

Kyogle Council

Confirmed Minutes of the Ordinary Council Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 24 June 2013.

PRESENT

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

IN ATTENDANCE

The Acting General Manager, the Executive Manager Urban and Assets, the Executive Manager Administration & Community, the Executive Manager Infrastructure Works and the Personal Assistant to the General Manager & Corporate Services.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.02pm.

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

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

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 April 2013 to 30 April 2013 – 2011/181

Reason for Declaration – Neighbour of the property owner

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

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 April 2013 to 30 April 2013 – 2012/39

Reason for Declaration – Neighbour of the property owner

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

- Item 13B.5 Development Consent 2009-124 – Application for Modification

Reason for Declaration -- Employee of the Business

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 April 2013 to 30 April 2013 – 2013/11

Reason for Declaration – Neighbour of the property owner.

Councillor Lindsay Passfield declared an interest in the following item/s:

- 13E.2 Extension Of Time To Claim Financial Assistance – Woodenbong Tennis Club.

Reason for Declaration – Wife a member of the Tennis Club.

ITEM 5 QUESTION TIME

- Elva Jones asked Council if it could construct a footpath along the western side of Ettrick Street, Kyogle, between Geneva Street and Anzac Drive, for use by people using mobility scooters. At present, people using mobility scooters have no option but to use the roadway, which is illegal.

The Executive Manager Urban Assets said he would take the question on notice.

- Peter Ellem referred to Council resolution 130513-24 and asked how would it be possible for Council's contracted auditors Thomas Noble and Russell, given they have an established relationship with Council, to provide an independent assessment of the TCorp Report without the question of the potential of a perceived conflict of interest arising.

The Acting General Manager said he would take the question on notice.

- Jeff Marriott of Omagh Road noted that on September 14 a referendum that would allow financial recognition of local government in the Australian Constitution would be held. He asked if Kyogle Council had an agreed stand on the issue

Mayor Ross Brown responded that Council supported the referendum and the yes vote.

- Jeff Marriott. asked if Kyogle Council had done or planned to do anything to promote the referendum in the LGA.

Mayor Ross Brown responded that at this stage Council had not done anything to promote the referendum but was planning to promote it in Council's newsletter and on its website.

- Jeff Marriott asked what efforts had individual councillors made to encourage discussion on the referendum with their constituents given the NSW State Government was standing neutral on the issue or trying to kill it with faint praise?

Mayor Ross Brown took the question on notice and said individual Councillors could respond by email to Mr Marriott's question.

- Jeff Marriott said the Minister for Local Government had said last week that local government would operate better if party politics were not involved. Mr Marriott said he supported this notion and believed good decision making came from healthy debate with councillors voting individually on issues. He then put the question to individual councillors why many issues in council meetings that involved debate were decided on a 5 to 4 vote? He asked: "Can it be that many of these issues are so divisive in council and therefore in our community?"

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF ORDINARY MINUTES

240613/1 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 13 May, 2013 be adopted.

CARRIED

FOR VOTE - Unanimous vote

7.2 CONFIRMATION OF EXTRAORDINARY MINUTES 27 MAY, 2013

240613/2 RESOLVED

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

That the Minutes of the Extraordinary Meeting held on 27 May, 2013 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 RESCISSION MOTION -- FUNDING FOR KYOGLE & WOODENBONG CINEMAS

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

That Council rescinds resolution 130513/30:

LOST

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield

AGAINST VOTE - Danielle Mulholland, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM LAST COUNCIL MEETING

240313/3 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

240613/4 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

12.2 FINANCIAL REPORT MAY 2013

240613/5 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ITEM 13 GENERAL MANAGER 'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 WORKS REPORT

240613/6 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

That the Works Report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

13A.2 ACQUISITION OF CROWN LAND FOR FIRE SERVICE FACILITY AT TABULAM

240613/7 RESOLVED

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

That Council;

1. Resolves to compulsorily acquire Lot 1 in proposed Plan of Acquisition being part of Lot 7300 DP 1146195 (affected) "the Property" by agreement with the State of New South Wales ("the Crown") for the purpose of Emergency services, to wit the Rural Fire Service.
2. Ratifies the agreement between Council and the Crown for the compulsory acquisition of the Property for the agreed amount of \$10,000 (plus GST if applicable).
3. Authorises an application to the Division of Local Government and the Governor for the compulsory acquisition (by agreement) of the Property.
4. Authorises the execution of the application for the compulsory acquisition (by agreement) of the Property.
5. Seeks the Governor's consent to publish acquisition notices for the above Property in the Government Gazette.
6. Authorises the General Manager to complete and execute all documentation necessary to finalise and bring into force the Council's acquisition of the Property.
7. Authorises the Common Seal to be attached to all documentation necessary to finalise and bring into force the Council's acquisition of the Property.
8. Confirms that upon acquisition, the Property is intended to be classified as operational land for the use of the Rural Fire Service.

CARRIED

FOR VOTE - Unanimous vote

13A.3 QUARRIES REPORT

240613/8 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Danielle Mulholland:

That the Quarries Report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

13A.4 COLLINS CREEK BRIDGE

Moved by Councillor Maggie Creedy:

1. That Council does not authorise the Executive Manager Infrastructure Works to call a design and construct tender for the construction of a new bridge at Collins Creek.
2. That Council adopt Option 5 from this report, ie “don’t call tenders but carry out the work in-house using steel piles and girders with precast deck”.

Mayor Ross Brown ruled the motion out of order.

240613/9 RESOLVED

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

That Council;

1. Authorise the Executive Manager Infrastructure Works to call a Design and Construct tender for the construction of a new bridge at Collins Creek.
2. Approve the proposal to submit an in-house tender for the work.
3. Direct the Executive Manager Infrastructure Works to provide a tender report and recommendation to Council at the meeting of 12th August 2013 for consideration.

CARRIED

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

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUSTANDING FOR THE PERIOD 1 MAY 2013 TO 31 MAY 2013

240613/10 RESOLVED

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

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

- Cr Danielle Mulholland 13B.1 Development Applications Received, Determined and Outstanding DA2011/181 Reason for Declaration - Neighbour of the property.

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

That the information in the report Development Applications Received, Determined and Outstanding for the period 1 May 2013 to 31 May 2013 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

Having declared an interest in Item 13B.1, Councillors Danielle Mulholland and Chris Simpson and the Executive Manager Administration and Community and Councillor Michael Reardon left the meeting at 5.52pm.

240613/11 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 May 2013 to 31 May 2013 only in relation to DA2011/181 and DA.2012/39 in which Councillors Danielle Mulholland and Chris Simpson have declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE – Danielle Mulholland, Chris Simpson, Michael Reardon.

Councillors Danielle Mulholland, Chris Simpson and Michael Reardon and the Executive Manager Administration and Community returned to the meeting at 5.53pm.

13B.2 NSW PLANNING WHITE PAPER - SUBMISSION

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

That Council receives and notes the report.

Cr Ross Brown foreshadowed a motion that Council request a general exemption for an extension to make a final submission to the NSW Planning White Paper.

Cr Robert Dwyer foreshadowed a motion that Council hold a workshop on the matter.

240613/12 RESOLVED

That Council receives and notes the report.

CARRIED

FOR VOTE - Unanimous vote

240613/13 RESOLVED

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

That Council write to the Honourable Brad Hazzard requesting a general extension to the display period of the NSW Planning White Paper due to the complexity and ramifications of the draft planning changes.

CARRIED

FOR VOTE - Unanimous vote

240613/14 RESOLVED

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

That Council hold a workshop on 8 July, 2013 at 3.30pm on the Planning White Paper.

CARRIED

FOR VOTE - Unanimous vote

13B.3 ALCOHOL FREE ZONES

240613/15 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

- 1) That the report concerning Alcohol Free Zones in the Kyogle area be received and noted.
- 2) That the proposed re-establishment of Alcohol Free Zones in the town of Kyogle and the villages of Woodenbong and Tabulam for the period of July 1, 2013 to June 30, 2017 be advertised and public submissions be invited in accordance with Sections 644 - 644B of the Local Government Act 1993.

CARRIED

FOR VOTE - Unanimous vote

13B.4 DEMOLITION AND CLEANUP OF PROPERTY 33 MacPHERSON STREET WOODENBONG

240613/16 RESOLVED

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

That Council receive and note the report.

CARRIED

FOR VOTE - Unanimous vote

13B.5 DEVELOPMENT CONSENT 2009-124 - APPLICATION FOR MODIFICATION

Councillor Michael Reardon declared an interest in the matter and left the meeting at 6.06pm.

240613/17 RESOLVED

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

1. That the Development Consent 2009-124: application for modification report be received and noted.
2. That pursuant to Section 96 (2) of the *Environmental Planning and Assessment Act 1979* Council approve part of the application to modify development consent 2009-124 issued 18 May 2009 to permit construction of a new sign and operating hours on a Sunday 7am-6pm and accordingly grant amended development consent 2009-124 as follows:

Modify Condition 1:

The development shall be carried out and maintained in accordance with the plans received by Council 11 March 2009 and the following plans, except where otherwise provided by the conditions of this consent:

Plan Title	Revision No.	Plan number	Date
Overall Site Layout	1	SK1	24 May 2012 (received)

Proposed Freestanding Sign – Plan and Elevations (as amended in red)	1	SK2	24 May 2012 (received)
Proposed Shed Addition Sketch Shed 3	1	SK3	24 May 2012 (received)
Proposed Shed Addition Sketch Shed 2	1	SK2	24 May 2012 (received)
Fire Truck access to Proposed Sheds		06439_GR-AUG12	24 May 2012 (received)
Revised Noise Impact Assessment	Version 2	081C	6 June 2013

Modify Condition 2:

- The applicant being informed that this approval shall be regarded as being otherwise in accordance with the information and particulars set out and described in the development application registered in Council's records as Development Application No. 09-124 on March 2009 and as modified by this consent. Any alteration, variation or extension to the use for which approval has been given would require further development consent.'

Modify Condition 3:

- This development consent is limited to a period of five (5) years. Following the expiration of this period the consent will lapse unless the development has commenced in accordance with the conditions of consent, or unless an extension of the development consent period has been requested and granted.

Modify Condition 6:

- The hours of work for any **offensive noise generating construction activity** of the proposed development are to be limited to the following time restrictions:

Monday to Friday - 7.00am to 6.00pm
Saturday - 8.00am to 1.00pm

No noise generating construction activities are to take place on Sundays or public holidays.

Modify Condition 12:

- The **timber processing facility operational hours** shall be restricted to the following times.

Monday to Saturday 6am – 8pm
Sunday 7am – 6pm

The timber processing facility shall not operate on public holidays.

Modify Condition 13:

13. NOISE POLLUTION.

The proposed timber processing facility must ensure that noise emitted by any production works or activities involved with the development do not exceed noise levels specified or determined by the Environmental Protection Authority (EPA) NSW Industrial noise Policy Table 2.1 Amenity criteria for rural areas.

In order to achieve compliance with above mentioned policy and reduce noise impact on neighbouring residences the timber processing facility shall implement the proposed recommendations supplied in the Statement of Environmental Effects (Noise Impact Assessment) Attachment 1 and any condition specified hereinafter.

Recommendations and conditions the following:

- Fully enclose the chipper with masonry walls.
- Fully enclose the timber mill with acoustically insulated colour bond walls.
- Place timber drying stacks in the 5metre high x 5metre wide sections around the north and north–eastern immediate perimeter of the processing plant to provide additional noise mitigation to dwellings in a direct line of sight to the north and north east of plant.
- All vehicles and machinery used must comply with the Environmental Protection Authority's (EPA) requirements and be fitted with properly maintained emission controls relevant to their date of manufacture.
- No external phone alarms system is allowed at the facility.

Note: Recommended noise level for a rural area is:

Day 50dB (A) maximum 55dB (A).
Evening 45dB (A) maximum 50dB (A).

Note: Evening is the period from 1800 to 2200h.

The timber processing facility must ensure that noise emitted by any production works or activities involved with the development do not exceed noise levels specified below at the nearest sensitive receiver boundary or within 30 metres of a dwelling.

Monday to Saturday 50dB(A) Maximum 55 dB(A)
Sunday 42.7 dB(A)

Activities on Sunday are also subject to the following restrictions

- 1) The three south eastern doors of the saw mill shall remain closed during milling operations
- 2) No sharpening or cleaning shall occur on the premise during Sunday.

- 3) No deliveries of products or timber shall occur on Sunday.
- 4) No external chain saw operations shall occur on Sunday
- 5) No unloading of log trucks shall occur on Sunday.

Add new condition:

17a The applicant shall provide Council with a report addressing the potential impact to the OSMS through increased hydraulic loadings when weekly working hours are increased to accommodate Sunday work.

Add new condition:

63. The freestanding sign shall be a maximum 8m² in area.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE: Councillor Michael Reardon.

Councillors Lindsay Passfield and Chris Simpson called for a division in accordance with section 735A of the Local Government Act 1993.

For	Against
Ross Brown,	
Janet Wilson	
John Burley,	
Lindsay Passfield	
Chris Simpson	
Maggie Creedy.	
Bob Dwyer	
Danielle Mulholland	

ABSENT DID NOT VOTE: Councillor Michael Reardon.

CARRIED

Councillor Michael Reardon returned to the meeting at 6.11 pm.

13B.6 DELEGATION TO COUNCIL OF FUNCTIONS UNDER THE PLUMBING AND DRAINAGE ACT 2011

240613/18 RESOLVED

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

That Council authorise the fixing and signing of Council's Seal to the Deed of Delegation between Council and the Department of Fair Trading pursuant to Section 21(1) of the Plumbing and Drainage Act 2011.

CARRIED

FOR VOTE - Unanimous vote

13B.7 PRIVATE BURIAL APPROVAL

240613/19 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

That Council endorse the approval issued by the Mayor on 22 May 2013, following a reconsideration of the request for a Private Burial pursuant to Clause 4.3 of the Kyogle Council Local Approvals Policy – Cemeteries and Burials on Lot 210 DP1174034, 21 Harrison Street Kyogle.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13C ENVIRONMENT SERVICES REPORT

13C.1 REGIONAL STATE OF THE ENVIRONMENT REPORT 2016

240613/20 RESOLVED

Moved by Councillor Danielle Mulholland, seconded by Councillor Robert Dwyer:

That Council write to the Northern Rivers Catchment management Authority, confirming its commitment to the preparation of the Regional State of the Environment report in accordance with the costs and invoicing timeline outlined in their letter of 2 May 2013 which is \$1,500 in 2014/15 and \$8,300 in 2015/16.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13D CORPORATE SERVICES REPORT

13D.1 CONTRIBUTION TO LEGAL COSTS MID-WESTERN REGIONAL COUNCIL

240613/21 RESOLVED

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

That Council approve a payment of \$2,816.36 to Local Government NSW as a contribution to legal assistance for Mid-Western Regional Council.

CARRIED

FOR VOTE - Unanimous vote

13D.2 ADOPTION OF 2013/2014 DELIVERY PROGRAM/OPERATIONAL PLAN

240613/22 RESOLVED

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

1. That Council endorse the current Community Strategic Plan.
2. That Council adopt the amended 2013/2014 Draft Delivery Program/Operational Plan, incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary;
3. That a Farmland Rate, to be known as the "Farmland Rate" of 0.286683 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 13.9% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
4. That a Residential Rate, to be known as the "Residential Rate" of 0.591714 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 41.37% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

5. That a Residential Rate, to be known as the “Residential – Kyogle” Rate of 0.772985 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$217.00 which is expected to yield 23.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Residential Rate, to be known as the “Rural Residential Rate” of 0.412606 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 20.9% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
7. That a Business Rate, to be known as the “Business Rate” of 0.411162 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 41.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.736252 cents in the dollar on the Land Value be now made for the rating year 1 July, 2013 to 30 June, 2014 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$217.00 which is expected to yield 15.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
9. That the following Water Supply Charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$95.00
• 20mm Connection	\$321.00
• 25mm Connection	\$501.00
• 32mm Connection	\$820.00
• 40mm Connection	\$1,282.00
• 50mm Connection	\$2,003.00
• 80mm Connection	\$5,128.00
• 100mm Connection	\$8,013.00
• Fire Service Connection	\$321.40

Consumption Charges

Consumption up to 200kL usage	\$1.20 per kL
Consumption above 200kL usage	\$1.80per kL
Home Dialysis allocation first 100 kL	no charge

9. That the following Residential Sewerage Charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge \$625.00
Vacant Annual Sewerage Charge \$95.00

10. That the following Non Residential Sewerage Charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of \$606.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• Vacant property	\$95.00
• 20mm Connection	\$246.00
• 25mm Connection	\$384.00
• 32mm Connection	630.00
• 40mm Connection	\$984.00
• 50mm Connection	\$1,538.00
• 80mm Connection	\$3,936.00
• 100mm Connection	\$6,150.00

Consumption Charges

\$0.96 per kl

11. That the following Trade Waste Charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers requiring nil or minimal pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00

(b) Trade Waste – Dischargers requiring prescribed pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.00/kL

(c) Trade Waste – Large dischargers (over 20kl/d)

Annual Trade Waste Fee	\$480.00
Re-inspection Fee	\$68.00
Excess mass charges	per Appendix B

(d) Trade Waste – Discharges with a sewerage dump point

Annual Trade Waste Fee	\$588.00
Re-inspection Fee	\$68.00

12. That the following Domestic Waste Management charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Section 496 and Sections 502 and 503 of the Local Government Act 1993;

- Occupied Premises \$439.00
- Unoccupied Premises \$35.00

13. That the following Commercial Waste charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Section 501 of the Local Government Act 1993;

- Commercial Properties \$439.00

14. That the following On Site Sewerage Management charges be made for the rating year 1 July, 2013 to 30 June, 2014, in accordance with Section 501 of the Local Government Act 1993;

- OSMS Annual Charge \$37.00

15. That Council set the Rate of Interest, to apply for the rating year 1 July, 2013 to 30 June, 2014, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 9% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;

16. That Council adopt the Schedule of Fees and Charges contained in the Appendix to the Management Plan in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

17. That Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

CARRIED

FOR VOTE - Unanimous vote

**13D.3 LOCAL GOVERNMENT REMUNERATION TRIBUNAL -
COUNCILLOR FEES**

240613/23 RESOLVED

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

That Council adopts the following Councillor and Mayoral fees for 2013/2014:

Councillor Annual Fee - \$10,480

Mayoral Fee - \$22,870

CARRIED

FOR VOTE - Unanimous vote

ITEM 13E COMMUNITY SERVICES REPORT

**13E.1 MINUTES OF THE ADMINISTRATION AND COMMUNITY
COMMITTEE HELD ON 27 MAY 2013**

240613/24 RESOLVED

Moved by Councillor Danielle Mulholland, seconded by Councillor John Burley:

1. That Chris Duley, Cathleen Warburton, and Kylie Thomas be appointed to the Community Funding Support Committee.
 2. That the Draft Event Management Policy be adopted for public exhibition and that it be placed on public exhibition for a period of 28 days.
 3. That Arts Northern Rivers CEO Peter Woods be invited to address Council prior to a Council meeting to provide information on Arts Northern Rivers role.
 4. That Council establish a Youth Advisory Committee.
 5. That Council adopt the amended Terms of Reference for the Youth Advisory Committee.
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6. The Amended Cultural Strategy be endorsed by Council.
7. That Council investigate the installation of a lift at the Kyogle KMI and provide a report back to the Committee. The report is to include information about Council's current budget allocation. The installation of the lift will increase the community's ability to participate in cultural activities.

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland

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

**13E.2 EXTENSION OF TIME TO CLAIM FINANCIAL ASSISTANCE -
WOODENBONG TENNIS CLUB**

Councillor Lindsay Passfield declared an interest in the matter, the reason being his wife is a member of the Woodenbong Tennis Club, and left the meeting at 6.27 pm.

240613/25 RESOLVED

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

That Council approves the extension of time for the claiming of \$1,000 Financial Assistance to the Woodenbong Tennis Club and authorises the payment.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Lindsay Passfield

Councillor Lindsay Passfield returned to the meeting at 6.28pm.

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 COUNCIL MINUTES

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

That the Council Minutes report be received and noted

Councillor Ross Brown foreshadowed a motion:

That any questions requiring more than a simple answer or questions received in writing be preferably taken on notice and answered in writing. Both questions and answers are to be included in the business paper.

240613/26 RESOLVED

That the Council Minutes report be received and noted

CARRIED

FOR VOTE – Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Chris Simpson

AGAINST VOTE - Michael Reardon, Maggie Creedy, Bob Dwyer

240613/27 RESOLVED

Moved Councillor Ross Brown, seconded Councillor Danielle Mulholland:

That any questions requiring more than a simple answer or questions received in writing be preferably taken on notice and answered in writing. Both questions and answers are to be included in the business paper.

CARRIED.

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

AGAINST VOTE - Michael Reardon, Maggie Creedy.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Councillor Robert Dwyer

1. Can a report could be brought back to Council on the number of community gardens set up across the LGA under the Foodlinks program that are still operating.

Councillor Janet Wilson

1. Has Council made provision for NBN cabling in new subdivisions.
The Acting General Manager responded that there are criteria relating to the size of the development or number of lots. He took the question on notice.

2. Could information re provision of broadband cabling in new subdivisions be placed on Council's website.

Councillor Danielle Mulholland

1. What strategies does the Council plan to use to promote the September referendum seeking to recognise Local Government in the Constitution?

Councillor Lindsay Passfield

1. Will broadband cabling be a condition of Development Applications .
2. Can residents be given greater detail in regard to the Green Waste survey, ie what the service will entail and the likely cost?

The Acting General Manager responded that the survey was part of initial investigations and feedback from the community confirmed that people wanted more information about the proposed service. He reported that to date there had been 100 survey respondents opposed to the green waste service and 93 in favour of it.

3. Is it usual that North Coast Weeds sponsor the Lions v Australia Rugby coverage on television.

Mayor Ross Brown responded that North Coast Weeds has a promotions budget which included television advertisements and research had shown that "sponsoring" the coverage of an event like the Rugby Test Match provided the organisation's weed identification and eradication message with maximum exposure.

Cr Michael Reardon

1. Is Council aware of the condition of a large Red Gum tree situated at the base of Ettrick Range near Stan James' home and is Council doing anything about the tree.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.1 CONFIDENTIAL

MOVED INTO CLOSED MEETING

Reason for Confidentiality

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

- (a) personnel matters concerning particular individuals

240613/28 RESOLVED

Moved by Councillor Chris Simpson, seconded by Councillor Danielle Mulholland:

1. That Council resolve to move into closed council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public to 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 the public as required by section 11(2) of the Local Government Act 1993.

CARRIED

FOR VOTE – Unanimous

Council closed its meeting at 6.50pm. The public and media left the Chamber.

OPEN COUNCIL RESUMES

240613/30 RESOLVED

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

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

CARRIED

FOR VOTE – Unanimous

Open Council resumed at 7pm.

The Mayor reported the following recommendations made in closed meeting.

MAYORAL REPORT - GENERAL MANAGERS CONTRACT

240613/29 RESOLVED

1. That Council authorises the Mayor and the Deputy Mayor to sign the General Manager's contract.
2. That Council authorises the common seal to be attached to the General Manager's contract.

CARRIED

FOR VOTE – Unanimous

MEETING CLOSURE

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

Signature of Chairperson.....