

Kyogle Council

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

PRESENT

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

IN ATTENDANCE

The Acting General Manager, the Executive Manager Infrastructure Works, the Executive Manager Administration and Community, 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 5pm.

ITEM 1 APOLOGIES

An apology was received from Councillor John Burley.

130715/01 RESOLVED

Moved Councillor Lindsay Passfield, seconded Councillor Janet Wilson:

That the apology be received and a leave of absence be granted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

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 No 13B.1 Development Applications Determined and Outstanding for the period 29 May to 3 July, 2015 - DA 2014/27.
Reason for Declaration - owner of a quarry.

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

- Item No 13B.1 Development Applications Determined and Outstanding for the period 29 May to 3 July, 2015 - DAs 2014/95 and 2013/11
Reason for Declaration - neighbouring property owner.

ITEM 5 QUESTION TIME

Nil

ITEM 6 PUBLIC ACCESS

Nil

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 9 JUNE 2015 ORDINARY MEETING

REPORT BY: GENERAL MANAGERS OFFICE

CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT

130715/02 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

**7.2 CONFIRMATION OF THE MINUTES OF THE 29 JUNE, 2015
EXTRAORDINARY MEETING**

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

130715/03 RESOLVED

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

That the Minutes of the Extraordinary Meeting held on 29 June, 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

**9.1 NOTICE OF MOTION; CR LINDSAY PASSFIELD -- TENDERING AND
QUOTATIONS POLICY**

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

130715/04 RESOLVED

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

That Council review the Tendering and Quotations Policy and Local Purchasing Policy with a view to ensuring that local content is given a priority in tender evaluations for Council contracts.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

**9.2 RESCISSION MOTION: COUNCILLORS BROWN, BURLEY AND SIMPSON -
- REQUEST FOR ROAD CLOSURE UPPER DUCK CREEK**

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

130715/05 RESOLVED

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

That Council rescind dot points 4 and 5 of resolution 090615/05 (Request for Road Closure Upper Duck Creek), those dot points being:

4. That, subject to the above, Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the closing of the portion of Public Road through lots 28, 21 and 22 or DP751048 at Upper Duck Creek
5. That Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the transfer of the portion of Public Road through lots 28, 21 and 22 of DP751048 at Upper Duck Creek.

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Chris Simpson, Bob Dwyer

AGAINST VOTE - Danielle Mulholland, Michael Reardon, Maggie Creedy

ABSENT. DID NOT VOTE - John Burley

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

130715/06 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT

130715/07 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

12.2 MONTHLY FINANCE REPORT - JUNE 2015

REPORT BY: ADMINISTRATION AND COMMUNITY

**CONTACT: EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY
CAROL ONEILL**

130715/08 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 BRIDGE REPLACEMENT PRIORITISATION PROCESS

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

130715/09 RESOLVED

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

1. That Council receives and notes the report on the Bridge Replacement Prioritisation Process.
2. That the bridge replacement prioritisation methodology and the other factors that must be considered when allocating budgets and programming of works for bridge replacements listed in this report be included in the next revision of the Road Network Management Plan.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

13A.2 BORDER RANGES SHORT COURSE RALLY 2015

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

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

1. That Council receives and notes the report, Border Ranges Short Course Rally 2015;
2. That Council agree in principle to the holding of the 2015 Border Ranges Short Course Rally;
3. That Council provide traffic control services associated with the 2015 Border Ranges Short Course Rally.
4. That Council's maintenance program ensures each of the rally roads have a patch grade up to four weeks prior to the event.

Councillor Lindsay Passfield moved an amendment, which was agreed to by Councillor Maggie Creedy, and as such became the motion:

1. That Council receives and notes the report, Border Ranges Short Course Rally 2015;
2. That Council agree in principle to the holding of the 2015 Border Ranges Short Course Rally;
3. That Council provide traffic control services associated with the 2015 Border Ranges Short Course Rally.
4. That Council's maintenance program ensures each of the rally roads have a patch grade carried out up to four weeks before and after the event if required.

130715/10 RESOLVED

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

1. That Council receives and notes the report, Border Ranges Short Course Rally 2015;
2. That Council agree in principle to the holding of the 2015 Border Ranges Short Course Rally;
3. That Council provide traffic control services associated with the 2015 Border Ranges Short Course Rally.
4. That Council's maintenance program ensures each of the rally roads have a patch grade carried out up to four weeks before and after the event if required.

CARRIED

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

AGAINST VOTE - Ross Brown

ABSENT. DID NOT VOTE - John Burley

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS DETERMINED AND OUTSTANDING FOR THE PERIOD 29 MAY, 2015 TO 3 JULY, 2015

**REPORT BY PLANNING AND ENVIRONMENT
CONTACT EXECUTIVE MANAGER PLANNING AND ENVIRONMENT
MANFRED BOLDY**

130715/11 RESOLVED

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

That, with the exception of the following items in which Councillors Michael Reardon and the Executive Manager Administration and Community have declared an interest,

- Cr Reardon 13B.1 Development Applications Determined and Outstanding DA2014/27 - Reason for Declaration - owner of a quarry.
- Executive Manager Administration and Community 3B.1 Development Applications Determined and Outstanding DA2013/11 and DA2014/95- Reason for Declaration - neighbouring property owner.

The information contained in the report Development Applications Determined and Outstanding for the 29 May to 3 July, 2015 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

Councillor Reardon and the Executive Manager Administration and Community left the meeting at 5.50pm

130715/12 RESOLVED

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

That the information contained in the report Development Applications Determined and Outstanding for the period 29 May to 3 July, 2015 only in relation to DA2014/27, DA201495 and DA2013/11 in which Councillors Reardon and the Executive Manager Administration and Community have declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Michael Reardon

Councillor Reardon and the Executive Manager Administration and Community returned to the meeting at 5.51pm.

13B.2 DEVELOPMENT APPLICATION 2015-18

**REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: EXECUTIVE MANAGER PLANNING AND ENVIRONMENT
MANFRED BOLDY**

130715/13 RESOLVED

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

1. That the Development Application No. 2015/18 for construction of a shed at Kyogle Council's Woodenbong Depot report be received and noted.
2. That pursuant to Section 80(1) of the *Environmental Planning and Assessment Act 1979*, Council approve the application subject to conditions as contained in Attachment 2.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Division

Councillors Lindsay Passfield and Chris Simpson called for a Division under section 375A of the *Local Government Act 1993*.

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

ABSENT. DID NOT VOTE - John Burley

13B.3 DEVELOPMENT APPLICATION 2015-19

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: EXECUTIVE MANAGER PLANNING AND ENVIRONMENT
MANFRED BOLDY

130715/14 RESOLVED

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

1. That Council receive and note the report, Development Application 2015-19
2. That pursuant to Section 80(1) of the Environmental Planning and Assessment Act 1979, Council approve the application subject to conditions contained in Attachment 2.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Division

Councillors Lindsay Passfield and Ross Brown called for a Division under section 375A of the *Local Government Act 1993*.

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

ABSENT. DID NOT VOTE - John Burley

13B.4 PLANNING PROPOSAL TO AMEND THE KYOGLE LEP 2012 AND KYOGLE DCP TO PERMIT ADDITIONAL TOURIST AND VISITOR ACCOMMODATION

REPORT BY: PLANNING AND ENVIRONMENT

**CONTACT: EXECUTIVE MANAGER PLANNING AND ENVIRONMENT
MANFRED BOLDY**

130715/15 RESOLVED

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

1. That Council receives and notes the report on Planning Proposal To Amend The Kyogle LEP 2012 And Kyogle DCP To Permit Additional Tourist And Visitor Accommodation;
2. That Council resolves to amend the *Kyogle LEP 2012* (KLEP), through the preparation of a Planning Proposal generally in accordance with the changes outlined in section 10 of this Report;
3. That Council authorise the Acting General Manager to finalise the Planning Proposal consistent with the contents of the report to Council and submit the Planning Proposal to the Department of Planning and Environment (the Department) for review and Gateway Determination;
4. That on receipt of a Gateway Determination to proceed with the LEP amendment, the Acting General Manager be authorised to make any necessary changes to the Planning Proposal in accordance with the requirements of the Department and proceed with the LEP amendment process in accordance with the provisions of Part 3 Division 4 of the EPAA, including public consultation of the LEP amendment;
5. That a further report is presented to the Council regarding the review of submissions resulting from the public consultation phase, should the LEP amendment be enabled to proceed through a favourable Gateway Determination;
6. That the Council prepare a draft development control plan generally in accordance with the changes outlined in Section 10 of this Report;
7. That public exhibition of the Draft DCP is carried out in accordance with the requirements of the EP&A Reg. 2000;
8. That the draft DCP is to be reviewed in light of any submissions made during public exhibition;
9. That a further report is to be presented to the Council following conclusion of the public consultation stage and consideration of any submissions that have been received.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

Division

Councillors Lindsay Passfield and Ross Brown called for a Division under section 375A of the *Local Government Act 1993*.

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

ABSENT. DID NOT VOTE - John Burley

13B.5 PLANNING PROPOSAL TO AMEND THE KYOGLE LEP 2012 TO CHANGE THE COMPLYING DEVELOPMENT PROVISIONS FOR TEMPORARY EVENTS

REPORT BY: PLANNING AND ENVIRONMENT

**CONTACT: EXECUTIVE MANAGER PLANNING AND ENVIRONMENT
MANFRED BOLDY**

130715/16 RESOLVED

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

1. That Council receives and notes the report, Planning Proposal To Amend The Kyogle LEP 2012 To Change The Complying Development Provisions For Temporary Events.
2. That Council resolves to amend the *Kyogle Local Environmental Plan 2012* (KLEP), through the preparation of a Planning Proposal generally in accordance with the changes outlined in Table 2 of this report.
3. That Council authorise the Acting General Manager to prepare a Planning Proposal consistent with the contents of this report and submit the Planning Proposal to the Department of Planning and Environment (the Department) for review and Gateway Determination.
4. That on receipt of a Gateway Determination stating that Council may proceed with the LEP amendment, the Acting General Manager be authorised to make any necessary changes to the Planning Proposal in accordance with the requirements of the Department and undertake the necessary administrative procedures of the LEP amendment process in accordance with the provisions of Part 3 Division 4 of the EPAA, including public consultation.
5. That on conclusion of public consultation, a further report is presented to Council outlining the outcomes of consultation, including submissions received.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Division

Councillors Lindsay Passfield and Ross Brown called for a Division under section 375A of the *Local Government Act 1993*.

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

ABSENT. DID NOT VOTE - John Burley

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 CODE OF MEETING PRACTICE

REPORT BY: ADMINISTRATION AND COMMUNITY
CONTACT: EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY
CAROL O'NEILL

130715/17 RESOLVED

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

1. That Council receives and notes the report, Code of Meeting Practice.
2. That Council adopt the Amended Code of Meeting Practice dated December 8, 2014.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

13D.2 FEES AND CHARGES REVIEW

**REPORT BY: ADMINISTRATION AND COMMUNITY
CONTACT: EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY
CAROL O'NEILL**

130715/18 RESOLVED

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

That Council receives and notes the report, Fees and Charges Review.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 FINANCIAL ASSISTANCE POLICY

**REPORT BY: ADMINISTRATION AND COMMUNITY
CONTACT: EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY
CAROL O'NEILL**

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

1. That Council receives and note the report, Financial Assistance Policy.
2. That the amended Kyogle Council Financial Assistance Policy as further amended be adopted.

Councillor Robert Dwyer foreshadowed a motion that Council have a workshop to look at the make-up of the Economic Development Structure of Council and ways it could be improved.

130715/19 RESOLVED

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

1. That Council receives and note the report, Financial Assistance Policy.
2. That the amended Kyogle Council Financial Assistance Policy as further amended be adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

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

That Council have a workshop to look at the make-up of the Economic Development Structure of Council and ways it could be improved.

Councillor Robert Dwyer withdrew his motion.

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 KYOGLE MUSEUM BUILDING PROPOSAL

REPORT BY: ACTING GENERAL MANAGER

CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT

130715/20 RESOLVED

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

1. That Council receives and notes the report, Kyogle Museum Building Proposal.
2. That Council authorises the submission of an application for Development Approval for the proposed building in accordance with the plans attached to this report titled "New Museum Building at Lots 269 and 270 DP4517, 55 Roxy Lane, Kyogle NSW 2474" dated July 1, 2015.
3. That Council waives all fees payable to Council for the Development Application and associated construction works for the proposed new Museum building.
4. That Council submits a formal project proposal to the Office of Local Government to enter into a Public Private Partnership with the Kyogle and District Historical Society Inc for the construction of the proposed New Museum building as outlined in this report, in accordance with Part 6 of Chapter 12 of the Local Government Act.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

13F.2 COUNCILLOR NUMBERS Sec 224 LG Act

REPORT BY: ACTING GENERAL MANAGER
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT

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

That Council receive and note the report, Determination of Councillor Numbers.

Councillor Robert Dwyer foreshadowed a motion:

That no further action be taken on this particular item until it is workshopped by full Council.

Councillor Janet Wilson foreshadowed a motion:

1. That the matter of elected representation for the LGA be referred to the Governance Focus Group for further research and development on options for elected representation in the future;
2. That the Governance Focus Group be expanded for the period of consultation to include local expertise and knowledge from the constituency;
3. That a further report be prepared for council which includes the findings and recommendations of the work carried out by the Focus Group.

130715/21 RESOLVED

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

That Council receive and note the report, Determination of Councillor Numbers.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

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

That no further action be taken on this particular item until it is workshopped by full Council.

Councillor Ross Brown foreshadowed a motion:

That the number of councillors for the 2016 ordinary election remain at nine councillors with three councillors in each of three wards

Councillor Dwyer and Councillor Creedy agree to amend their motion to:

That Council hold a workshop on the matter.

130715/22 RESOLVED

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

That Council hold a workshop on the matter.

CARRIED

FOR VOTE - Ross Brown, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer

AGAINST VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland

ABSENT. DID NOT VOTE - John Burley

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland:

1. That the matter of elected representation for the LGA be referred to Governance Focus Group for further research and development of options for elected representation in the future;
2. That the Governance Focus Group be expanded for the period of consultation to include local expertise and knowledge from the constituency;
3. That a further report be prepared for council which includes the findings and recommendations of the work carried out by the Focus Group.

LOST

FOR VOTE - Janet Wilson, Lindsay Passfield, Danielle Mulholland

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

ABSENT. DID NOT VOTE - John Burley

130715/23 RESOLVED

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

That the number of councillors for the 2016 ordinary election remain at nine councillors with three councillors in each of three wards

CARRIED

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

AGAINST VOTE - Lindsay Passfield

ABSENT. DID NOT VOTE - John Burley

13F.3 NORTHERN RIVERS JOINT ORGANISATION DISCUSSION PAPER

**REPORT BY: GENERAL MANAGERS OFFICE
CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

130715/24 RESOLVED

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

1. That Council receives and notes the report, Northern Rivers Joint Organisation Discussion Paper.
2. That Council supports the establishment of the Northern Rivers Joint Organisation of Councils on the basis of centralising all existing shared services within the Joint Organisation of Councils including the existing County Councils, regional libraries, NEWLOG, regional emergency services co-ordination, and any future commercial entities established by the Councils, and distribution of fees on a user pays agreed service level basis, or population based apportionment where user pays fees cannot be determined.
3. That Council supports the winding up of NOROC upon the creation of the Northern Rivers Joint Organisation of Council, with any assets of NOROC to be transferred to the new entity.

CARRIED

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

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

130715/25 RESOLVED

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

That the GM Committee's Report be considered as Urgent Business.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

The mayor declared the matter to be of great urgency.

130715/26 RESOLVED

Moved by Councillor Passfield, seconded by Councillor Janet Wilson:

That the order of business be changed so that Item 15 Questions for the Next Ordinary Meeting is dealt with before Item 14.1. GM Committee's Report

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer:

- For safety reasons could Council have the vegetation near the two pedestrian crossings in the Kyogle CBD area pruned in a similar fashion to the vegetation near the pedestrian crossing at the pool.

Response: The Acting General Manager advised that the Council would do as requested.

- Could Council staff look at doing something about lighting on the overhead boards -- it is almost impossible to read.

Cr Maggie Creedy:

- Is it Council's responsibility to remove dumped vehicles from the roadside?

Response: The Executive Manager Planning and Environment advised that generally it was Council's responsibility to remove abandoned vehicles from the roadside, but he would seek further clarification on the matter.

Cr Lindsay Passfield:

- Could Council write letters to the recipients of the Kyogle Business Awards and Stuart Larsson, who received a national award for his business, recognising their achievements and contribution to the Kyogle LGA.

Cr Michael Reardon:

- Could Council have an update regarding the refurbishment of the lights at the Kyogle Swimming Pool.
- Who owns and who is responsible for the fire station at Mallanganee – there is no toilet at the fire station and female members have to walk across the road to the park to use amenities when attending meetings or when they are on site for fires.

Council adjourned for dinner at 7.34pm.
Council resumed at 7.57pm

130715/27 RESOLVED

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

That Item 14.1 be dealt with in confidential business as it contains personnel matters concerning particular individuals.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 14.1 GM Committee's Report

Item 16.1 Tenders For Contract 2014/15-003 Design And Supply Of Rock Filled Gabion & Mattresses I

These items are classified CONFIDENTIAL under Section 10A(2)(a) of the Local Government Act 1993, which permits the meeting to be closed to the public for the business relating to the following:

- (a) personnel matters concerning particular individuals, other than Councillors
- (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.

130715/28 RESOLVED

Moved Councillor Lindsay Passfield, seconded Councillor Ross Brown:

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 - John Burley

Council closed its meeting at 7.55pm at which time the public and the media left the Chamber.

16.02 OPEN COUNCIL RESUMES

130715/29 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Open Council resumed at 8.46pm

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

Item 14.1 GM Committee's Report

1. That Mr Graham Kennett continue to relieve in the General Manager's position until the position is substantively filled;
2. That Council immediately begin the recruitment process for a suitably qualified person to fill the vacant General Manager's position and for the standard contract to be for a minimum term of two years.
3. That Council employ LGNSW Consultant Mr Christian Morris to undertake the recruitment process.

Item 16.1 Tenders For Contract 2014/15-003 Design And Supply Of Rock Filled Gabion & Mattresses

1. That the report on tenders for Contract 2014/15-003 Annual Tenders for Design and Supply of Rock Filled Gabion and Mattresses be received and noted.
2. That Council accept the tenders received from Nviroscope Pty Ltd and Crosana Pty Ltd.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 8.47pm.

Signature of Chairperson.....