meeting?

## **ITEM 16 CONFIDENTIAL BUSINESS PAPER**

### **16.01 MOVED INTO CLOSED COMMITTEE**

#### **ITEM 16.1 LEGAL ACTION HILLYARDS PIGGERY**

#### **ITEM 16.2 TENDER FOR CONTRACT 2016/17 - 002 CRUSHING SERVICES**

#### **ITEM 16.3 TENDER FOR CONTRACT 2016/17 - 001 KYOGLE SES BUILDING**

#### **ITEM 16.4 TENDER FOR CONTRACT 2016/17 - 003 PILE INSTALLATION**

These reports are CONFIDENTIAL in accordance with Section 10A(2)(d) and (g) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following

- (d) commercial information of a confidential nature
- (g) advice concerning litigation, or advice that would otherwise be privileged

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.

**141116/33 RESOLVED**

Moved Councillor Kylie Thomas, seconded Councillor Earle Grundy

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 8.17pm. The public and the media left the chamber.

**16.02 OPEN COUNCIL RESUMES**

**141116/39 RESOLVED**

Moved Councillor Hayden Doolan, seconded Councillor Kylie Thomas

That Council move out of Closed Council into Open Council.

**CARRIED**

FOR VOTE - Unanimous vote

Open Council resumed at 8.39pm.

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

**141116/34 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Earle Grundy

That the order of business be changed to consider the Legal Action Hillyards Piggery as the last item.

**CARRIED**

FOR VOTE - Unanimous vote

**16.2 TENDER FOR CONTRACT 2016/17-002 - CRUSHING SERVICES  
CONFIDENTIAL**

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

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**141116/35 RESOLVED**

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

That Council:

1. Receives and notes the report *Tenders for Contract 2016/17-002 Crushing Services*.
2. Accepts the tenders received from Holmes Pty Ltd, Smith Plant Pty Ltd, and Terragon Rock Crushing Pty Ltd for the provision of goods and services associated with crushing services.

**CARRIED**

FOR VOTE - Unanimous vote

**16.3 TENDER FOR CONTRACT 2016/17-001 KYOGLE SES BUILDING  
EXTENSIONS CONFIDENTIAL**

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

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**141116/36 RESOLVED**

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

That Council;

1. Receives and notes the report *Tender for Contract 2016/17-001 Kyogle SES Building Extensions*.
2. Accepts the tender received from TnW Constructions Pty Ltd for the construction of extensions to the Kyogle SES Building for a total value of \$211,606.30 (incl GST)
3. Amends the current budget for the project to allow for total income and expenditure amounts of \$192,369.37 (ex GST).

**CARRIED**

FOR VOTE - Unanimous vote

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**16.4 TENDER FOR CONTRACT 2016/17-003 - PILE INSTALLATION  
CONFIDENTIAL**

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

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**141116/37 RESOLVED**

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

That Council:

1. Receives and notes the report on the tender received for Contract 2016/17-003 Pile Installation.
2. Accepts the tender received from Wagstaff Piling Pty Ltd for the provision of goods and services associated with pile installation services.

**CARRIED**

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

ABSENT. DID NOT VOTE - Kylie Thomas

**16.1 LEGAL ACTION HILLYARDS PIGGERY CONFIDENTIAL**

**REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES  
CONTACT: DIRECTOR OF PLANNING AND ENVIRONMENTAL SERVICES**

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**141116/38 RESOLVED**

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

That Council:

1. Receives and notes the report.
2. Notes the legal advice, dated 11 November 2016, from its solicitors, McCartney Young Lawyers and the legal advice from the Bulmer's barrister Malcolm Craig QC, dated 24 October 2016.
3. Council resolves to provide the Acting General Manager delegation to instruct its solicitors to agree on Council's behalf to "negotiate a modification to its Order for cessation to apply only "for more than one thousand pigs" and that the matter be subsequently discontinued in the Land and Environment Court subject to both parties agreeing to pay their own costs.

**CARRIED**

FOR VOTE - Janet Wilson, Danielle Mulholland, Maggie May, Kylie Thomas, Hayden Doolan, John Burley, Lindsay Passfield, Earle Grundy  
ABSENT. DID NOT VOTE - Bob Dwyer

**MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 8.41pm.

Signature of Chairperson.....