

## **Kyogle Council**

### **Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 10 October 2016.**

---

#### **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 Director Assets and Infrastructure Services, the Director of Planning and Environmental Services, the Manager Corporate Services (Governance), the Senior Town Planner, 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**

The Director of Planning and Environmental Services declared an interest in the following item:

- 13B.1 Determination of Development Application 2016-54 for capping of existing landfill and development of a waste and resource transfer station at 13855 Mount Lindesay Road, Woodenbong.

Reason for declaration - Applicant on behalf of Council.

**ITEM 5 QUESTION TIME**

Nil

**ITEM 6 PUBLIC ACCESS**

Nil

**ITEM 7 CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF THE MINUTES OF THE 8 AUGUST ORDINARY COUNCIL MEETING**

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

---

**101016/01 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Kylie Thomas.

That Council adopt the minutes of the Ordinary Meeting held on 8 August 2016.

**CARRIED**

FOR VOTE - Unanimous vote

**7.2 CONFIRMATION OF THE MINUTES OF THE 28 SEPTEMBER 2016 EXTRAORDINARY MEETING**

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

---

**101016/02 RESOLVED**

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

That Council adopt the minutes of the Extraordinary Meeting held on 28 September 2016.

**CARRIED**

FOR VOTE - Unanimous vote

---

**ITEM 8 MAYORAL MINUTE**

**101016/03 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor Lindsay Passfield.

That Council has been consulted by the Tabulam Race Club in relation to the race meeting to be held on 5 November 2016 and it supports the race meeting and the licence application submitted to Liquor and Gaming NSW by the Club.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 9 NOTICES OF MOTION**

**9.1 NOTICE OF MOTION - COUNCILLOR JANET WILSON; REVIEW OF COUNCIL COMMITTEES AND DELEGATES**

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

**CONTACT: GENERAL MANAGER**

---

**101016/04 RESOLVED**

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

That Council review and evaluate the Committee and Delegation functions and prepare a report which makes recommendations for future compliance and development.

**CARRIED**

FOR VOTE - Unanimous vote

**9.2 NOTICE OF MOTION - COUNCILLOR JANET WILSON; CIVICS TRAINING FOR YOUTH ADVISORY COMMITTEE MEMBERSHIP**

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

**CONTACT: GENERAL MANAGER**

---

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

That Council seek a report on the benefit of including the Youth Advisory Committee membership in future Council training sessions as a way of promoting training in civics for young people.

Councillor Robert Dwyer moved an amendment, seconded by Cr Kylie Thomas.

---

That Council seek a report on the benefit of including any person who expresses a desire to participate in future council training sessions as a way of promoting training for those contemplating a career in local government or as a councillor.

**LOST**

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

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

**101016/05 RESOLVED**

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

That Council seek a report on the benefit of including the Youth Advisory Committee membership in future Council training sessions as a way of promoting training in civics for young people.

**CARRIED**

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

AGAINST VOTE - Bob Dwyer, Kylie Thomas

**ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING**

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

**CONTACT: GENERAL MANAGER**

---

**101016/06 RESOLVED**

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

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

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 11 DELEGATES REPORTS**

**11.1 DELEGATES REPORT: COUNCILLOR CHRIS SIMPSON - DRAFT MINUTES OF THE NORTHERN RIVERS BUSH FIRE MANAGEMENT COMMITTEE**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES DEPARTMENT  
CONTACT: COUNCILLOR CHRIS SIMPSON**

---

**101016/07 RESOLVED**

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

That Council receives and notes the report, *COUNCIL MEETING AGENDA (Minutes)*.

**CARRIED**

FOR VOTE - Unanimous vote

**11.2 DELEGATES REPORT: COUNCILLOR LINDSAY PASSFIELD -- WOODENBONG TO LEGUME ROAD ALLIANCE**

**REPORT BY: COUNCILLOR LINDSAY PASSFIELD  
CONTACT: COUNCILLOR LINDSAY PASSFIELD**

---

**101016/08 RESOLVED**

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

That Council receives and notes the delegates report, *Delegates Report: Councillor Lindsay Passfield - Woodenbong to Legume Road Alliance*.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 12 INFORMATION PAPERS**

**12.1 COUNCIL RESOLUTIONS REQUIRING ACTION**

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

---

**101016/09 RESOLVED**

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

---

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**

---

### **101016/10 RESOLVED**

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

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**

---

### **101016/11 RESOLVED**

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

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

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13 GENERAL MANAGER'S REPORT**

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

**13A.1 EXTERNAL FUNDING BUDGET REVIEW**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES**

**CONTACT: DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

---

**101016/12 RESOLVED**

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

That Council;

- 1.Receives and notes the report, *External Funding Budget Review*;
- 2.Approves the following budget changes;

| <b>Project</b>                              | <b>Change to Income and Expenditure Budgets</b> |
|---|---|
| Bonalbo working dog statue (W864)           | \$11,364  |
| Tabulam Road Blackspot (W750)               | \$143,000                                       |
| Tabulam Skate Park (W812)                   | \$2,000   |
| Lillian Rock Road Safer Roads Project (878) | \$69,875  |
| Yongurra Rd initial seal (W879)             | \$13,636  |
| Kyogle Museum Project (W779)                | \$346,480                                       |
| Kyogle Caravan Park improvements (W819)     | \$56,095  |
| Tabulam Caravan Park improvements (W820)    | -\$30,000 income<br>-\$60,000 expenditure       |
| Bonalbo Caravan Park barbecue (W888)        | \$7,000 expenditure                             |
| Bonalbo barbecue shelter (W887)             | \$23,000 expenditure                            |

**CARRIED**

FOR VOTE - Unanimous vote

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

**13B.1 DETERMINATION OF DEVELOPMENT APPLICATION 2016-54 FOR CAPPING OF EXISTING LANDFILL AND DEVELOPMENT OF A WASTE AND RESOURCE TRANSFER STATION AT 13855 MOUNT LINDESAY ROAD, WOODENBONG**

**REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES**

**CONTACT: SENIOR TOWN PLANNER LACHLAN BLACK**

---

The Director Planning and Environmental Services left the meeting at 5.43pm.

---

**101016/13 RESOLVED**

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

That Council:

1. Receive and note the report, *Determination of Development Application 2016-54 for the Capping of an Existing Landfill and Development of a Waste and Resource Transfer Station at 13855 Mount Lindesay Road, Woodenbong.*
2. Pursuant to Section 80(1)(a) of the *Environmental Planning and Assessment Act 1979*, development application 2016-54 for the capping of an existing landfill and development of a waste and resource transfer station, determine the application by granting consent subject to conditions as shown in the draft consent notice listed in Attachment 2 of this report.
3. Prepare a development consent notice and provided it to the applicant.

**CARRIED**

FOR VOTE - Unanimous vote

Councillor Lindsay Passfield called for a division Under Section 375A of the *Local Government Act 1993*.

| <b>For</b>             | <b>Against</b> |
|------------------------|----------------|
| Cr Danielle Mulholland |                |
| Cr John Burley         |                |
| Cr Hayden Doolan       |                |
| Cr Maggie May          |                |
| Cr Janet Wilson        |                |
| Cr Lindsay Passfield   |                |
| Cr Kylie Thomas        |                |
| Cr Robert Dwyer        |                |
| Cr Earle Grundy        |                |

The Director Planning and Environmental Services returned to the meeting at 5.45pm.

The Senior Town Planner left the meeting at 5.46pm.



**13B.2 FINALISATION OF LEP AMENDMENT NO. 8- PLANNING PROPOSAL TO PERMIT TEMPORARY WORKERS ACCOMMODATION IN ZONES RU1, RU2 AND RE2 AND ASSOCIATED DCP PROVISIONS**

**REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES  
CONTACT: DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES,  
MANFRED BOLDY**

---

**101016/14 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Kylie Thomas.

That Council:

1. Support the planning proposal to amend the Kyogle Local Environmental Plan 2012 to permit the development of temporary workers' accommodation in Zones RU1 Primary Production, RU2 Rural Landscape and RE2 Private Recreation with the consent of Council as included in Attachment 3 of this report.
2. Not support the planning proposal to amend the Kyogle Local Environmental Plan 2012 to permit the development of roadside stalls as exempt development due to the objection raised by Roads and Maritime Services.
3. Pursuant to section 59(1) of the *Environmental Planning and Assessment Act 1979*, request Parliamentary Counsel's Office to prepare a draft legal instrument.
4. Upon receiving from Parliamentary Counsel's Office a draft LEP amendment and an Opinion that the plan can be made, exercise its delegation and Council's delegate make the plan and request NSW Planning and Environment to carry out notification of the making of the plan.
5. Advise the commencement of the LEP amendment by notice *The Richmond River Express Examiner*.
6. Pursuant to Part 3 Division 3 Clause 21(1)(b) of the *Environmental Planning and Assessment Regulation 2000*, approve the associated amendments to the Kyogle Development Control Plan 2014 as detailed in Attachment 4 of this report.
7. Advise approval and commencement of the DCP provisions by notice in *The Richmond River Express Examiner*, pursuant to Part 3 Division 3 Clause 21(2) of the *Environmental Planning and Assessment Regulation 2000*.

**CARRIED**

FOR VOTE - Unanimous vote

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

| <b>For</b>             | <b>Against</b> |
|------------------------|----------------|
| Cr Danielle Mulholland |                |
| Cr John Burley         |                |
| Cr Hayden Doolan       |                |
| Cr Maggie May          |                |
| Cr Janet Wilson        |                |
| Cr Lindsay Passfield   |                |
| Cr Kylie Thomas        |                |
| Cr Robert Dwyer        |                |
| Cr Earle Grundy        |                |

**13B.3 FAR NORTH COAST DANCE PARTIES IMPROVED REGIONAL COORDINATION OF INTER-GOVERNMENT AGENCIES AND LOCAL COUNCIL RESPONSES**

**REPORT BY: PLANNING AND ENVIRONMENT  
CONTACT: DIRECTOR PLANNING AND ENVIRONMENT SERVICES,  
MANFRED BOLDY**

**101016/15 RESOLVED**

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

That Council write to the Member for Lismore, Mr Thomas George MP, seeking support for the establishment of a taskforce, or similar, to investigate a whole-of-government response for the management of dance parties in Northern NSW to be coordinated or administered by a designated Government agency.

**CARRIED**

FOR VOTE - Unanimous vote

**13B.4 INAUGURAL PLANNING INSTITUTE OF AUSTRALIA RURAL AND REGIONAL PLANNING IN AUSTRALIA CONFERENCE**

**REPORT BY: PLANNING AND ENVIRONMENT  
CONTACT: DIRECTOR PLANNING AND ENVIRONMENT SERVICES,  
MANFRED BOLDY**

**101016/16 RESOLVED**

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

That Council nominates Councillor Lindsay Passfield to attend the 2016 Rural and Regional Planning Conference in Stanthorpe, Queensland, between 26-28 October 2016, inclusively.

**CARRIED**

FOR VOTE - Unanimous vote

**13B.5 RICHMOND UPPER-CLARENCE REGIONAL LIBRARY  
STRATEGIC PLAN 2016-2020**

**REPORT BY: PLANNING AND ENVIRONMENT  
CONTACT: DIRECTOR PLANNING AND ENVIRONMENT SERVICES,  
MANFRED BOLDY**

---

**101016/17 RESOLVED**

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

That Council:

1. Notes the report and the attachments being: *Richmond Upper-Clarence Regional Library 2015/2016 Annual Report* and *Richmond Upper-Clarence Regional Library Strategic Plan 2016-2020*.
2. Endorses the *Richmond Upper-Clarence Regional Library Strategic Plan 2016-2020* for its future service delivery planning purposes and will make a copy of the report available on its webpage for public access.

**CARRIED**

FOR VOTE - Unanimous vote

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

**13C.1 DELIVERY PROGRAM REVIEW**

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

---

**101016/18 RESOLVED**

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

That Council receives and notes the 30 June 2016 review of the Delivery Program and Operational Plan.

**CARRIED**

FOR VOTE - Unanimous vote

---

## 13C.2 DELEGATIONS - MAYOR

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: MANAGER CORPORATE SERVICES (GOVERNANCE)**

---

### 101016/19 RESOLVED

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

That Council, pursuant to the powers of delegation conferred by Section 377 of the Local Government Act 1993 and Regulations (the Act), and every other act conferring a power of delegation, delegate the following powers, functions, duties and authorities to the Mayor:

- (i) That subject to every such Act, to the direction and control of Council, and any resolution made from time to time by the Council in relation thereto, the Mayor or the person acting in that position, be hereby authorised to exercise the following powers, authorities, duties and functions, namely:
  - (a) Direct the General Manager of Council to provide advice or a recommendation (see Section 352(2)).
  - (b) Expel from a Council meeting a Councillor who fails to comply with a requirement under Clause 256(2) of the Local Government (General) Regulation 2005 (see Clause 256(3) of that Regulation) and to expel a member of the public from a Council meeting on the ground that the member is engaging in or has, at the meeting, engaged in disorderly conduct (see Clause 257(2) of that Regulation),
  - (c) Remove or authorise the removal of a Councillor or member of the public from a Council meeting where the Councillor or member of the public fails to leave the meeting immediately after an expulsion resolution is passed (see Clause 258 of that Regulation).
  - (d) Make a submission to or appear before a lawfully established inquiry, commission or other similar body the terms of reference of which relate to, or the findings of recommendations of which may relate to or affect, the Council or its operations.
  - (e) Obtain legal advice from any solicitor or counsel in relation to Council issues where necessary.
  - (f) Direct relevant staff members to attend any emergency which the Mayor may be notified of outside normal Council working hours.
- (ii) That the Mayor be authorised to affix and witness the Seal of the Council in accordance with a resolution of the Council to that effect.
- (iii) To make media statements and issue Press Releases in respect of Council resolutions and decisions.
- (iv) To represent the Council, in conjunction with the General Manager in deputations to Government, inquiries and other forums where it is appropriate that the Mayor should present the Council's position.
- (v) To give direction to Council, following consultation with the General Manager, in the application of the Code of Conduct as adopted by the Council.

**CARRIED**

---

FOR VOTE - Unanimous vote

**13C.3 DELEGATIONS GENERAL MANAGER**

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

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

---

**101016/20 RESOLVED**

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

That Council, pursuant to the powers of delegation conferred on Council by Section 377 of the Local Government Act 1993 and every other act conferring a power of delegation, delegates to the General Manager, and to the person holding this position in an Acting capacity, the exercise of Council's powers, functions duties and authorities contained in legislation and matters specified in Schedule 1 subject to the limitations specified in Schedule 2.

**SCHEDULE 1**

The functions of the Council (excluding functions that expressly require a resolution of Council) as specified in:

- i. The Local Government Act 1993, and its Regulations, Cognate and Related Legislation; and
- ii. Other legislation under which Council has powers, authorities, duties and functions; and
- iii. Council's adopted Codes, Policies and Procedures.

**SCHEDULE 2**

- (1) The function of delegation and sub delegation by the General Manager pursuant to Section 378 of the Local Government Act, 1993, shall be exercised in writing signed by the General Manager,
- (2) The General Manager shall exercise the functions herein delegated in accordance with and subject to:
  - (i) The provisions of the Local Government Act, 1993, and other relevant legislation;
  - (ii) Council Management and Operational Manuals of Procedures, Standards, Practices and Guidelines; and
  - (iii) Each and every policy of the Council adopted by resolution and current at the time of the exercise of the function 'herein delegated.
- (iv) That nothing in this delegation shall be deemed to confer on the General Manager the power to exercise any function of the Council which is excluded

from the Council's power of delegation pursuant to Section 377 of the Act or otherwise.

**CARRIED**

FOR VOTE - Unanimous vote

#### **13C.4 PROPOSED COUNCILLOR WORKSHOPS**

**REPORT BY: GENERAL MANAGER**

**CONTACT: GENERAL MANAGER**

---

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

That Council:

1. Receive and note the report, *Proposed Councillor Workshops*.
2. Hold regular Councillor Workshops on the fourth Monday of each month (excluding the months of December and January) commencing at 5pm and concluding at 7pm.
3. Receive agendas prior to the workshop to inform Council of what would be discussed and/or presented at the workshop.

Councillor Passfield moved an amendment, seconded by Councillor Hayden Doolan.

That Council:

1. Receive and note the report, *Proposed Councillor Workshops*.
2. Hold regular Councillor Workshops on the fourth Monday of each month (excluding the months of December and January) commencing at 3pm and concluding at 5pm.
3. Receive agendas prior to the workshop to inform Council of what would be discussed and/or presented at the workshop.

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

AGAINST VOTE - Maggie May

The amendment became the motion.

#### **101016/21 RESOLVED**

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

That Council:

1. Receive and note the report, *Proposed Councillor Workshops*.
  2. Hold regular Councillor Workshops on the fourth Monday of each month (excluding the months of December and January) commencing at 3pm and concluding at 5pm.
-

3. Receive agendas prior to the workshop to inform Council of what would be discussed and/or presented at the workshop

**CARRIED**

FOR VOTE - Unanimous vote

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

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

Councillor Maggie May:

- Regarding the waste recycling facility. I note that Council is undertaking a trial of green waste composting for reuse and future sales. I am very supportive of that idea and I would like to know how the trial is going.

Director of Planning and Environmental Services: The green waste composting that is being undertaken at Kyogle landfill involved the Council mulching the considerable amount of green waste that was stockpiled at the landfill. Council will need to use that for the works proposed for the Woodenbong landfill. In mulching the green waste, Council thought it would go the full process and pasteurise the compost according to EPA guidelines to ensure all the pathogens in the compost were killed. We did all the temperature testing of the compost as required and subsequently had it certified. That was very successful. The only cost to Council of the trial was the cost to purchase some commercial thermometers that were needed for the process. Council will continue to treat its green waste in this way, as there is a minimal cost difference between the two processes.

- I am a frequent user of the recycle shop at the Kyogle landfill and I have been approached by people wanting to know about what is being done about the reuse provisions and whether there is any capacity to develop the shop and increase the service.

Director of Planning and Environmental Services: In principle there is scope to increase that level of service. At present, Council regards the shop as an add-on to its core requirements which are receiving the kerb-side pick-up waste, other commercial waste, green waste and dealing with that. Council has limited staff resources and at the moment doesn't have sufficient staff resources to expand outside of those core activities. Having said that, it is something Council will look at in more detail to determine how to get better use out of the recycle shop and what resources that might require. Once that has been done, a report will come back to Council. But at the moment it is not a high priority given the limited resources Council has there and the fact that significant capital works will soon start at the landfill. started soon.

Councillor Earle Grundy:

- Can Planning and Environmental Services look a kerb-side pick-up of household rubbish in the Woodenbong and other village areas.

Director of Planning and Environmental Services: Council has kerb-side pick-up of normal domestic waste. Council doesn't provide any other sort of household waste pick-up service. But Council does have transfer station facilities and landfills which take other sorts of household waste. Any additional kerb-side pick-up services would be a budget item and it would need to be looked at as part of budget deliberations.

Councillor Kylie Thomas:

- In regard to the animal control building and the \$8000 that's been provided for CCTV, what are the security issues at the pound?

Director of Planning and Environmental Services: Council has certain requirements it must meet under legislation to ensure the safety and proper treatment of all animals at the facility. Council has had a program to bring that facility up to standard in terms of those requirements and it also has a security issue, as a lot of councils do, with animals that are impounded. That relates to people sometimes seeking to release animals without the proper authority to do so. The CCTV provisions are designed to address that.

Councillor Lindsay Passfield:

- I am advised that the Woodenbong National Australia Bank will be going back to three days a week service effective from 7 November this year. Does Council think a letter should be sent to the Regional Manager of the National Australia Bank expressing concern at the impact this will have on the security of businesses carrying cash overnight, the impact on local businesses, the reduced income of local staff and the further erosion of services for the village.

Mayor: Yes, Council can do that.

- In relation to the Fairymount Festival Committee being a 355 Committee of Council, can a notice be included in the next Council newsletter advising that Council can provide insurance cover for community organisations. That facility extended to the Fairymount Festival appeals to a number of people I have spoken to in the Woodenbong area and I'm sure that groups in Bonalbo, Mallanganee and Tabulam areas would be similarly attracted to getting their insurance covered by Council.

General Manager: What must be realised is that there is no insurance cover unless Council resolves that those committees become 355 Committees. As such, I would not put that notice in the newsletter because I could not pre-empt a decision that Council may or may not make. It would be far better for those committees to write to Council and for the Council to then decide whether they are to be 355 Committees as they are providing a function of the Council.

- Can a notice be included in the next Council newsletter calling for expressions of interest from community organisations across the local government area in becoming 355 Committees of Council in order to have Council cover their insurance? I am seeking equal treatment for all community groups.



Mayor: My concern with that would be in relation to those committees that didn't get approved, and that's bound to happen. And what criteria do we assess them against.

General Manager: 355 Committees are a committee of Council. Council must first decide whether those committees warrant 355 status. 355 Committees must have Council representation and a charter which is currently being developed for all current and future 355 Committees. If Council resolves to put such a notice in the next newsletter, it will occur.

Councillor Janet Wilson: I believe the question should be about Council providing a grants program to support community events as covered by the Community Strategic Plan and which could, among other things, provide insurance cover. Putting a notice as suggested in the newsletter would be insane. We could not manage that within the context of the Community Strategic Plan.

Councillor Robert Dwyer:

- Would the next step be for Councillors to be provided with list of community groups out there, what their functions are so then we can assess whether they are worthy of 355 Committee Status?

General Manager: A function of Council may be exercised by a 355 committee and a Councillor or Councillors would need to be a member or members of that committee. 355 Committees are under the care and control of Council because they are providing a function of Council in another form.

- Going back some time, Council received a circular which I believe could have been from LGNSW requesting all councils when tendering for buildings to specify the preferred building material be timber where applicable. Would council consider reclaiming or salvaging some timber from the two halls that are to be demolished for the construction of a stage at the amphitheatre?

## **ITEM 16      CONFIDENTIAL BUSINESS PAPER**

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

#### **ITEM 16.1 RECRUITMENT OF GENERAL MANAGER**

This report is CONFIDENTIAL in accordance with Section 10A(2)(d) 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

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.

**101016/22 RESOLVED**

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

That Council:

1. Resolved to move into closed council to consider business identified, together with any late reports tabled 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

The General Manager, the Director of Planning and Environmental Services, the Director of Assets and Infrastructure Services and the Manager of Corporate Services (Governance) left the meeting at 6.23pm.

**16.02 OPEN COUNCIL RESUMES**

**101016/25 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Maggie May

That Council move out of closed council into open council.

**CARRIED**

FOR VOTE - Unanimous vote

Open council resumed at 6.36pm.

The Mayor read the following resolutions of closed council to the meeting.

**101016/23 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Earle Grundy

That the late report, *Recruitment of General Manager*, be deemed urgent business.

**CARRIED**

FOR VOTE - Unanimous vote

**101016/24 RESOLVED**

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

That Council:

1. Receive and note the contents of the report, *Recruitment of General Manager*.
2. Select Blackadder Associates as the recruitment consultants for the recruitment of a new General Manager for Kyogle Council.

**CARRIED**

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

AGAINST VOTE - Kylie Thomas

### **MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 6.37pm.