

Kyogle Council

Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 10 March, 2014.

PRESENT

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

IN ATTENDANCE

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

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.00pm.

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 Chris Simpson declared an interest in the following item/s:

- Item No 13B.1 Development Applications Received, Determined and Outstanding for the period 1 February, 2014, to 28 February, 2014 – 2012/39 Reason for Declaration – Neighbour of the property owner.

Cr Ross Brown declared an interest in the following item/s:

- Item No 13B.1 Development Applications Received, Determined and Outstanding for the period 1 February, 2014, to 28 February, 2014 – 2013/70 Reason for Declaration – Neighbour of the property owner.

Cr Michael Reardon declared an interest in the following item/s:

- Item No 13B.3 Review of Section 94 Developer Contribution Plans Reason for Declaration – Owner of a quarry.

Cr Janet Wilson declared an interest in the following item/s:

- Item No 14E.3 and 14E.4 Financial Assistance Applications and Futures Funding Applications Reason for Declaration – Volunteer of one of the organisations applying for funds; carer/friend of person applying for funds.

ITEM 5 QUESTION TIME

Elva Jones asked if Council would re-erect the lights previously directed on the deep and shallow ends of the Kyogle Pool and back area of pool complex before the start of the next swimming season? Mrs Jones raised the issue 12 months ago and says the lights are a safety issue.

Anne Reardon raised concerns about the cleanliness of the footpaths in the main street, describing them as “filthy” in certain locations, in particular in front of the fish shop and at the corner of Summerland Way and Geneva Street near Mitre 10. She wanted to know if the new street cleaning machine had arrived and the frequency which it was proposed to be used.

The Executive Manager Urban and Assets responded that Council had taken possession of two high-pressure street cleaners before Christmas at which time the footpaths of the main street had been given a complete clean. He said staffing issues had meant the street cleaners had not been used so far this calendar year, however staff were due to start cleaning the main street again next week. The Executive Manager Urban and Assets said the main street would be cleaned on a rotational basis, with the plan to clean areas of high use such as in front of cafes more often.

Val Ferris representing Kyogle Red Cross asked if the Red Cross and Kyogle RSL Sub branch could advertise a function in May to commemorate the 100th anniversary of the start of World War 1 and the centenary of Red Cross in Australia on Council’s street banner. She also asked if Council could look at work it had carried out on a box culvert on Lynches Creek Road which she says has created a large dip in the road. Bitumen had also been lifted from parts of the road and not repaired.

The Executive Manager Urban and Assets advised that the street banner would be re-erected at the end of the month to promote Easter and road safety over the Easter break. He said there was no room on the banner to advertise the Red Cross-RSL event.

However, the two groups were advised they may be able to promote the event on Council's large illuminated traffic sign if they approached the Visitor Information Centre.

The Mayor told Mrs Ferris that someone from Council would take a look at Lynch Creek Road and the work undertaken on the box culvert.

ITEM 6 PUBLIC ACCESS

- Lynette Zito, of Village Hall Players.

In relation to 13E.4 of the business paper Futures Funding Applications, I would like to explain a little about VHPs applications for funding.

“Our event, the Playwrights’ Festival, is the final part VHP’s inaugural Playwrights’ Competition and Festival. It is also, as you will have read in our submission, a project that will involve a number of other not-for-profit groups in Kyogle, including the Kyogle High School and Kyogle Seniors Centre. The high school’s involvement is through its principal, Mrs Janeen Silcock, who is participating as one of the judges of the competition and also through its drama students, including Jay Kapodistrios who is with me today to support this application.

The seniors centre will benefit through hiring fees of its venue, as will Council and other NFP groups will benefit through the opportunities available for fundraising at performances through providing morning and afternoon teas and the like.

Councillors, we are already receiving entries from all over the Far North Coast, including Ballina, Murwillumbah and, of course, Kyogle.

The Festival is an economic and social opportunity for Kyogle as it will host a weekend of theatre and related activities for the playwrights, their families and friends as well as the wider Kyogle community and theatre lovers from surrounding districts.

Oscar Wilde once said: “I regard the theatre as the greatest of all art forms, the most immediate way in which a human being can share with another the sense of what it is to be a human being.”

As well as great theatre, we are expecting VHP’s patrons, Liz Deep-Jones, who was Kyogle’s Australia Day ambassador in 2013, and John Summons, a well-respected Australian playwright and educator, to attend the weekend.

VHP acknowledges that it was the recipient of Futures Funding in 2012 which provided much needed sound equipment.

We have, and will continue to, acknowledge Council’s support at our performances and, on behalf of our members and audiences, I thank Council for that assistance.

However, this request for funding is different, as it will not only provide an immediate economic benefit to some Kyogle businesses, but also the opportunity for VHP to continue with and grow this program into the future. Our goal is to have this festival as one of the “must see events” on the Far North Coast Festival calendar – in fact, a signature event for Kyogle, one which will be self-supporting in the long term.

Councillors, community theatre contributes to the social capital of a community, insofar as it develops the skills, community spirit, and artistic sensibilities of those who participate, whether as performers, producers or audience members. And for theatre festivals, it also contributes to the economy of a community.

The report for this item shows that there is \$8,000 available and only \$4,000 recommended. As this is the last round of grant funding before the end of the financial year, it is my understanding that funds not allocated to assist the community go back into the general account.

So today VHP is asking for you to reconsider the recommendations for this item and to move and pass an amendment that offers financial support for this community opportunity.”

- Ron Allen, of KACE Inc (Kyogle Association of Christian Education)

Mr Allen, on behalf of KACE, distributed a letter to Councillors in which the board of KACE sought approval to hold a family “funday” in Kyogle in the form of a Billy Cart Bonanza.

He said the aims of the event were: to provide an annual community minded and family fun orientated event focused mainly around billy cart racing; engage the community in building relationships between people of all ages; showcase local products, services, businesses and tourist attractions in the Kyogle Council area; and engage participants not only from the Kyogle Council area but the wider North East NSW and south east Queensland areas.

The “billy cart” part of the day would be run in accordance with the rules, classifications and provisional event program put together with information garnered from the organisers of Bangalow’s Billy Cart Derby.

The event would also feature displays of local service, volunteer and professional organisations, as well as affordable family fun type events and competitions such as gum boot shot put, and a milking competition.

Its proposed the event would be held on Stratheden Street and that a section of the Summerland Way be closed for the event.

Already, KACE has sought and received support from local businesses for the event, which is hoped would be held in early September. It is also in the process of applying for insurance.

Mr Allen sought advice from Council staff as to how long a decision may take once an application for the event went to council.

He said the organisation needed to source 600 bales of hay to run the event and wanted to get started on that as soon as possible.

The General Manager advised Mr Allen that a Development Application would not be required, however KACE would have to submit a road closure application.

Council's Executive Manager Infrastructure Works advised Mr Allen to get that application in as soon as possible, so Council could process it as swiftly as possible.

- Robert Leadbeater, of Kyogle.

Madam Chair and Councilors. I would like to thank you for the opportunity to address this Council meeting.

My name is Robert LEADBEATTER and I am a resident of 310 Fawcetts Plain Road, Kyogle. I, along with my wife, am the owner and a ratepayer on properties at 310 and 286 Fawcetts Plain Road, Kyogle as well a commercial premises at 87 Summerland Way, Kyogle. I am a third generation Kyogle resident, with my grandfather and family moving to the district in the mid 1920's.

I like many other ratepayers and residents of Kyogle, am somewhat concerned about talk and the amalgamation of Kyogle Council, or should I say, when Kyogle Council is taken over by a neighboring Council, such as Richmond Valley or Lismore Council.

All persons that I have spoken to are strongly opposed to Kyogle Council being amalgamated or taken over by another Council, and the loss of identity and any allotted funding capital.

May I respectfully submit that if this were to be the case, who would benefit from this move? Certainly not myself or the majority of residents and or ratepayers, within the Kyogle Council Local Government Area (LGA).

Our reserved and allocated capital would more than likely be redirected, and the residents and or ratepayers be treated as that of a forgotten and distant poor Cousin, by a less than scrupulous takeover Council.

I spent almost thirty (30) years of my life in rural Queensland and may I inform, that this seems to be the case with most rural communities that I am still in contact with, which have been subject to these types of forced Council amalgamations, informing of their areas now forgotten status.

May I respectfully inform that Kyogle LGA is somewhat unique, with its vast and rugged topography, rough terrain and farming capabilities, which in itself is great. On the other hand, it makes for a sparse population, great infrastructure needs, which include the upgrade and maintenance of numerous roads and bridges, with a small paying rate base.

I state to this council that this is something that cannot be addressed, with the amalgamation of Kyogle Council, with another Council.

I respectfully state, but without prejudice, that if any council is vulnerable for such a takeover or amalgamation, it is that of Richmond Valley Council. I say this, as it lies in the middle and borders with Lismore, Ballina, Clarence Valley, Tenterfield and Kyogle Shire Councils, and its future viability, could be questioned.

There are certain areas of Richmond Valley and Tenterfield Councils, that fit within the criteria of the Kyogle Council LGA. One that springs to mind is the overused and underfunded road, between Woodenbong and Legume, near the Queensland border. This is a vital supply route from Queensland to the Northern Rivers, but is located to the extreme boundary of Tenterfield Shire, which has no use in, or benefit from this road.

I am passionate about the Kyogle LGA and in keeping its identity, and ask all Councilors to talk with their constituents and take on board, what or if there are any advantages in amalgamation, for Kyogle Council LGA or for its constituents. Or should I remind again, a forced takeover.

As my main concern is to the present and future viability of Kyogle Shire, and the representation of ratepayers and residents alike, I have made limited inquiries and it is believed by myself, that superior Government consideration may be given, by way of special needs funding for unique councils such as Kyogle, with its huge infrastructure to maintain with a limited rate base revenue.

May I take the opportunity to thank Mayor Councilor Mulholland and Councilor Passfield for their recent comments in local media of their concerns as to a Council amalgamation.

Further that all Councilors listen to the concerns of their constituents, and look into viable alternatives, and act upon same in order to prosper the Kyogle Council LGA without talk of amalgamation.

Be mindful that the Local Government elections, are post the State Government elections. Things could happen quickly, during this time of interlude.

I reiterate in conclusion, that it is my belief that there is no benefit in amalgamation for either Kyogle Council or its ratepayer/residents and likewise for any other Council body to takeover Kyogle Shire, with its unique topography and restricted rate base.

I forwarded this address to the State Member for Lismore Thomas George and Federal Member for Page Kevin Hogan and asked Mr George to direct a copy to Minister for Local Government Don Page.”

Cr Maggie Creedy thanked Mr Leadbeatter and said many other councilors and community members shared his concerns.

- Casey Stringfellow and Mark Luxford representing LionsTT.

Advised the meeting he wanted to present the media release (below) and asked for permission to start engaging with the community in respect of the event.

As a weekend resident of Roseberry via the Lions Rd, Lions TT Chairman Casey Stringfellow has benefited from the existence of the Lions Rd and all the hard work done to create and maintain it.

Having travelled the road countless times, Casey is acutely aware of the current condition of the road, but also, its role in showing tourists the beauty of the region.

Given the points above, Casey has now established a not-for profit group which will run events with profits generated to be retained in the region by way of contributions to Lions Road and surrounding areas.

By the very nature of running an event on the Lions Road annually, and finishing the event in Kyogle, there is a great economic benefit opportunity for the town of Kyogle and its constituents.

The Lions TT Mission

- *To enable participants to enjoy the Lions Road and it's surrounds with the benefit of having no on-coming traffic to contend with. Keeping in mind the following parameters:*
 - *Speed Limits are to be observed as posted*
 - *Participants will leave with a time delay between them*
- *To develop the quality and safety of the Lions Rd, while bringing economic benefit through tourism and investment to the region.*
- *Through management of an event on the Lions Rd, we do not interrupt traffic flow on the Summerland Way, allowing others to enjoy the beauty and facilities of Kyogle at the end of the day's events.*

Event Strategy and Detail

- *Starting from Rathdowney along Running Creek Rd then onto the Lions Road and ending at Ripples On the Creek. This route is roughly 40 km.*
- *The route will need to be closed off at times but only at specific times of the day, and after consultation with land owners, we propose to allow for local and organiser traffic.*
- *It is our intention to establish a plan that minimizes disruption to land owners and maximises regional benefit.*

Key People

Chairman; Mr Casey Stringfellow

- *Chairman, Power Sports Marketing*
- *Professional consultant to Governments, including the Director-General of Transport in both QLD and NSW*
- *A decade of running Not for Profit companies Australia-wide to \$50m turnover.*

Chief Executive Officer; Mr Mark Luxford

- *Director Power Sports Marketing*

Chief Financial Officer; Mr John Biggs

- *Managing Director, Conquest Accounting.*

Mr Kieren Perkins OAM

- *State Manager NAB Private Wealth Qld*
- *Director, Starlight Children's Foundation*
- *Former Australian Olympic Swimmer*

Mr Cameron Donald

- *Australia's leading rider at the Isle of Man TT Races.*

Mr Neal Bolam

- *Director Bolam Family Motorsports*
- *Inducted into the Motorcycle Hall of Fame 2006*

Mr Steve Sommerfeld

- *Founder and developer of the Queensland Moto Park.*
- *Director Invert Management -Action Sports*

Activities to date

- *Extensive pre-planning including seeking the blessing of the Lion's Club of Kyogle*
- *Contact with the Hurley Family about the road and proposed event.*
- *Engagement with both Kyogle Regional Council and Scenic Rim Regional Council*
- *Engagement with leaders in motorcycle event safety management and planning*
- *Engagement with road quality assessment organisations, in conjunction with road users to assess best practice road surfacing approaches.*
- *Engagement with international event managers where Governments are benefiting from motorsport trends.*

Event Dates

Lion's TT Trial

Labor Day Weekend 4th to the 6th of October 2014.

This pilot event will be the dress rehearsal for the launch of the first official Lion's TT in 2015, and will demonstrate the viability. It will also help to set effective protocols and processes to ensure event safety, enjoyment and economic benefit.

Inaugural Lion's TT Event

Labor Day Weekend 3rd to the 5th of Oct 2015.

The size of the first official Lion's TT event will be relative to sponsorship and broadcast agreements. It will also be subject to the expected number and experience level of the participants.

The format will be subject to the outcome of the Pilot Lion's TT in 2014, this includes any changes required to operational and Safety processes from the 2014 event.

Where to find more information?

We will shortly have our website live (www.lionstt.com) and will post progress through each stage of event development.

Our next deliverables for Council(s) are:

- Confirmation of Zero Liability plan for Council*
- Detailed event management plan for approval by both Councils*
- Approved Safety Management Plan, inclusive of consultation with Emergency,*
- Policing and Traffic Management services, and*
- Further consultation with Land Owners*

Management of Safety?

I have intentionally left this section to the end, as a parting and crucial statement. It is clear to the highly qualified and professional group that manage this, and other key motorsport events, that safety is NON-Negotiable.

We are all acutely aware of the element of risk that comes with any motorsport activity; hence we are taking a totally new approach.

Rather than encourage a "speed" event across a long stretch of road, we are minimizing risk by eliminating on-coming traffic and allowing road users to enjoy the area without risk of blind corner incidents.

We have engaged the services of H2 Insurance who are working through our Risk Profile currently.

H2 Insurance normally provides insurance for high risk public activities such as the QLD MotoPark and Nitro Circus events, and have to date advised that we are a low risk activity.

Riders will have a registered vehicle, and will be required to follow existing signage.

How does the event make money for the region?

- Participant's entry fees.*
- Sponsorship, from road side advertising*
- Donations to the Lions TT Foundation*
- Broadcasting Rights*
- Photographic Services for Participants*

Conclusion

We are extremely excited about the event success and economic development potential of The Lions TT.

We look forward to receiving your questions, providing quality responses and hopefully your support.

If you have any questions after this meeting, please do not hesitate to contact us.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 10 FEBRUARY 2014 ORDINARY MEETING

100314/01 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 10 February, 2014 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil

ITEM 9 NOTICES OF MOTION

100314/02 RESOLVED

Moved by Cr Danielle Mulholland, seconded by Cr Maggie Creedy:

That the Code of Meeting Practice be amended to limit questions asked during question time to two per topic with additional questions to be submitted in writing.

CARRIED

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

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

ITEM 11 DELEGATES REPORTS

**11.1 DELEGATE'S REPORT -- NORTHERN RIVERS REGIONAL
ORAGANISATION OF COUNCILS**

100314/03 RESOLVED

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

That the delegates report provided by Councillor Danielle Mulholland in respect of NOROC be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

100314/04 RESOLVED

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

That the Council resolutions requiring action report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

12.2 FINANCIAL REPORT FEBRUARY 2014

100314/05 RESOLVED

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

That the information contained in the Monthly Finance Report – February 2014 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 FUNDING REALLOCATION -- RURAL LOCAL ROADS

100314/06 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Janet Wilson:

That Council;

1. Approves the reallocation of \$100,000 of the \$150,000 budgeted for Wiangaree Back Road widening in the 2013/2014 budget to Etrick Road Widening Works; and
2. Directs that the remaining \$50,000 and any savings from the Etrick Road project be considered in the 2014/15 budgetary process as a part allocation to Wiangaree Back Road widening work.

CARRIED

FOR VOTE - Unanimous vote

13A.2 BORDER RANGES RALLY 2014

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

1. That the report on the proposed 2014 Border Ranges Rally be received and noted.
2. That Council agree in principal to the holding of the 2014 Border Ranges Rally as amended by the email from John Careless dated 10 March 2014.
3. That Council consider the inclusion of a \$10,000 budget for costs associated with the 2014 Border Ranges Rally as part of the development of the 2014/15 budget.
4. That Councils maintenance program be developed to ensure that each of the rally roads have a patch grade in the four weeks prior to the event.

Cr Chris Simpson moved an amendment, second by Cr Maggie Creedy:

1. That the report on the proposed 2014 Border Ranges Rally be received and noted.
2. That Council agree in principal to the holding of the 2014 Border Ranges Rally as amended by the email dated 10 March 2014.
3. That Council include a \$10,000 budget for costs associated with the 2014 Border Ranges Rally as part of the development of the 2014/15 budget.
4. That Councils maintenance program be developed to ensure that each of the rally roads have a patch grade in the four weeks prior to the event.

The amendment was put to the vote and was **LOST**.

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

100314/07 RESOLVED

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

1. That the report on the proposed 2014 Border Ranges Rally be received and noted.
2. That Council agree in principal to the holding of the 2014 Border Ranges Rally as amended by the email from John Careless dated 10 March 2014.
3. That Council consider the inclusion of a \$10,000 budget for costs associated with the 2014 Border Ranges Rally as part of the development of the 2014/15 budget.
4. That Council's maintenance program be developed to ensure that each of the rally roads have a patch grade in the four weeks prior to the event.

CARRIED

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

Cr Maggie Creedy left the meeting at 5.59pm.
Cr Maggie Creedy returned to the meeting at 6.02pm.

13A.3 SIMPKINS CREEK RADIO REPEATER

100314/08 RESOLVED

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

1. That Council receives and notes the Simpkins Creek Radio Repeater Report.
2. That Council negotiate a lease agreement for use of the easement.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 1 FEBRUARY, 2014 TO 28 FEBRUARY, 2014

100314/09 RESOLVED

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

That, with the exception of the following items in which Councillors Chris Simpson and Ross Brown have declared an interest,

- Cr Simpson 13B.1 Development Applications Received, Determined and Outstanding DA 2012/39 - Reason for Declaration, neighbour of the property owner.
- Cr Brown 13B.1 Development Applications Received, Determined and Outstanding DA 2013/70 - Reason for Declaration, neighbour of the property owner.

The information contained in the report Development Applications Received, Determined and Outstanding for the period 1 February, 2014 to 28 February, 2014 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Councillors Chris Simpson and Ross Brown and the Executive Manager Infrastructure Works Jeff Breen left the meeting at 6.30pm.

100314/10 RESOLVED

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

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 February, 2014 to 28 February, 2014 only in relation to DA 2012/39 and DA 2013/70 in which Councillors Chris Simpson and Ross Brown have declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE: Cr Chris Simpson and Cr Ross Brown.

Councillors Chris Simpson and Ross Brown and the Executive Manager Infrastructure Works Jeff Breen returned to the meeting at 6.32pm.

13B.2 DEVELOPMENT APPLICATIONS STATUS REPORTING IN BUSINESS PAPER

100314/11 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Michael Reardon:

1. That Council receive and note the report proposing alternative options for the status of development applications.
2. That Council alter the format for the status of development applications report as outlined in Option 4 of this report.

CARRIED

FOR VOTE - Unanimous vote

13B.3 REVIEW OF SECTION 94 DEVELOPER CONTRIBUTION PLANS

Having declared an interest in the item, Cr Michael Reardon left the meeting at 6.34pm.

100314/12 RESOLVED

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

1. That Council receive and note the report on the review of Section 94 Developer Contribution Plans
2. That staff undertake a review of the current Section 94 Plan Work Schedules, and the *“per axle maintenance contribution rate”* for the heavy haulage levy.
3. That upon completion of the audit of all approved Extractive Industries and the review of the works schedule and heavy haulage levy rate, a workshop be arranged for Councillors and staff to consider the Future of Section 94 & 94A Plans and any course of action regarding the Extractive Industry operations within the shire.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Michael Reardon

Councillor Maggie Creedy, and Councillor Chris Simpson called for a division under Section 735A of the Local Government Act 1993.

For	Against
Cr Danielle Mulholland	
Cr Ross Brown	
Cr Chris Simpson	
Cr John Burley	
Cr Maggie Creedy	
Cr Janet Wilson	
Cr Robert Dwyer	
Cr Lindsay Passfield	

Absent did not vote: Cr Michael Reardon

Cr Michael Reardon returned to the meeting at 6.36pm.

13B.4 PLANNING PROPOSAL TO REZONE LAND AT 19-25 ANDREW STREET, KYOGLE

100314/13 RESOLVED

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

1. That Council reiterate its support for the planning proposal to amend the Kyogle LEP 2012 to change the zoning of Lot 101 DP 1078192 at 19-25 Andrew Street from R1 General Residential to IN2 Light Industrial.
2. That pursuant to section 59(1) of the *Environmental Planning and Assessment Act 1979*, Council request Parliamentary Counsel's Office to prepare a draft legal instrument.
3. That upon receiving from Parliamentary Counsel's Office a draft LEP amendment and an Opinion from that the plan can be made, Council request NSW Planning and Infrastructure to finalise making of the plan.

CARRIED

FOR VOTE - Unanimous vote

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

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

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 SOCIAL MEDIA POLICY

100314/14 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Maggie Creedy:

That the Draft Social Media Policy be adopted.

CARRIED

FOR VOTE - Unanimous vote

The Executive Manager Planning and Environment Greg Meyers left the meeting at 6.45pm.

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 MINUTES OF THE KYOGLE COUNCIL CULTURAL PLANNING COMMITTEE

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

That the Minutes of the Kyogle LGA Community Cultural Committee be received and noted.

Lost

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland

AGAINST VOTE - Ross Brown, John Burley, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer.

The Executive Manager Planning and Environment Greg Meyers returned to the meeting at 6.47pm.

13E.2 MINUTES OF THE COMMUNITY FUNDING COMMITTEE

100314/15 RESOLVED

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

1. That the Minutes of the Community Funding Committee meeting 28 February, 2014 be received and noted.
2. That Council staff follow up where additional information has been requested.

CARRIED

FOR VOTE - Unanimous vote

13E.3 FINANCIAL ASSISTANCE APPLICATIONS

Having declared an interest in the item, Cr Janet Wilson left the meeting at 6.59pm.

100314/16 RESOLVED

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

That Council fund the following Financial Assistance Applications:

Pikapene and Cherry Tree Environment Centre	\$400.00
Bonalbo and District Community Hall Association	\$600.00
Tunglebung Hall Committee	\$1,000.00
Kyogle RSL Sub-branch/Kyogle Red Cross	\$1,000.00
Tabulam Racing Club	\$1,000.00

CARRIED

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

AGAINST VOTE - Danielle Mulholland

ABSENT. DID NOT VOTE - Janet Wilson.

Moved Cr Ross Brown, seconded that Lindsay Passfield:

That Council fund the Financial Assistance Application from David Brink for \$300.00.

LOST

FOR VOTE - Ross Brown, Lindsay Passfield, Danielle Mulholland

AGAINST VOTE - John Burley, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer

ABSENT. DID NOT VOTE - Janet Wilson

The Mayor adjourned the Council meeting at 7.07pm for a meal break.
The Mayor resumed the Council meeting at 7.30pm.
Cr Janet Wilson did not return to the meeting after the meal break.

13E.4 FUTURES FUNDING APPLICATIONS

100314/17 RESOLVED

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

That the following Futures Funding Applications be funded:

Kyogle District Care Connections -	\$1000 (subject to conditions)
Gugin Guddaba -	\$2,000 (subject to conditions)
Wiangaree Rodeo & Sports Committee Inc -	\$4,000 (subject to conditions)
Wadeville Reserve Trust -	\$3,500
Mallanganee and District Progress Association -	\$620

CARRIED

FOR VOTE: Unanimous
ABSENT. DID NOT VOTE - Janet Wilson

Cr Lindsay Passfield foreshadowed a motion that Council allocate \$2000 from the Kyogle component of the Futures Fund to the Village Hall Players.

Moved Cr Lindsay Passfield, seconded Cr Ross Brown:

That Council allocate \$2000 from the Kyogle area component of the Futures Funding to the Village Hall Players.

Cr Danielle Mulholland moved an amendment that Council allocate \$4000 from the Kyogle component of the Futures Fund to the Village Hall Players.

The amendment was withdrawn by Cr Mulholland.

100314/18 RESOLVED

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

That Council allocate \$2000 from the Kyogle area component of the Futures Funding to the Village Hall Players.

CARRIED

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

100314/19 RESOLVED

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

That the \$2000 remaining in the 2013/14 Futures Funding for Kyogle Projects be carried forward and allocated to the Border Ranges Rally if Council decides to fund the event in 2014.

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Janet Wilson

ITEM 13F GENERAL MANAGER'S REPORT

ITEM13F.1 FINAL REPORT OF THE INDEPENDENT LOCAL GOVERNMENT REVIEW PANEL

100314/20 RESOLVED

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

That Council adopt the submission as provided by staff to the Independent Local Government Review Panel.

CARRIED

FOR VOTE – Unanimous
ABSENT. DID NOT VOTE - Janet Wilson

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr John Burley:

- Where is the KMI Hall upgrade project up to?

The Executive Manager Urban and Assets advised the meeting Council has set aside \$300,000 in the current budget for the project and Public Works had just called tenders for a heritage architect to design improvements to the building with a focus of the upstairs area being used by the Roxy Art Gallery and the building being brought up to code to meet the requirements of that space being used by the public. He also advised that a reference group made up of users of the hall and other stakeholders would soon be established to provide input to the process.

The Executive Manager Urban and Assets said the heritage architect would be asked to provide Council with a master plan, from which the Council would work out what was affordable and prioritise its .

Cr Chris Simpson:

- What is the role of Traffic Committee and what input doe the RMS have on the committee.

The Executive Manager Infrastructure Works Jeff Breen advised the meeting the Traffic Committee was a statutory committee set up under the Roads Act and the guidelines around that act. The committee meets when there are enough items on the agenda to warrant a meeting and deals mostly with local issues to which the RMS has no direct input.

Cr Ross Brown

- What is the cost to Council for staff pressure cleaning the footpaths of Kyogle's main street as they have been doing. How often do the footpaths have to be cleaned?

Cr Lindsay Passfield:

- Where are Council discussions up to on bringing forward the work to repair the landslip at The Glen?

Cr Michael Reardon:

- Can Council please provide a report on the cost to Council if it were to dissolve the five Village Maintenance Agreements and take on the work undertaken as part of the agreements?

Cr Robert Dwyer:

- Can Council be provided with an update on the future of Grove House?

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 16.1 Offer of sale on water fund house

Item 16.2 Sale of land for overdue rates

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

- (a) personal matters concerning particular individuals; and
- (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.

100314/21 RESOLVED

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

1. That Council resolve 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 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by sections 11(2) of the Local Government Act 1993.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Janet Wilson

Council closed its meeting at 7.59pm. The public and the media left the Chamber.

16.02 OPEN COUNCIL RESUMES

100314/22 RESOLVED

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

That Council move out of closed Council and into open Council.

CARRIED

FOR VOTE – Unanimous
ABSENT. DID NOT VOTE – Janet Wilson

Open Council resumed at 8.10pm.

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

16.1 OFFER OF SALE ON WATE FUND HOUSE

1. That the report on the offer of sale on the water fund house be received and noted.
2. That the General Manager be authorised to negotiate for the sale of the property above the minimum sale price identified in closed meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Janet Wilson

16.2 SALE OF LAND FOR OVERDUE RATES

That Council receives and notes the report on the sale of land for overdue rates.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Janet Wilson

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 8.11pm.