

Kyogle Council

Confirmed Minutes of the Ordinary Council Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 11 May, 2015.

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 Executive Manager Infrastructure Works, the Acting Executive Manager Administration and Community, the Acting Executive Manager Planning and Environment, Executive Manager Urban and Assets, the Personal Assistant to the General Manager and Administration and Community.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.02 pm.

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. Michael Reardon declared an interest in the following tem/s:

- Item No 13B.1 Development Applications Received, Determined and Outstanding for the period 1 April to 30 April, 2015 - DA 2014/27.
Reason for Declaration - owner of a quarry.

ITEM 5 QUESTION TIME

Nil

ITEM 6 PUBLIC ACCESS

Nil

ITEM 7 CONFIRMATION OF MINUTES

**7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING HELD
13 APRIL 2015**

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

110515/01 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor John Burley:

That the Minutes of the Ordinary Meeting held on 13 April 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown

**7.2 CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING
HELD 20 APRIL 2015**

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

110515/02 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Chris Simpson:

That the Minutes of the Extraordinary Meeting held on 20 April 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown

Councillor Ross Brown arrived at the meeting at 5.04 pm.

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR MICHAEL REARDON; REPORT ON ACTIVE/INACTIVE HALLS, BUILDINGS AND PROPERTIES

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: COUNCILLOR MICHAEL REARDON**

110515/03 RESOLVED

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

That Council compile a current report of active and inactive halls, buildings, and vacant lands in the LGA. The report should contain:

1. Council land/building and lot size;
2. Crown Reserve land/building and lot size; and
3. Private land/building and lot size.

The report should indicate to Councillors what would be involved in returning these respective properties back to freehold lots with a development entitlement.

CARRIED

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

AGAINST VOTE - Janet Wilson

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

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

110515/04 RESOLVED

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

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 -- NATIONAL TIMBER COUNCILS' ASSOCIATION CONFERENCE

REPORT BY: COUNCILLOR LINDSAY PASSFIELD
CONTACT: COUNCILLOR LINDSAY PASSFIELD

110515/05 RESOLVED

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

That Council receives and notes the delegtate's report, National Timber Councils' Association conference.

CARRIED

FOR VOTE - Unanimous vote

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

110515/06 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Ross Brown:

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

CARRIED

FOR VOTE - Unanimous vote

12.2 FINANCIAL REPORT - APRIL 2015

REPORT BY: ADMINISTRATION AND COMMUNITY
CONTACT: ACTING EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY JOHN WATKINS

110515/07 RESOLVED

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

That Council receives and notes the information contained in the Monthly Financial Report – April 2015.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 KYOGLE BILLYCART BONANZA 2015

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: INFRASTRUCTURE WORKS ENGINEER DERRYN NIX

110515/08 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Ross Brown:

1. That Council receives and notes the report, Kyogle Billycart Bonanza.
2. That Council agree in principal to the holding of the 2015 Kyogle Billycart Bonanza
3. That Council provides up to \$3,500 of support related to traffic control services for the event

CARRIED

FOR VOTE - Unanimous vote

13A.2 CAMPBELLS BRIDGE, SEXTONVILLE ROAD

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

110515/09 RESOLVED

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

That Council receives and notes the report, Campbells Bridge, Sextonville Road.

CARRIED

FOR VOTE - Unanimous vote

13A.3 SELF HELP REQUEST - RUNNYMEDE ROAD

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

110515/10 RESOLVED

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

1. That Council receives and notes the report, Self Help Request - Runnymede Road.
2. That Council resolves to agree to allocate funds in the 2015/16 budget to contribute to the cost of sealing a section of road adjacent to Mr and Mrs Howlett's property in Runnymede Road, Kyogle

CARRIED

FOR VOTE - Unanimous vote

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 1 APRIL TO 30 APRIL, 2015

REPORT BY PLANNING AND ENVIRONMENT

CONTACT ACTING EXECUTIVE MANAGER PLANNING AND ENVIRONMENT LACHLAN BLACK

110515/11 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Maggie Creedy:

That, with the exception of the following item in which Councillor Michael Reardon has declared an interest,

- Cr Reardon 13B.1 Development Applications Received, Determined and Outstanding DA 2014?27- Reason for Declaration - Owner of a quarry.

The information contained in the report Development Applications Received, Determined and Outstanding for the 1 April to 30 April, 2015 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Councillor Michael Reardon left the meeting at 5.55 pm.

110515/12 RESOLVED

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

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 April to 30 April, 2015 only in relation to DA 2014/27 in which Councillor Reardon has declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Michael Reardon

Councillor Michael Reardon returned to the meeting 5:56 pm.

13B.2 DETERMINATION OF DEVELOPMENT APPLICATION 2015-12

REPORT BY: PLANNING AND ENVIRONMENT

CONTACT: ACTING EXECUTIVE MANAGER PLANNING AND ENVIRONMENT LACHLAN BLACK

110515/13 RESOLVED

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

1. That Council receive and note the report Determination of Development Application 2015-12.
2. That pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 development application 2015-12 for use of premises at 20 Bloore Street, Kyogle for a dwelling be determined by way of granting consent subject to the conditions contained in Attachment 1 of this report.
3. That a development consent notice be prepared and provided to the applicant.

CARRIED

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

Councillors Lindsay Passfield and Chris Simpson called for a division under Section 735A of the *Local Government Act 1993*.

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

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 MARCH 2015 QUARTERLY BUDGET REVIEW

REPORT BY: ADMINISTRATION AND COMMUNITY

**CONTACT: ACTING EXECUTIVE MANAGER ADMINISTRATION AND
COMMUNITY JOHN WATKINS**

110515/14 RESOLVED

Moved by Councillor John Burley, seconded by Councillor Maggie Creedy:

1. That the March 2015 Quarterly Budget/Management Plan Review Statement was received and noted.
2. That Council approve the variation of estimates contained in the table below:

STATEMENT OF SIGNIFICANT VARIANCES

MARCH QUARTER BUDGET REVIEW

DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Economic Development - Futures Funds		(8,600)
Administration - Donations		8,600
Libraries - Income	(2,006)	
Libraries - Contributions		(13,405)
Commercial Waste - Gate Fees	(40,000)	
Commercial Waste - Operating Grants	(48,750)	
Commercial Waste - Operating Costs		(110,000)
Commercial Waste - Capital Grants	(97,264)	
Commercial Waste - Improvements		(27,264)
Bridges - Capital Grants	(1,120,000)	
Bridges - Construction		(2,240,000)
Totals	(1,308,020)	(2,390,669)
	Net Adjustment	\$1,082,649

CARRIED

FOR VOTE - Unanimous vote

13D.2 INTERNAL AUDIT COMMITTEE - APPOINTMENT B EGGINS MAY 2015

REPORT BY: GENERAL MANAGER
CONTACT: ARTHUR PIGGOTT

110515/15 RESOLVED

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

1. That Council receives and notes the report on the vacant community representative appointment to the Internal Audit Committee.
2. That Council confirms the appointment of Ms Belinda Eggins, to the vacant community representative position on the Kyogle Internal Audit Committee, for a period of two years.

CARRIED

FOR VOTE - Unanimous vote

13D.3 MINUTES OF THE GATEWAY TO THE RAINFOREST RESERVE TRUST

**REPORT BY: ADMINISTRATION AND COMMUNITY
CONTACT: ACTING EXECUTIVE MANAGER ADMINISTRATION AND
COMMUNITY JOHN WATKINS**

Moved by Councillor Maggie Creedy, seconded by Councillor

1. That Council receive and note the Minutes of the Gateway to the Rainforest Reserve Trust;
2. That Council refer all enquiries from the Trustees of Crown Reserve 91529 to Crown Lands advising that Council has no interest in being involved in the management of this reserve.

Councillor Ross Brown left the meeting at 6.05pm.

110515/16 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor

1. That Council receive and note the Minutes of the Gateway to the Rainforest Reserve Trust;
2. That Council refer all enquiries from the Trustees of Crown Reserve 91529 to Crown Lands advising that Council has no interest in being involved in the management of this reserve.

CARRIED

FOR VOTE - Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy, Bob Dwyer
AGAINST VOTE - Chris Simpson
ABSENT. DID NOT VOTE - Ross Brown.

Councillor Ross Brown returned to the meeting at 6.06 pm.

ITEM 13E COMMUNITY SERVICES REPORT

Nil.

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 MERGER BUSINESS STUDY

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

110515/17 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Lindsay Passfield:

That Council receives and notes the report on Merger Business Study.

CARRIED

FOR VOTE - Unanimous vote

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

That Council directs the General Manager to contact the General Manager of Richmond Valley Council to ask if they would be prepared to provide the necessary information only, without funding, to prepare the merger business case.

Councillor Janet Wilson left the meeting at 6.27pm.

Councillor Janet Wilson returned to the meeting at 6.28pm.

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

That Council directs the General Manager to contact the General Manager of Richmond Valley Council to ask whether if they would be prepared to provide the necessary information only, without funding, to prepare the merger business case.

LOST

FOR VOTE - Ross Brown, Janet Wilson, Chris Simpson, Bob Dwyer

AGAINST VOTE - John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy

TEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer

- Is Council aware that land clearing appears to have been undertaken on the road verges around Ettrick? The cleared areas have been fenced off with an electric fence and apparently sown with Rhodes grass for grazing cattle? What is Council's position in relation to this?

Response

The Executive Manager Infrastructure Works advised that Council had given permission quite some time ago for the removal of some weed species trees from near the Ettrick Hall. Council was not aware that the road verges had been fenced off and sown for grazing. The Executive Manager Infrastructure Works advised that the matter would be investigated and Council would take any necessary action as required.

Cr Robert Dwyer

- Is the road from Knights Road to Ettrick Road a gazetted road and what does Council envisage doing with this road?

Cr John Burley

- Is Council going to have an official opening of the new Campbells Bridge on Sextonville Road?

Response;

The General Manager advised that Council was not planning on holding a formal opening ceremony. Instead, Council is planning on holding an information day to which people can come along and Council staff can explain the process of installing the ex-Australian Defence Force steel truss bridges and what Council is planning to do with the remaining 12 component bridges.

Cr Lindsay Passfield

- In relation to a maintenance request regarding potholes on Mt Lindesay Road. Woodenbong has two major events coming up over the next two weeks. Can these potholes be repaired. There are just 10 over a 5km section of road, but they are big ones.

Cr Michael Reardon

- Can Council prepare a report on the damage to Council infrastructure from the last two heavy rain events?

Response

Executive Manager Infrastructure Works advised that he had just completed a report for the Natural Disaster Assessment and would email that report to all Councillors.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

Nil.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 6.42pm.

Signature of Chairperson.....