

Kyogle Council

Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 13 April, 2015.

PRESENT

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie Creedy, Cr Janet Wilson, Cr Ross Brown, 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 5.03 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 item/s:

- 13B.1 Development Applications Received, Determined and Outstanding for the period 27 February to 31 March, 2015 -- DA 2014/27
Reason for Declaration -- owner of a quarry.

ITEM 5 QUESTION TIME

Anne Reardon asked why Council had run an electric cord along the carpet in the Council Chambers. Isn't it an Occupational Health and Safety Issue?

The Mayor Cr Danielle Mulholland advised Mrs Reardon that the cord was being used by Cr Janet Wilson for her hearing aids and that if it was needed for the next meeting the cord would be taped down.

Anne Reardon wanted to know why, when a letter with CC on it is sent to Council, the letters are not being sent on to all Councillors?

The General Manager advised that when a letter with CC comes in it usually means the author has sent a copy of the letter to the people listed on the letter. It is not generally regarded as a request for the recipient to forward the letter to the people listed.

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 9 MARCH 2015 ORDINARY MEETING OF COUNCIL

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

130415/01 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 9 March 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR DANIELLE MULHOLLAND; FIT FOR THE FUTURE TEMPLATE

REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: COUNCILLOR DANIELLE MULHOLLAND

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

1. That Kyogle Council not proceed with a merger with Richmond Valley Council or Lismore City Council;
2. That Kyogle Council resolve to complete the Rural Council template with a view to standing alone in response to the Fit for the Future proposal.

Cr Ross Brown foreshadowed a motion:

1. That Council hold a workshop in relation to Fit For The Future potential proposals and meetings with Lismore and Richmond Valley councils held to discuss amalgamations;
2. That the workshop be held on Monday, April 20 at 6pm.

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

1. That Kyogle Council not proceed with a merger with Richmond Valley Council or Lismore City Council;
2. That Kyogle Council resolve to complete the Rural Council template with a view to standing alone in response to the Fit for the Future proposal.

LOST

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

130415/02 RESOLVED

Moved by Councillor Ross Brown, seconded by Councillor Robert Dwyer:

1. That Council hold a workshop in relation to Fit For The Future potential proposals and meetings with Lismore and Richmond Valley councils held to discuss amalgamations;
2. That the workshop be held on Monday, 20 April, at 6pm.

CARRIED

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

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

130415/03 RESOLVED

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

That Council receives and notes the report, Questions From The Last Council Meeting.

CARRIED

FOR VOTE - Unanimous vote

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

The Acting Executive Manager Planning and Environment left the meeting at 5.50pm.

The Acting Executive Manager Planning and Environment returned to the meeting at 5.53pm.

130415/04 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

12.2 FINANCIAL REPORT - MARCH 2015

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

130415/05 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 TRAFFIC COMMITTEE MEETING

**REPORT BY: INFRASTRUCTURE WORKS
CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF
BREEN**

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

1. That Council receives and notes the report, Traffic Committee Meeting;
2. That Council endorse the following recommendations of the Traffic Committee:
 - a) That approval be given for temporary closure of Summerland Way on Saturday, 25 April, 2015 between the hours of 10am and 12noon for activities associated with the ANZAC Day march subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;
 - b) That approval be given for temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday, 6 September, 2015 between the hours of 7am and 4pm for activities associated with the Kyogle Billycart Bonanza subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;
 - c) That Council investigate limiting parking options in Groom Street indent and Rous Street east and bring a report back to next meeting of the Local Traffic Committee;

- d) That Council ask Kyogle Public School to remove vegetation along front of Rous Street carpark to give children room to walk in front of vehicles instead of current practise of walking behind vehicles;
- e) That the request for extension of bus zone in Groom Street not be approved.

Cr Ross Brown moved an amendment:

That Council receives and notes the report, Traffic Committee Meeting;

2. That Council endorse the following recommendations of the Traffic Committee:

- a) That approval be given for temporary closure of Summerland Way on Saturday, 25 April, 2015 between the hours of 10am and 12noon for activities associated with the ANZAC Day march subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;
- b) That approval be given for temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday, 6 September, 2015 between the hours of 7am and 4pm for activities associated with the Kyogle Billycart Bonanza subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;
- c) That Council investigate limiting parking options in Groom Street indent and Rous Street east and bring a report back to next meeting of the Local Traffic Committee;
- d) That Council ask Kyogle Public School to remove vegetation along front of Rous Street carpark to give children room to walk in front of vehicles instead of current practise of walking behind vehicles.

Cr Lindsay Passfield and Cr Janet Wilson agreed to the amendment and it became the motion.

130415/06 RESOLVED

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

1. That Council receives and notes the report, Traffic Committee Meeting;

2. That Council endorse the following recommendations of the Traffic Committee:

- a) That approval be given for temporary closure of Summerland Way on Saturday, 25 April, 2015 between the hours of 10am and 12noon for activities associated with the ANZAC Day march subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;
- b) That approval be given for temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday, 6 September, 2015 between the hours of 7am and 4pm for activities associated with the Kyogle Billycart Bonanza subject to approval of NSW Police, submission of Traffic Control Plan and insurance details and successful application to RMS for road occupancy licence;

- c) That Council investigate limiting parking options in Groom Street indent and Rous Street east and bring a report back to next meeting of the Local Traffic Committee;
- d) That Council ask Kyogle Public School to remove vegetation along front of Rous Street carpark to give children room to walk in front of vehicles instead of current practise of walking behind vehicles.

CARRIED

FOR VOTE - Unanimous vote

13A.2 SIMPKINS CREEK RADIO REPEATER

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

130415/07 RESOLVED

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

1. That Council receives and notes the report, Simpkins Creek Radio Repeater.
2. That Council approves affixing the Kyogle Council seal to the Deed of Easement, Richmond Range Road, Mallanganee.

CARRIED

FOR VOTE - Unanimous vote

13A.3 BRIDGE REPLACEMENT PRIORITISATION PROCESS

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

130415/08 RESOLVED

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

1. That Council receives and notes the report, Bridge Replacement Prioritisation Process.
2. That Council endorse the Bridge Replacement Prioritisation Process.

CARRIED

FOR VOTE - Janet Wilson, John Burley, Danielle Mulholland, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Ross Brown, Lindsay Passfield

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 27 FEBRUARY TO 31 MARCH 2015

**REPORT BY PLANNING AND ENVIRONMENT
CONTACT ACTING EXECUTIVE MANAGER PLANNING AND ENVIRONMENT LACHLAN BLACK**

130415/09 RESOLVED

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

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 period 27 February to 31 March, 2015 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Councillor Michael Reardon left the meeting at 6.05pm.

130415/10 RESOLVED

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

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 27 February to 31 March, 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 at 6.06 PM

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

Nil.

ITEM 13E COMMUNITY SERVICES REPORT

Nil.

ITEM 13F GENERAL MANAGER'S REPORT

Nil.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer

- Can Council please explain how a one business in the main street -- The Lolly Shop -- was compelled to put in a disabled access when it opened although it didn't seem to have a problem with access. Yet another business -- The Sugar Bowl -- which appeared to have a much more significant access issue was allowed to open with no disabled access.

Cr Maggie Creedy

- Is there any reason why the Mayor has not, for the sake of the recordings, given the vote on all resolutions tonight?

Response

Mayor Cr Danielle Mulholland responded that she had agreed to announce details of the vote as a courtesy and it was an oversight on her part that she had not given the details on all resolutions at this meeting.

Cr Janet Wilson

- Have the problems with insurance for the West of the Range Festival been resolved?

Response

Mayor Cr Danielle Mulholland responded that the General Manager had had a conversation with the Economic Development Officer and that insurance for the festival had come out of that budget.

Cr Simpson

- Are DA contributions and the like due to be reviewed.

Response

The Acting Executive Manager Planning and Environment responded that a number of those plans were due to be reviewed but had been delayed due to staff resources. However, he said it was one of the higher priority actions of Planning and Environment's Strategic Work Plan.

Cr Ross Brown

- Could Council be given an update on discussions with the residents of Runnymede Road regarding the self-help application for road sealing and if we could be given a time frame for when the issue is going to be progressed?

Response

The Executive Manager Infrastructure Works advised that a letter was sent last week with details of the pricing.

Cr Ross Brown

- Can Council have an update on the timeframe in regards to the quarry application to go before the Joint Regional Planning Panel particularly in relation to Councillors being able to have input on the application. My concern is that the JRPP will make the decision, but that decision with the conditions will come back to this council to approve. So effectively, we will be approving something we won't have had any opportunity to have input to.

Cr Lindsay Passfield

- Does Council have any record of an agreement between Council and the owners of Boyd's Pit? Advice from a resident of Lynches Creek Road is that as part of the agreement Council was to provide pipes for two sections of road and bitumen for a steep section of the road around the pit in return for gravel supplies. The pipes had been supplied, but to date no bitumen.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

Nil.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 6.12 p.m.

Signature of Chairperson.....