

Kyogle Council

Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 14 October, 2013.

PRESENT

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

IN ATTENDANCE

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

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.00pm.

ITEM 1 APOLOGIES

A formal apology was from Councillor Chris Simpson was tabled, an apology from Councillor Ross Brown was received.

141013/01 RESOLVED

Moved Councillor Maggie Creedy, seconded Councillor Janet Wilson.

1. That the apology from Cr Simpson be accepted and a leave of absence be granted;
2. That the apology from Councillor Ross Brown be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

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. Danielle Mulholland declared an interest in the following item/s:

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 September to 30 September 2013 – 2011/181
Reason for Declaration – neighbour of the property owner.

Cr. Maggie Creedy declared an interest in the following item/s:

- Item 13E.3 Futures Funding Applications
Reason for Declaration – office bearer of the Kyogle PA & H Society, one of the applicants.

Carol O'Neill, Executive Manager Administration and Community declared an interest in the following item/s:

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 September to 30 September 2013 – 2013/11
Reason for Declaration – neighbour of the property owner
- Item 13E.2 Financial Assistance Applications
Reason for Declaration – Officer Bearer of Kyogle Junior Cricket, one of the applicants.

ITEM 5 QUESTION TIME

Elvie Jones thanked Council for the hot showers at the Kyogle Swimming Pool and the changes to the baby pool. Mrs Jones raised concerns about the lighting at the pool and said it was not up to standard for night events. She would like Council to consider improving the lights at the pool.

Harmony Walsh congratulated the General Manager for removing himself from the Metgasco Consultative Group.

Anne Reardon thanked the Executive Manager Urban and Assets for the work done by Council at the Kyogle Skate Park. She raised concerns about the distribution of the Community Strategic Plan Survey. Mrs Reardon said people had put the surveys in the bin because they had mistaken them as junk mail and wanted to know why surveys were directly mailed to some ratepayers. Mrs Reardon questioned the effectiveness of the bulk mail out of surveys and said it had been a waste of money. She said it would have been more cost efficient to directly mail the survey to all ratepayers.

The General Manager responded that surveys were direct mailed to ratepayers living outside the Kyogle Council area.

The Mayor responded that matters to do with the survey would be addressed later in the meeting.

ITEM 6 PUBLIC ACCESS

Tom Fitzgerald, of Kyogle, made the following address to Council.

“Today I would like to speak on aspects of the Arts, Cultural and Historical situation as it presently exists in the LGA of Kyogle.

I and many residents of Kyogle Shire believe Arts, Culture and the recording of the history of Kyogle Shire are an essential part of the community.

I guess one of the greatest losses this community has experienced over the past couple of years was the failure to obtain Federal funding to build the Cultural Hub. As you are all well aware this project would have brought together the Arts, Culture, History and Library Learning Centre under one roof, housed in a modern building. This would have become the focal point for bringing tourists etc into our town, thus improving the status of the town and, more importantly, help the economic situation.

One of the main reasons why the project failed to get Federal funding was, and I quote from the RDAF: “The lack of financial commitment from Council was identified as a weakness in terms of the criterion for community support.” When this project was presented to Council the Mayor of the time very emphatically stated “Council had no funds to put towards this project.”

I recently read in the Arts Council Newsletter that Kyogle Council would be contributing \$165,257 towards renovating the KMI to house the Art Gallery. I have also been told that Council has a reserve account which is to be used for public buildings. If this is true, where did this money come from and is there a reserve account?

It begs the question: Was the Cultural Hub Committee given false and misleading information? These questions will be given to the General Manager to answer in writing.

Now moving on – with so much uncertainty regarding Federal funding under the new Government, I would like the Lady Mayor to consider forming a small committee to look at what the best options are to properly house the Art Gallery and Historical Society so that we can speak with a unified voice to both State and Federal Members of Parliament to obtain funds to carry out this project. Certainly the foyer of the KMI must be restored as soon as possible – this is a separate issue.

During the many meetings I had with the former Member for Page re funding etc she stated that Kyogle Council was so difficult to deal with, forever changing their priorities and the great 5/4 divide that has existed in the Council for so long.

This may be the reason why Kyogle has missed out on their fair share of funding when you see that the Member for Page was successful in obtaining for other LGAs.

<i>Lismore LGA</i>	<i>\$1.3 billion</i>
<i>Grafton/Clarence LGA</i>	<i>\$46.2 million</i>
<i>Ballina LGA</i>	<i>\$30.8 Million</i>
<i>Richmond Valley LGA</i>	<i>\$16 million</i>
<i>Kyogle LGA</i>	<i>\$2.8 million</i>

These figures do not include Federal grants for road works and schools..

I have the operational costs that Council has incurred re Kyogle Arts Council:

<i>For the year</i>	<i>2011-12</i>	<i>\$61,495</i>
<i>Estimated costs for</i>	<i>2012-13</i>	<i>\$74,897</i>
	<i>2013-14</i>	<i>\$78,038</i>
	<i>2014-15</i>	<i>\$95,380</i>

In comparison when I asked for the cost to Council for the Historical Society I was informed costs were so low it did not require a separate cost centre. The Historical Society is housed in a rent free Council building, well below OH & S standard with a leaking roof and a ceiling falling in allowing possums and vermin to enter the building. A recent request was made to Council to carry out a repair to the falling ceiling, this was done but only lasted a few weeks. Storm water enters via the roof and front door, there is no telephone or internet connection to the building. The society had to turn away several offers from Tourist Bus Operators to visit the museum because of the unsafe conditions and lack of room to have any more than about six people in the museum area at any one time.

Many years ago Council agreed to donate the land adjacent to the Cenotaph to the Historical Society but about 2010 the Council of the day withdrew this agreement. When the Ambulance Station became vacant, again the Historical Society requested that they be given the rights to this building. Once again, Council refused this request.

Why has Council been so generous to the Arts Council over many years and has completely ignored the needs of the Historical Society?

Many of the artists who display their work in the Gallery are from out of town, they display their work, sometimes sell their pieces of artwork and move on, whereas the Historical Society/Museum is a living project carrying out very important work collating and recording the historical events of the LGA of Kyogle.

In conclusion, I thank Council for the time given to me today to put these thoughts before you. I ask Lady Mayor that you give this matter your serious consideration, discuss it with your fellow councillors and I look forward to receiving a written reply in the near future."

In response to a question from Councillor Janet Wilson about whether the Historical Society was now pursuing a separatist approach, rather than a co-ordinated effort, to pursuing grant funding for exhibition, display and storage space in Kyogle, Mr Fitzgerald responded that it was "in part".

He said if the Council pursued its decision to move the Art Gallery upstairs at the KMI, there would be no room in the space for the Historical Society. As such, he said, the Historical Society felt it had to look at alternatives and what it could do by itself because of the lack of support from Council.

Julie Tyson, of Kyogle, made the following address to Council.

“As a resident of Kyogle I would like to ask Council to explain why there have not been CSG Free Town signs erected upon entry to our town similar to our Northern Rivers neighbouring towns? We need to let CSG companies know that they are not welcome here.

There seems to be doubt from Kyogle Council regarding the overwhelming majority of Kyogle residents who do not want CSG mining. We are so confident that the results of surveys done by anti-CSG groups are true and correct; and I ask Kyogle Council if it would pay to have a similar independent survey taken?

Plans are underway for Kyogle residents to celebrate the fact that a majority do not want CSG mining. The celebration would be similar to those in The Channon and Lismore areas – where representatives from every road present Council with “We Have Locked the Road” declarations. In turn, We Have Locked The Region to CSG. As many Councillors do support us, you will be invited to this event.

We are known as the gateway to the rainforests and do not want to become the gateway to the gas fields.”

The Mayor responded that in December 2012 Council reinforced its moratorium on CSG and that Council will consider the possibility of including a question on CSG in its upcoming community satisfaction survey.

The General Manager said it would be very costly for Council to do a separate poll on CSG but it would be possible for a question on CSG to be included in the forthcoming community satisfaction survey.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF MINUTES -- 26 AUGUST 2013 EXTRAORDINARY MEETING

141013/02 RESOLVED

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

That the Minutes of the Extraordinary Meeting held on 26 August, 2013 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson.

7.2 CONFIRMATION OF MINUTES OF 9 SEPTEMBER 2013 ORDINARY MEETING

141013/03 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 9 September, 2013 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 8 MAYORAL MINUTE

Nil

ITEM 9 NOTICES OF MOTION

Nil

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM LAST COUNCIL MEETING

141013/04 RESOLVED

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

That the report on Questions from Last Council Meeting be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

141013/05 RESOLVED

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

That the Council Resolutions Requiring Action report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

12.2 FINANCIAL REPORT AUGUST 2013

141013/06 RESOLVED

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

That the information contained in the Monthly Finance Report – September 2013 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 CAMPBELLS BRIDGE WORKS REPORT

141013/07 RESOLVED

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

That the Campbells Bridge Works Report be received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

13A.2 BRIDGE NAMING - REPLACEMENT BRIDGE COLLINS VALLEY ROAD

141013/08 RESOLVED

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

1. That the report on Bridge Naming be received and noted;
2. That the proposal to name Pattons Bridge replacement "Watkins Bridge " be advertised for public comment or submissions for a period of 30 days and that a further report be brought to Council on submissions received.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

13A.3 ACQUISITION OF CROWN LAND FOR RURAL FIRE SERVICE AT TABULAM

141013/09 RESOLVED

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

That Council;

1. Resolve to acquire Lot 1 in the proposed Plan of Acquisition being part of Lot 7300 DP1146196 and that the acquisition be carried out by compulsory process in accordance with part 1 Chapter 8 of the Local Government Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1992.
2. Seek approval of the Minister for Local Government pursuant to S.187 of the Local Government Act 1993 to take all necessary steps to acquire the Crown land and issue all necessary notices pursuant to the Land Acquisitions (Just Terms Compensation) Act 1991.
3. Take each necessary step to obtain the approval of the Minister, the Governor or any other public authority as may be necessary to carry out the acquisition by means of a compulsory acquisition process under the legislation.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED & OUTSTANDING FOR THE PERIOD 1 SEPTEMBER 2013 TO 30 SEPTEMBER 2013

141013/10 RESOLVED

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

That, with the exception of the following items in which Councillor Danielle Mulholland and the Executive Manager Administration and Community have declared an interest,

- Cr Mulholland 10B.1 Development Applications Received, Determined and Outstanding DA2011/181- Reason for Declaration – Neighbour of the property owner.
- Executive Manager Administration and Community Carol O'Neill 10.B.1 Development Applications Received, Determined and Outstanding DA2013/11 Reason for Declaration – Neighbour of the Property Owner.

The information contained in the report Development Applications Received, Determined and Outstanding for the period 1 September 2013 to 30 September 2013 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Councillor Danielle Mulholland and the Executive Manager Administration and Community Carol O'Neill left the meeting at 5.39 pm after Cr Mulholland handed the chair over to Cr Maggie Creedy.

141013/11 RESOLVED

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

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 September to 30 September 2013 only in relation to DA2011/181 and DA2013/11 in which Councillor Danielle Mulholland and the Executive Manager Administration and Community Carol O'Neill have declared an interest be received and noted.

CARRIED.

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Councillor Danielle Mulholland and the Executive Manager Administration and Community Carol O'Neill returned to the meeting at 5.40 pm.

Councillor Danielle Mulholland resumed the chair.

13B.2 NAMING OF NEW ROAD - DA 2012-34

141013/12 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Michael Reardon:

1. That the report on Naming of New Road – DA 2012-34 be received and noted.
2. That Council advertises for submissions from the public on the proposed road naming listed below;

Road No.
TBD

Current Road Name or Description of Route
The new road off Afterlee Road created as part of Development Application 2012-34

Proposed Road Name
Bundalea Court

Reason
Newly constructed road

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 REVIEW OF WARD BOUNDARIES

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

1. That Council adopts the ward boundaries as determined in option 1 of the report;
2. That the Electoral Commission be advised of the proposed ward boundaries amendment and approval be sought;
3. That the appropriate public notice be given in accordance with section 210A of the Local Government Act 1993.

LOST

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

141013/13 RESOLVED

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

That Council hold a workshop to discuss the options in more detail.

CARRIED

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

13D.2 CHRISTMAS/NEW YEAR CLOSE DOWN

141013/14 RESOLVED

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

That the Christmas/New Year Close Down report be received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

13D.3 PECUNIARY INTEREST RETURNS

141013/15 RESOLVED

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

1. That the information contained in the report "Pecuniary Interest Returns" be received and noted.
2. That the tabled "Kyogle Council Register of Disclosures" be received.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 MINUTES OF THE COMMUNITY FUNDING COMMITTEE

141013/16 RESOLVED

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

1. That the Minutes of the Community Funding Committee meeting 4 October, 2013 be received and noted.
2. That Council staff follow up where additional information has been requested.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

13E.2 FINANCIAL ASSISTANCE APPLICATIONS

141013/17 RESOLVED

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

1. That, with the exception of the application in which Executive Manager Administration and Community Carol O'Neill declared an interest – Kyogle Junior Cricket \$1,000

Council grants financial assistance to the following Organisations:

- a. Cawongla Community Centre \$1,000
- b. Mummulgum Public Hall \$1,000
- c. Cross Roads Ministries \$400
- d. Wadeville Reserve Trust \$1,000
- e. Old Bonalbo Soldiers Hall \$1,000
- f. Bonalbo and District Community Hall \$377.70
- g. Woodenbong Arts Group (WAG) \$250, however future years exhibition fees may not be considered.
- h. Old Bonalbo School P+C \$1,000

2. Council grants financial assistance to the following Individuals:

- a. Alicia Simpson \$250
- b. Ann Leverett \$250
- c. Amber-Lee Bryant \$500

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

The Executive Manager Administration and Community left the meeting at 5.53pm.

141013/18 RESOLVED

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

1. That Council approves following application for which the Executive Manager Administration and Community has declared an interest:
 - a. Kyogle Junior Cricket \$1,000.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

The Executive Manager Administration and Community returned to the meeting at 5.54 pm.

13E.3 FUTURES FUNDING APPLICATIONS

141013/19 RESOLVED

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

1. That, with the exception of the application in which Councillor Maggie Creedy has declared an interest,

- Cr Maggie Creedy – P A & H Society

Council approves the following Futures Funding Applications:

- a. RSL Bonalbo sub branch funding of \$3,500;
 - b. Woodenbong Progress Association fund \$3,500 from the 2013/2014 allocation plus \$3,500 from the 2012/2013 subject to confirmation of availability.
2. That Council defer making a decision on the application from Kyogle Together until further information is received in relation to the total financial assistance sought from Council.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

141013/20 RESOLVED

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

That Council hold a workshop on the funding for Kyogle Together.

CARRIED

FOR VOTE - John Burley, Lindsay Passfield, Michael Reardon, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Janet Wilson, Danielle Mulholland

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Councillor Maggie Creedy left the meeting at 6.11m.

141013/21 RESOLVED

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

That Council approves the following Futures Funding Application for which Councillor Maggie Creedy has declared an interest:

- a. Kyogle P A & H Society Inc, funding of \$5,000;

CARRIED

FOR VOTE - John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Bob Dwyer

AGAINST VOTE - Janet Wilson

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson, Maggie Creedy

Councillor Maggie Creedy returned to the meeting at 6.16 pm.

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 COUNCIL COMMITTEES AND DELEGATES

141013/22 RESOLVED

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

1. That the Council Committees report be received and noted;

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

141013/23 RESOLVED

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

That Councillors Mulholland, Simpson and Creedy be appointed to the Community Funding Committee

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

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

That the Mayor be appointed to Far North Coast Weeds.

LOST

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland

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

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Councillor Maggie Creedy foreshadowed a motion that Cr Chris Simpson be appointed to Far North Coast Weeds.

Councillor John Burley foreshadowed a motion that Cr John Burley be appointed to Far North Coast Weeds.

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

That Councillor Chris Simpson be appointed to Far North Coast Weeds.

LOST

FOR VOTE - Michael Reardon, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Councillor John Burley's foreshadowed motion lapsed for want of a seconder.

Councillor Danielle Mulholland foreshadowed a motion that three candidates for the position be put to the ballot.

The foreshadowed motion lapsed for want of a seconder.

Councillor Janet Wilson moved that the position of Mayor be the position appointed to represent Council on Far North Coast Weeds.

The Mayor ruled the motion out of order because it was too similar to a motion that had already been defeated.

141013/24 RESOLVED

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

1. That Council rescind all decisions on this matter.
2. That the matter be deferred to the next meeting of Council.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

141013/25 RESOLVED

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

That Council discuss the Residents and Ratepayers Survey as a late item due to necessary information not going out with the survey.

CARRIED

FOR VOTE - Danielle Mulholland, Michael Reardon, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Janet Wilson, John Burley, Lindsay Passfield

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Mayor Danielle Mulholland declared the Residents and Ratepayers Survey an urgent item for discussion.

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Creedy:

There is no mention in the list of Council Resolutions Requiring Action of the Council decision to impose fines on the organisers of the illegal doof party held at Roseberry Creek.

1. Does this mean that the fines have been paid in full?
2. If this is not the case what action is being taken to recover this money?

Cr John Burley:

1. Where is the Toonumbar Road project up to, what is the cost and recommendations if it was to proceed?

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 16.1 Annual Tender – 2013/14-002 Pavement Stabilisation

Item 16.2 Tender for Supply of a Wheel Loader: Tender No 2013/14-001

Reason for Confidentiality

These items are classified 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.

141013/26 RESOLVED

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

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 - Ross Brown, Chris Simpson

The meeting closed at 6.51pm. The public and media left the Chamber.

16.02 OPEN COUNCIL RESUMES

141013/27 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

Open Council resumed at 7.04pm.

The Mayor reported the following recommendations made in closed Council.

16.1 ANNUAL TENDER - 2013/14-002 PAVEMENT STABILISATION CONFIDENTIAL

1. That the tenders received from Stabilised Pavements Australia and Ellis Stabilising for Pavement Stabilisation at the following rates for the 2013-14 financial year be accepted.

	Ellis Stabilising	Ellis Stabilising	S.P.A.	S.P.A.
	Conventional	Large	Conventional	Large
Establishment Cost Per Visit	2,420	2,420	2,827	3,047
Min. daily operation rate	6,710	6,710	5,720	6,325

Supply and incorporate GB bulk cement, rate m/2						
2% by weight	Supply	1.98	1.98	2.09	2.12	
150mm deep	spread/mix	1.54	1.54	1.52	1.52	
2% by weight	Supply	1.98	1.98	2.09	2.12	
200mm deep	spread/mix	2.05	2.05	2.03	2.03	
2% by weight	Supply	1.98	1.98	2.42	2.47	
250mm deep	spread/mix	2.56	2.56	2.54	2.54	
2% by weight	Supply	1.98	1.98	2.42	2.47	
300mm deep	spread/mix	3.08	3.08	3.05	3.05	
2.5% by weight	Supply	1.98	1.98	2.09	2.12	
150mm deep	spread/mix	1.92	1.92	1.91	1.91	
2.5% by weight	Supply	1.98	1.98	2.09	2.12	
200mm deep	spread/mix	2.56	2.56	2.54	2.54	
2.5% by weight	Supply	1.98	1.98	2.42	2.47	
250mm deep	spread/mix	3.2	3.2	3.18	3.18	
2.5% by weight	Supply	1.98	1.98	2.42	2.47	
300mm deep	spread/mix	3.84	3.84	3.81	3.81	
3% by weight	Supply	1.98	1.98	2.09	2.12	
150mm deep	spread/mix	2.31	2.31	2.29	2.29	
3% by weight	Supply	1.98	1.98	2.09	2.12	
200mm deep	spread/mix	3.08	3.08	3.05	3.05	
3% by weight	Supply	1.98	1.98	2.42	2.47	
250mm deep	spread/mix	3.84	3.84	3.81	3.81	
3% by weight	Supply	1.98	1.98	2.42	2.47	
300mm deep	spread/mix	4.61	4.61	4.57	4.57	

Supply and incorporate hydrated lime, rate m/2					
		Ellis Stabilising	Ellis Stabilising	S.P.A.	S.P.A.
		Conventional	Large	Conventional	Large
2% by weight	supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	2.89	2.89	2.84	2.84
2% by weight	supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	3.85	3.85	3.78	3.78
2% by weight	supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	4.82	4.82	4.73	4.73
2% by weight	supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	5.78	5.78	5.68	5.68
3% by weight	supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	4.34	4.34	4.26	4.26
3% by weight	supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	5.78	5.78	5.68	5.68
3% by weight	supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	7.23	7.23	7.1	7.1
3% by weight	supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	8.67	8.67	8.52	8.52
4% by weight	supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	5.78	5.78	5.68	5.68
4% by weight	supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	7.71	7.71	7.57	7.57
4% by weight	supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	9.63	9.63	9.46	9.46
4% by weight	supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	11.56	11.56	11.35	11.35
5% by weight	supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	7.23	7.23	7.1	7.1
5% by weight	supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	9.63	9.63	9.46	9.46
5% by weight	supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	12.04	12.04	11.83	11.83
5% by weight	supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	14.45	14.45	14.19	14.19
6% by weight	supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	8.67	8.67	8.52	8.52
6% by weight	supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	11.56	11.56	11.35	11.35
6% by weight	supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	14.45	14.45	14.19	14.19
6% by weight	supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	17.34	17.34	17.03	17.03

Supply and incorporate 70/30 slag lime mix, rate m/2					
		Ellis Stabilising	Ellis Stabilising	S.P.A.	S.P.A.
		Conventional	Large	Conventional	Large
3% by weight	Supply	1.98	1.98	2.09	2.12
150mm deep	spread/mix	3.27	3.27	3.41	3.41
3% by weight	Supply	1.98	1.98	2.09	2.12
200mm deep	spread/mix	4.36	4.36	4.28	4.28
3% by weight	Supply	1.98	1.98	2.42	2.47
250mm deep	spread/mix	5.45	5.45	5.35	5.35
3% by weight	Supply	1.98	1.98	2.42	2.47
300mm deep	spread/mix	6.54	6.54	6.43	6.43
Supply and incorporate water soluble binder supplied by Council, rate m/2					
150mm deep	spread/mix	1.65	1.65	2.09	2.12
200mm deep	spread/mix	1.65	1.65	2.09	2.12
250mm deep	spread/mix	1.65	1.65	2.42	2.47
300mm deep	spread/mix	1.65	1.65	2.42	2.47

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

**16.2 TENDER FOR SUPPLY WHEEL LOADER: TENDER NO 2013/14-001
 CONFIDENTIAL**

1. That Council accept the tender from Hitachi Construction Machinery Australia Pty Ltd for the supply of a John Deere 624K-Z Wheel Loader at a cost to Council of \$255,500 (GST Exclusive).
2. That Council accept the tender from Topline Machinery for the trade of Council's Caterpillar 938G Wheel Loader at a trade price of \$53,160 (GST Exclusive)

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - Ross Brown, Chris Simpson

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 7.04pm.

Signature of Chairperson.....