

Kyogle Council

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

PRESENT

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie Creedy, Cr Ross Brown, 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 Executive Manager Administration and Community, the 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.

Following the acknowledgement, a minutes' silence was held for former Kyogle Council Deputy Mayor and Bundjalung elder Aunty Patsy Nagas.

ITEM 4 DECLARATION OF INTERESTS

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

- Item No 13B.1 Development Applications Received, Outstanding and Determined for the Period 1 December 2013 to 31 January 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, Outstanding, and Determined for the Period 1 December 2013 to 31 January 2014 – 2013/70.
Reason for Declaration - neighbour of the property owner.

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

- Item No 13B.1 Development Applications Received, Outstanding, and Determined for the Period 1 December 2013 to 31 January 2014 – 2013/11.
Reason for Declaration - neighbour of the property owner.

ITEM 5 QUESTION TIME

Elvie Jones wanted to know what Council had done about the light on the opposite side of the road to the Kyogle soccer fields which is on 24-hours-a-day seven-days-a-week. Mrs Jones had raised the issue with the Council late last year.

The Executive Manager Urban and Assets said the light was the responsibility of Essential Energy. He said Council had advised the electricity supplier about the light and it was now up to Essential Energy to decide what, if anything, they will do about it.

ITEM 6 PUBLIC ACCESS

Nil

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 9 DECEMBER 2013 ORDINARY MEETING

100214/01 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION -- CR LINDSAY PASSFIELD, COUNCIL AMALGAMATIONS

100214/02 RESOLVED

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

That Council request advice from the State Government detailing the incentives for, and benefits of, potential amalgamation with one or more neighbouring Councils.

CARRIED

FOR VOTE - Unanimous vote

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

100214/03 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 11 DELEGATES REPORTS

11.1 DELEGATES REPORT -- DOWNS TO RIVERS ACTION COMMITTEE

100214/04 RESOLVED

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

That the delegates report provided by Councillor Lindsay Passfield in respect of the Downs to Rivers Action Committee be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Councillor Robert Dwyer provided a verbal delegate's report to the meeting regarding the first meeting for 2014 of the Kyogle and District Chamber of Commerce.

100214/05 RESOLVED

Moved by Councillor Maggie Creedy, seconded Councillor Ross Brown:

That Councillor Robert Dwyer's delegate's report in respect of the Kyogle and District Chamber of Commerce be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

100214/06 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

12.2 FINANCIAL REPORT JANUARY 2014

100214/07 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 INITIAL SEAL AFTERLEE ROAD & DAM ACCESS ROAD

100214/08 RESOLVED

Moved by Councillor Ross Brown, seconded by Councillor John Burley:

That the Initial Sealing Afterlee Road and Dam Access Road report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

13A.2 REGIONAL ROADS REPAIR PROGRAM

100214/09 RESOLVED

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

That the Regional Roads Repair Program report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

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

That the over expenditure of \$267,264 be funded from Transport Fund reserves.

Councillor Janet Wilson foreshadowed a motion that the matter be referred to the quarterly budget review 13D.1 10 February 2014.

The motion was put to the vote and lost.

FOR VOTE - Maggie Creedy, Bob Dwyer, Michael Reardon

AGAINST VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Chris Simpson

Councillor Wilson withdrew the foreshadowed motion.

13A.3 INFRASTRUCTURE WORKS REVIEW

100214/10 RESOLVED

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

That Council receive and note the report.

CARRIED

FOR VOTE - Unanimous vote

13A.4 REVIEW OF PUBLIC GATES AND BYPASSES (CATTLE GRID) POLICY AND MANAGEMENT PLAN FOLLOWING EXHIBITION PERIOD

100214/11 RESOLVED

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

1. That Council adopt the amended Public Gates and Bypasses (Cattle Grid) Management Plan.
2. That Council adopt the amended Public Gates and Bypasses (Cattle Grid) Policy.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, OUTSTANDING AND DETERMINED FOR THE PERIOD 1 DECEMBER, 2013 TO 31 JANUARY, 2014

100214/12 RESOLVED

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

That, with the exception of the following items in which Councillors Ross Brown and Chris Simpson, and the Executive Manager Administration and Community Carol O'Neill have declared an interest,

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

- Cr Chris Simpson 13B.1 Development Applications Received, Outstanding and Determined DA 2012/39 - Reason for Declaration, neighbour of the property owner.
- Executive Manager Administration and Community Carol O'Neill 13B.1 Development Applications Received, Outstanding and Determined DA 2013/11 - Reason for Declaration, neighbour of the property owner

The information contained in the report Development Applications Received, Outstanding and Determined for the period 1 December 2013 to 31 January, 2014 be received and noted.

CARRIED

FOR VOTE – Unanimous vote

Councillors Ross Brown and Chris Simpson and Executive Manager Administration and Community Carol O'Neill left the meeting at 5.49 pm.

100214/13 RESOLVED

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

That the information contained in the report Development Applications Received, Outstanding and Determined for the period 1 December 2013 to 31 January, 2014 only in relation to DA 2013/39, DA2013/11, 2013/70 in which Councillors Brown and Simpson 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

Councillors Brown and Simpson and the Executive Manager Administration and Community Carol O'Neill returned to the meeting at 5.50 pm.

13B.2 DEVELOPMENT APPLICATION 2013/068 WEIGHBRIDGE AND IMPROVEMENTS - KYOGLE LANDFILL AND WASTE MANAGEMENT FACILITY

100214/14 RESOLVED

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

1. That Council note and receive the report for the assessment of Development Application 2013/068 Weighbridge and Improvements - Kyogle Landfill and Waste Management Facility.
2. That Development Application 2013/068 Weighbridge and Improvements - Kyogle Landfill and Waste Management Facility be approved subject to conditions attached to this report.
3. That the ARTC be advised of Council's considerations of their request and Council's determination of this application.

CONDITIONS OF CONSENT:

Development Application 2013/068 - Proposed new weighbridge, waste processing and recovery facility and site improvements within Kyogle Landfill and Waste Management Facility.

1. The development shall be in accordance with development application number DA2-13/68 submitted on 2 December, 2013 and in accordance with the following:

Plan Name	Number	Date
Indicative Weighbridge Design	2013/68 Sheets 1 to 4	2/12/13
Site Plan – SP McElroy & Assoc	12/19 (DA 01-10)	1/10/13
Proposed Infrastructure Augmentation Plan - SP McElroy	12/19 (DA 04/10)	11/10/13
Proposed Weighbridge Office	2013/68 Sheets 1 to 4	5/12/13
Proposed Waste Processing & Recovery Facility	2013/68	5/12/13
Statement of Environmental Effects as prepared by Stephen Fletcher & Associates Pty Ltd October 2013.		

except where otherwise provided by the conditions of this development consent.

2. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
3. Prior to the issue of a Construction Certificate, the proponent must submit to the Council a report addressing compliance with all relevant conditions of this consent.
4. This development consent is limited to a period of five (5) years in accordance with Section 95(1) of the *Environmental Planning and Assessment Act 1979*. Following the expiration of this period the consent will lapse unless work relating to the subdivision is physically commenced before the date on which the consent would otherwise lapse.

5. The development must be designed and constructed to comply with *Australian Standard 1428.2-1992: Design for access and mobility - Enhanced and additional requirements - Buildings and facilities*.
6. All hazardous materials must be appropriately stored so as to prevent environmental damage in the case of spillage or contaminated lands. Oils and lubricants must be stored in an impermeable permanent bunded and roofed area with a holding capacity of 110% of the total volume of all containers at a minimum. Where flammable and combustible liquids are stored compliance standards relating to flammable and combustible liquids as specified in Australian Standard 1940-2004 must be implemented at all times.

Any accidental spillage occurring from the plant or vehicles associated with the use must be immediately remediated by the proponent.

7. All hazardous/flammable materials including fuel and oils shall be held in approved containers and stored in accordance with Workcover NSW and the *Occupational Health and Safety Act 2000*.
8. Erosion and sediment control measures must be put into place and be properly maintained to prevent soil erosion and the transport of sediment from the site to natural or constructed drainage lines or water courses. Control measures are to remain in place until the site has been adequately revegetated or landscaped to prevent soil erosion. Sediment control fencing must be completely removed once the site is adequately revegetated.
9. A hoarding or fence must be erected between the work site and a public place. An application to be submitted and approved by Council prior to work commencing.
10. Appropriate signage must be provided on the work site and in a prominent position visible to the public:
 - a) stating that unauthorised access to the work site is not permitted; and
 - b) showing the name of the builder or person responsible for the site and a telephone number at which that person can be contacted outside working hours.
11. The building must be clad in low-reflective material.
12. The metal roof and wall cladding is to be installed in accordance with AS 1562 – 1992, Design and Installation of Sheet Roof and Wall Cladding.
13. All metal framing to comply with approved engineering specifications and AS 3623-Domestic Metal Framing.

14. Measures that are proposed or required to be implemented as a condition of this approval in the building premises.

STANDARD OF PERFORMANCE				
	Fire Safety Measure	Design Standard	Installation Standard	Maintenance Standard
1.	Smoke Alarms	AS 3786 Smoke Alarms	AS 3786	
2.	Hose Reels (A17)	AS 1221 Fire Hose Reels	AS 2441 Installation of Fire Hose Reels	AS 1851.2 - Maintenance of Fire Protection Equipment - Fire Hose Reels.
3.	Emergency Lighting	AS 2293.1 Emergency Evacuation Lighting to Buildings	AS 2293.1	AS 2293.2 - Emergency Evacuation Lighting for Buildings - Inspection and Maintenance.
4.	Exit Signs	AS 2293.1 Emergency Evacuation Lighting in Buildings	AS 2293	AS 2293.2 - Emergency Evacuation Lighting in Buildings - Inspection and Maintenance.
5.	Portable Fire Extinguishers	AS 1841.2 Portable Fire Extinguishers - Water Type AS 1841.3 Portable Fire Extinguishers - Wet Chemical Type AS 1841.4 Portable Fire Extinguishers - Foam Type AS 1841.5 Portable Fire Extinguishers - Powder Type AS 1841.6 Portable Fire Extinguishers - Carbon Dioxide Type AS 1841.7 Portable Fire Extinguishers - Vaporizing Liquid Type	AS 2444	AS 1851.1 - Maintenance of Fire Protection Equipment - Portable Fire Extinguishers and Fire Blankets.

15. The owner of the building must cause Council to be given an annual fire safety statement in relation to each fire safety measure implemented in the building. The annual fire safety statements are to be given within 12 months after which the last fire safety certificate statement was given. A copy of each statement is to be given to the Commissioner of New South Wales Fire Brigades and a further copy is to be prominently displayed in the building.

16. If Council is to be engaged as the Principal Certifying Authority the following progress and mandatory critical stage inspections will be required;
 - (a) prior to pouring any in-situ reinforced concrete building element.
 - (b) prior to covering of the framework for any floor, wall, roof or other building element.
 - (c) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

17. Details and certification prepared by a Practising Structural Engineer must be submitted to the certifying authority for the following prior to the issue of a Construction Certificate:
 - a) all footings and slabs
 - b) all bracing and tie downs including design wind speed assessment.
 - c) structural steelwork
 - d) bracing details for trusses.
 - e) roof truss layout.The certification must:
 - i) certify that the design complies with the requirements of the Building Code of Australia; and
 - ii) set out the basis on which it is given and the extent to which relevant codes of practice, specifications, rules or other publications have been relied upon.
 - iii) Details of bore log results (if applicable)

18. Prior to the issue of a Construction Certificate, a landscape plan shall be prepared and endorsed by Council to replace any existing landscaping removed as part of the development and soften the proposed built infrastructure when viewed from any adjoining property on Runnymede Road.

19. The proposed 2m apron surrounding the Waste Processing and Recovery Facility shall be bunded and storm or wash down waters from within the bunded area shall be conveyed directly to the leachate pond.

20. An internal Traffic Management Plan shall be prepared and endorsed by Council prior to the release of the Construction Certificate.

21. Apart from developer funded works, no improvements to existing roads, access and services will be provided by Council or any other utility authority.

22. That no tree in the road reserve shall be damaged, destroyed or removed without the written consent of the Council.

23. The proponent shall provide the following roadworks with associated stormwater drainage structures that have been designed and constructed in accordance with the Northern Rivers Local Government Development, Design and Construction Manual. The proponent shall be responsible for any costs, associated with the provision of the works. Required roadworks include:

RURAL SEALED

The access to the proposed development from Runnymede Road is to be designed and upgraded to meet the requirements of an AUSTRROADS BAR with sealed shoulders and sealed to the extents of the taper.

A minimum of 22m storage length to the weighbridge is to be provided within the property boundaries.

A practising qualified surveyor or engineer shall submit to Council for approval prior to the release of the Construction Certificate, a "works-as-executed" set of plans and construction certification. The certification shall detail satisfactory completion of all roads, drainage and civil works required by this development consent and approved in design plans.

24. Full design plans of the proposed engineering works shall be submitted to and approved by Council prior to commencement of these works. Such plans shall be accompanied the fee, as adopted at the time of the relevant payment as indicated in Council's Fees and Charges.
25. Prior to carrying out any works within a public road reserve, the proponent shall complete an application under Council's Road Reserve Management Plan and receive written approval from Council. Satisfactory arrangements for restoration with Council's Technical Services Department shall also be required, with all works constructed according to Council's Development, Design and Construction Manuals (as amended). All costs shall be the responsibility of the proponent.
26. Engineering design plans for the carpark, loading area, accesses and stormwater drainage are to be submitted to and approved by Council , prior to the release of the Construction Certificate. A plan checking and supervision fee is required to be paid prior to the release of the plans.
27. A maintenance period shall apply to all construction carried out on development where the ownership of the asset is to pass to Council. The maintenance period shall extend from the completion of the construction and subsequent approval by Council, for six months. Within that time the developer is responsible for any omissions or defects. At the end of the maintenance period Council will inspect the asset and any work found not conforming to the plans and specifications shall be the responsibility of the developer to rectify. The maintenance bond shall be returned at the completion of the maintenance period and subsequent defect free approval by Council.
Construction (contract) price Bond
up to \$50,000 - 10% of contract price (minimum bond \$1,000)
over \$50,000 \$5,000 plus 5% of balance over \$50,000
28. All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development.

29. An all-weather vehicular access shall be constructed and maintained from the point of connection to Councils road network to the proposed development site in accordance with Councils Property Access and Addressing Management Plan and the Northern Rivers Development and Design Manuals. This requires that the grade of the access does not exceed a grade of 1 in 6 or 16.67% within the road reserve, and does not exceed a grade of 1 in 4 or 25% within private property. Any section of the access that exceeds a grade of 1 in 8.3 or 12% shall be provided with a sealed surface on a suitable pavement. The access road is to be a minimum of 4m wide, with a minimum pavement depth of 150mm of compacted gravel, a maximum crossfall of 10%, and the radius on the inside of any bends shall not be less than 6m.
30. All allotments shall have a sealed vehicular access from the existing roadway to the boundary of private property in accordance with Council's Property Access and Addressing Management Plan.
31. No vehicular accesses may be constructed or opened onto a Council road without the prior written approval of Council.
32. The consent of all owners through whose property a drainage easement is proposed will need to be submitted to Council in writing, prior to the approval of the engineering design plans, and evidence of such easements being acquired is to be submitted to Council, prior to the release of the Occupation Certificate.
33. Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:
 - adjoining land
 - natural drainage courses
 - constructed drainage systems, or
 - waterways
 - public road reserve

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation wherever possible.

CARRIED

FOR VOTE - Unanimous vote

Councillor Lindsay Passfield and Councillor Robert Dwyer called for a division in accordance with Section 735A of the Local Government Act 1993.

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

ITEM 13C ENVIRONMENT SERVICES REPORT

13C.1 NOTICE OF VARIATION TO LICENCE FOR THE WOODENBONG LANDFILL FACILITY

100214/15 RESOLVED

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

1. That the report on the EPA Notice of Variation for the Woodenbong Landfill Facility be received and noted.
2. That Council again reiterate its request to the EPA for a 12 month deferral of the proposed variations to the Woodenbong Landfill Licence requiring daily cover of landfilled material, preparation of a Leachate Management Plan and a Landfill Environmental Management Plan due to the significant estimates costs of \$115,000 - \$160,000 to comply plus an additional \$60,000 - \$100,000 in operational costs and the fact that Council is currently preparing a Waste Management Strategy for the Kyogle Local Government Area which includes a comprehensive review of its Waste Management functions and the continued operation of the Woodenbong Landfill Facility.
3. That Council indicate in its letter to the EPA that it is committed to the ongoing improved management for waste disposal in the shire but is limited in available funds to undertake ad-hoc works without considering the waste management operations across the shire.
4. Council authorise the Mayor to make formal representations to the Premier through the Local Member and/or the Minister for Local Government and/or the Minister for the Environment, as well as directly with the Chair of the EPA.

CARRIED

FOR VOTE - Unanimous vote

100214/16 RESOLVED

Moved Councillor Ross Brown, seconded by Councillor Janet Wilson:

That Kyogle Council liaise with Tenterfield Shire Council about the possibility of the two Councils co-operating in relation to waste management with the view of generating savings for Kyogle Council.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13D CORPORATE SERVICES REPORT

13D.1 DECEMBER 2013 QUARTERLY BUDGET REVIEW

100214/17 RESOLVED

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

1. That the December 2013, Quarterly Budget Review Statement be received and noted.
2. That Council approve the variation of estimates contained in the separate attachment.

CARRIED

FOR VOTE - Unanimous vote

100214/18 RESOLVED

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

That the \$267,264 over expenditure be carried forward to the 2014-15 budget.

CARRIED

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

13D.2 REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN

100214/19 RESOLVED

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

That Council receives and notes the 31 December, 2013, review of the Delivery Program and Operational Plan.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13E COMMUNITY SERVICES REPORT

Nil

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 NORTHERN RIVERS REGIONAL TRANSPORT PLAN

100214/20 RESOLVED

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

1. That the report on the Northern Rivers Regional Transport Plan be received and noted.
2. That Kyogle Council contributes to the NOROC submission to the Minister for Transport.

CARRIED

FOR VOTE - Unanimous vote

13F.2 STRATEGIC PLANNING FOCUS GROUPS

100214/21 RESOLVED

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

1. That the Strategic Planning Focus Groups report be received and noted.
2. That Council adopts the Governance and Community Services Focus Group Charter as amended.
3. That Council adopts the Ageing in place, disability services and respite care Focus Group Charter as amended.
4. That Council adopts the Agriculture Focus Group Charter as amended.
5. That Council adopts the Visitor Attraction Focus Group Charter as amended.
6. That Council adopts the Village life Focus Group Charter as amended.
7. That the following Focus Group Councillor membership be adopted:
 - a. Government and Community Services -- Mayor Danielle Mulholland
 - b. Ageing In Place -- Cr John Burley, Cr Maggie Creedy, Cr Lindsay Passfield, Cr Robert Dwyer
 - c. Agriculture -- Cr Lindsay Passfield, Cr Maggie Creedy, Cr Chris Simpson
 - d. Visitor Attractions -- Cr Danielle Mulholland, Cr John Burley, Cr Chris Simpson, Cr Robert Dwyer.
 - e. Village Life -- Cr Danielle Mulholland, Cr Janet Wilson

CARRIED

FOR VOTE - Unanimous vote

**13F.3 FINAL REPORTS OF THE INDEPENDENT LOCAL
GOVERNMENT REVIEW PANEL AND THE LOCAL
GOVERNMENT ACTS TASKFORCE**

100214/22 RESOLVED

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

1. That a Workshop be held on 3 March, 2014 at 5pm to consider Council's response.

CARRIED

FOR VOTE - Unanimous vote

100214/23 RESOLVED

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

1. Council extend an invitation to the Minister for Local Government and the chair of the Local Review Panel to discuss the recommendations of the report which relate particularly to the Kyogle Local Government Area;
2. Council's response at this time relates to generic local government needs and recommendations only;
3. A further response will be provided after:
 - (3.1) discussions with the Minister and Chair;
 - (3.2) a response to the motion resolved on 10 February 2014 has been received;
4. That Council investigate and provide information for the workshop about the cost of, and opportunity for, employing personnel to develop Council's position and strategies needed to respond to the recommendations of the report about the Kyogle LGA;
5. That the report on the final reports of the Independent Local Government Review Panel and the Local Government Acts Taskforce be received and noted.
6. That Council request an extension of time to 12 March, 2014 to make its submission(s).

CARRIED

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

AGAINST VOTE - Chris Simpson

13F.4 LIONS TIME TRIAL EVENT PROPOSAL

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

That Council endorses the General Manager's letter of "in principle" support provided to the Lions TT Group on 18 December, 2013.

Councillor Danielle Mulholland foreshadowed a motion that the matter be deferred until the March meeting when issues surrounding Council's liability and questions of speed limits are addressed.

100214/24 RESOLVED

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

That Council endorses the General Manager's letter of "in principle" support provided to the Lions TT Group on 18 December, 2013.

CARRIED

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

AGAINST VOTE - Janet Wilson, Danielle Mulholland

The foreshadowed motion lapsed.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer:

Has Council obtained the new sign for Alcocks Bridge?

The Executive Manager Infrastructure Works responded that the sign had been ordered and had either arrived at the depot or was due to arrive at the depot within the next few days. It would be erected, along with the sign for Watkins Bridge, sometime in the current week.

Cr John Burley:

Has Council established the standard of pavement required to seal the Toonumbar access road.

The Executive Manager Infrastructure Works responded that the existing pavement would have to be stabilised as testing had revealed it does not meet road base specifications and it would have to be overlaid with 150mm of road base material.

Cr Chris Simpson:

Does the Council's Tourism/Economic Development Officer have a formal role statement and is it available for public viewing.

The General Manager confirmed that the role of Tourism/Economic Development Officer had a position description, however it was not public information. He said he would provide Cr Simpson with publically available information about the role of Council's Economic Development Department.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 16.1 Tender for Purchase of All Terrain Pick and Carry Crane

This item is classified CONFIDENTIAL under 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.

100214/25 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
Council closed its meeting at 6.52pm. The public and the media left the Chamber

16.02 OPEN COUNCIL RESUMES

100214/26 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

Open Council resumed at 6.55 pm.

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

Item 16.1 TENDER FOR THE PURCHASE OF ALL TERRAIN PICK AND CARRY CRANE

RESOLVED

That Council accept the tender from Terex Australia Pty Ltd for the supply of a Franna MAC 25-3 All Terrain Pick & Carry Crane at a cost to Council of \$485,063.00 (GST Exclusive).

CARRIED

FOR VOTE – Unanimous

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 7pm.

Signature of Chairperson.....