

Kyogle Council

Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 9 February, 2014.

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 5.00 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:

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 27 November 2014 to 30 January 2015 -- DA 2014/27
Reason for Declaration -- owner of a quarry.

Cr. Robert Dwyer declared an interest in the following item/s:

- Item 9.2 Notice of Motion - Cr John Burley; Kyogle Showground Trust Hot Water System.
Reason for Declaration -- No reason given.

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

- Item 9.2 Notice of Motion - Cr John Burley; Kyogle Showground Trust Hot Water System.
Reason for Declaration -- No reason given.

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

- Item 13A.1 Heards Bridge, Gradys Creek Road.
Reason for Declaration -- No reason given.

ITEM 5 QUESTION TIME

Mrs Anne Reardon sought information as to why the Tidy Towns Committee had not been notified about a funeral that was to be held in the KMI Hall on Saturday, 7 February, 2015, in light of the fact that markets were being held on the same day.

The Mayor advised Mrs Reardon that staff would take the question on notice.

ITEM 6 PUBLIC ACCESS

Nil

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING HELD ON 8 DECEMBER 2014

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

090215/01 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 8 December 2014 be adopted.

CARRIED

FOR VOTE - Unanimous vote

**7.2 CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING
HELD ON 21 JANUARY 2015**

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

090215/02 RESOLVED

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

That the Minutes of the Extraordinary Meeting held on 21 January 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

**9.1 RESCISSION MOTION; CRS CREEDY, DWYER & WILSON - SIMPKINS
CREEK RADIO REPEATER**

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

Moved by Councillor Janet Wilson, second by Cr Robert Dwyer:

That Council accepts the previous offer from Transgrid to establish an easement for the erection of a radio repeater on Richmond Range Road.

Cr Janet Wilson foreshadowed a motion:

That Council reinvest the nett sale proceeds into the community in consultation with residents of that area on how that money should be spent with regard to Council's operational plan.

090215/03 RESOLVED

Moved by Councillor Janet Wilson, second by Cr Robert Dwyer:

That Council accepts the previous offer from Transgrid to establish an easement for the erection of a radio repeater on Richmond Range Road.

CARRIED

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

AGAINST VOTE - Lindsay Passfield, Danielle Mulholland

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

That Council reinvest the nett sale proceeds into the community in consultation with residents of that area on how that money should be spent with regard to Council's operational plan.

Cr Lindsay Passfield foreshadowed a motion that the proceeds from the Transgrid transaction be put into the bridge reserve.

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

That Council reinvest the nett sale proceeds into the community in consultation with residents of that area on how that money should be spent with regard to Council's operational plan.

LOST

FOR VOTE - Ross Brown, Janet Wilson, Danielle Mulholland, Chris Simpson

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

090215/04 RESOLVED

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

That that the proceeds from the Transgrid transaction be put into the bridge reserve.

CARRIED

FOR VOTE - Unanimous vote

9.2 NOTICE OF MOTION -- CR JOHN BURLEY; KYOGLE SHOW TRUST HOT WATER SYSTEM

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

Cr Robert Dwyer and Cr Chris Simpson left the meeting at 5.23 pm.

Cr John Burley withdrew his Notice of Motion.

Councillors Dwyer and Simpson returned to the meeting at 5.23 pm

9.3 NOTICE OF MOTION -- CR CHRIS SIMPSON; AMEND LONG TERM FINANCIAL PLAN TO REPLACE BRIDGES IDENTIFIED FOR CLOSURE

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

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

That the references to the non replacement of bridges in the Long Term Financial Plan be removed and the LTFP be updated accordingly.

Cr Maggie Creedy foreshadowed a motion:

That Council amend page 6 of the Long Term Financial plan 2015/2034 as follows:

That key changes from the current Operational and Delivery Plan in the LTFP be summarised as follows:

- Bridge replacement funding be increased (deleting all other information in the dot point)

090215/05 RESOLVED

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

That the references to the non replacement of bridges in the Long Term Financial Plan be removed and the LTFP be updated accordingly.

CARRIED

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

AGAINST VOTE - John Burley, Danielle Mulholland

Cr Creedy withdrew her foreshadowed motion.

090215/06 RESOLVED

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

That all references to the bitumen to gravel service level reductions identified in the Long Term Financial Plan be removed and the LTFP be amended accordingly.

CARRIED

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

AGAINST VOTE - Maggie Creedy

9.4 NOTICE OF MOTION -- CR LINDSAY PASSFIELD; INVESTING POTENTIAL SAVINGS IN INFRASTRUCTURE BACKLOG

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

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

That Council holds a workshop before the March meeting of Council and that Management brings a report to the April 2015 meeting of Council on the potential to generate savings by changing the organisational structure

LOST

FOR VOTE - Ross Brown, Lindsay Passfield, Danielle Mulholland, Chris Simpson

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

090215/07 RESOLVED

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

That Management brings a report to the March 2015 meeting of Council on the potential to, and implications of, abolishing the Futures Fund and Self Help Fund and redirecting uncommitted funds to infrastructure maintenance and replacement

CARRIED

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

AGAINST VOTE - Janet Wilson, John Burley

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

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

Cr Ross Brown left the meeting at 6.29pm

090215/08 RESOLVED

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

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

CARRIED

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

12.2 FINANCIAL REPORT -- JANUARY 2015

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

090215/09 RESOLVED

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

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

CARRIED

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

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 HEARDS BRIDGE, GRADYS CREEK ROAD

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

Cr Danielle Mulholland left the meeting at 6.34 pm.

Cr John Burley assumed the Chair.

Cr Ross Brown returned to the meeting at 6.34 pm.

090215/10 RESOLVED

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

1. That Council receives and notes the report, Heards Bridge, Gradys Creek Road.
2. That Council allocate the remaining \$80,000 on Boyles Bridge to the repairs on Heards Bridge.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Danielle Mulholland

Danielle Mulholland returned to the meeting at 6.38 pm and resumed the Chair.

13A.2 BARRETTS BRIDGE, DUCK CREEK ROAD

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

090215/11 RESOLVED

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

1. That Council receives and notes the report, Barretts Bridge, Duck Creek Road.
2. That Council borrow the required funds from internally restricted reserves and expedite the replacement of Barretts Bridge.

CARRIED

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

AGAINST VOTE - Ross Brown, Janet Wilson, Maggie Creedy

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 27 NOVEMBER 2014 TO 30 JANUARY 2015

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

090215/12 RESOLVED

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

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

- Cr Reardon 3B.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 November, 2014 to 30 January, 2015 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Cr Michael Reardon left the meeting at 6.50 pm.

090215/13 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 27 November, 2014 to 30 January, 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 6.51 pm.

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 DECEMBER 2014 QUARTERLY BUDGET REVIEW

090215/14 RESOLVED

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

1. That the December 2014, Quarterly Budget/Management Plan Review Statement be received and noted.
2. That Council approve the variation of estimates contained in the table below:

STATEMENT OF SIGNIFICANT VARIANCES DECEMBER QUARTER BUDGET REVIEW		
DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Community Buildings - Capital Grants & Contributions	17,000	
Community Buildings - Construction		17,000
Bridges - Contributions	27,500	
Bridges - Maintenance		27,500
Urban & Assets Administration - Recoveries		(68,862)
Plant Operations - Income	17,500	
Plant Operations - Sales	12,500	
Plant Operations - Purchases		30,000
Totals	74,500	5,638
	Net Adjustment	68,862

CARRIED

FOR VOTE - Unanimous vote

13D.2 REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN

090215/15 RESOLVED

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

That Council receives and notes the 31 December, 2014, review of the Delivery Program and Operational Plan.

CARRIED

FOR VOTE - Unanimous vote

13D.3 AMENDED DELIVERY PROGRAM 2014/2018 OPERATIONAL PLAN 2014/2015

REPORT BY: GENERAL MANAGER

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

090215/16 RESOLVED

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

That Council adopts the amended Delivery Program 2014/2018 and Operational Plan 2015/2015 as attached.

CARRIED

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

13D.4 INTERNAL AUDIT COMMITTEE

REPORT BY: ADMINISTRATION AND COMMUNITY

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

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

That Council:

1. Receives and notes the report on the Internal Audit Committee Membership
 2. Offer Mr Andrew Stevens an extension on his membership to December 2016.
 3. Advertise the vacant Community position/s.
 4. Consider all applications received at a further meeting.
-

Cr Ross Brown foreshadowed a motion:

That Council suspend the operation of the Internal Audit Committee until such time as a report is provided in line with Council's previous recommendation in regard to what has been achieved.

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

That Council:

1. Receives and notes the report on the Internal Audit Committee Membership
2. Offer Mr Andrew Stevens an extension on his membership to December 2016.
3. Advertise the vacant Community position/s.
4. Consider all applications received at a further meeting.

LOST

FOR VOTE - Janet Wilson, Danielle Mulholland, Chris Simpson, and John Burley.

AGAINST VOTE - Bob Dwyer, Maggie Creedy, Ross Brown, Lindsay Passfield and Michael Reardon.

090215/17 RESOLVED

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

That Council suspend the operation of the Internal Audit Committee until such time as a report is provided in line with Council's previous recommendation in regard to what has been achieved.

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy, Bob Dwyer

AGAINST VOTE - John Burley, Chris Simpson

ITEM 13E COMMUNITY SERVICES REPORT

Nil.

ITEM 13F GENERAL MANAGER'S REPORT

Nil.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

090215/18 RESOLVED

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

That the report Sandy Creek Bridge -- 122-1490 be considered by Council as an urgent matter.

CARRIED

FOR VOTE - Unanimous vote

The Mayor then ruled the matter of great urgency.

SANDY CREEK BRIDGE - 122-1490

090215/19 RESOLVED

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

That Council;

1. Receives and notes the report on Sandy Creek Road Bridge 122-1490
2. Allocates \$60,000 from the Roads and Bridges Reserve to replace the bridge on Sandy Creek road with a pipe and floodway.

CARRIED

FOR VOTE - Unanimous vote

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer

- Could Council staff take the necessary steps to clean up the vacant block adjacent to Rugs Are Us?
- Could Council staff take a look at the Memorial at the Kyogle Visitor Information Centre and make recommendations on the best way to address the deterioration of the Memorial?

ITEM 16 CONFIDENTIAL BUSINESS PAPER

Nil.

MEETING CLOSURE

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

Signature of Chairperson.....