

Kyogle Council

Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 9 March, 2015.

PRESENT

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

IN ATTENDANCE

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

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.00pm.

ITEM 1 APOLOGIES

An apology was received from Councillor John Burley.

090315/01 RESOLVED

Moved Councillor Ross Brown, seconded Councillor Lindsay Passfield:

That the apology be accepted.

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 13B.1 Development Applications Received, Determined and Outstanding for the period 31 January 2015 to 26 February 2015 -- DA 2014/27
Reason for Declaration -- owner of a quarry.

ITEM 5 QUESTION TIME

Nil

ITEM 6 PUBLIC ACCESS

- Kylie Thomas -- Financial Assistance/Futures Funding. Ms Thomas withdrew her application for public access.

- Simon Dejoux -- Right to Farm Policy

"It's been a few of months since we last spoke about the draft 'Right to Farm' policy. First, let me start by saying that I don't oppose the intention of the policy nor am I in any way opposed to farmers or farming activities. Quite the contrary. They are a vital and significant part of our community and local economy and do a difficult job under trying conditions for which they should rightly be commended.

The report beginning on page 17 of your Council papers is a fine example of a confusing attempt to defend bad policy and, due to time constraints, and as my submission seems to have attracted a response which helps form a considerable amount of the report, I'll focus on just a few of the many inaccuracies and misconceptions for your information and further consideration.

○On page 22, it's reported that I raised the question "will the policy protect farmers from complaints of non-farming residents ". And the response is quite clear; the Draft Policy is not about Protecting the Farmer from complaints. Let me say that again for your benefit and that of the gallery - the Draft Policy is not about Protecting the Farmer from complaints. I wonder if the persons who supported the policy understood that point.

○Also on page 22, "where a farmer is undertaking "permissible" and compliant rural and agricultural "activities, then Council supports the rights of that farmer to do so (Isn't this self-evident? Why wouldn't it?).

○Again on page 22 it states that, “the availability or distribution of the information contained in the Draft Policy to prospective rural land purchasers is proposed to be undertaken in several ways” (it mentions three. What are the others? Was any of this information ever presented to Councillors for their information when the draft policy was proposed?)

○At the bottom of page 22 it states “The submitter (that’s me) is correct and Council may choose to include a review period however, it is normal practice that in line with the intent of the Local Government Act 1993, all Council policies should be reviewed within 12 months of each Council election.”
(so; would having every policy reviewed within a 12 month period be likely to result in a quality outcome?;

Is only reviewing policies every 4 years sufficient to ensure they remain contemporary; and

How does that explain current Council policies that have the last review date many years in the past?)

○On page 23, it states “It is disappointing that the submitter suggests that the “intention of the policy is to insulate agricultural operations from nuisance complaints”.

However, Councillors, I’m not alone in this opinion. The NSW Farmers Association, that is, the peak body representing farmers in NSW, upon whose opinion significant alterations to the original policy are proposed, issued a press release in mid-2014 and I quote from their press release, “a right to farm would make farming operations immune from certain nuisance complaints”. The point being that disappointing or not, it’s the same opinion shared by peak State body that represents farmers.

○A couple of paragraphs later, also on page 23, it goes on to state that, and I quote, “the intent of the Policy is to ensure that all agricultural operationsare able to continue to operate without being hindered by “nuisance complaints”..... So after having been told a couple of paragraphs before that it isn’t the intention of the policy, we’re now told that it is. What! Whoever wrote the report is very confused. So while it may not be the intention of the policy, it is, in fact, the effect of the policy.

And there are many other examples of inconsistencies and contradictions throughout the report that I don’t have time now to cover.

What I am trying to point out is that this is just obviously and blatantly bad public policy. Sloppy words, poorly crafted sentences and ill-defined terms open to a wide range of interpretation.

Most importantly, the policy as proposed, provides nothing for farmers or the farming community because, as it clearly states on page 22, “the Policy is not about Protecting the Farmer from complaints”.

So, if the policy is not about protecting farmers from complaints, what is its purpose? According to previous Council papers, some of our farmers feel their rights are being threatened and apparently it's from "non-farming residents making frivolous complaints (but the Policy is not about protecting the farmer from complaints).. about genuine and legitimate rural activities".

Surely, if the complaints are of a frivolous nature, then they will have no substance and can be quickly dismissed by Council. However, if they have substance, then, as stated on page 23, If ...an agricultural operation is found to be operating in breach of relevant controls, regulations and conventions, then appropriate action will be taken to bring the operation into compliance.

In other words, if the complaints have substance, then they will still be subject to State legislation and the Council will be compelled, as an agent of the State, to investigate them, render a determination and, if necessary, undertake enforcement actions which is stated quite clearly in the report you have in front of you.

And this is an important point that perhaps is not widely understood. Nothing in the policy will provide relief from any existing State legislation. Any conditions or restrictions imposed by the State cannot be removed or overridden by this policy. In short, the tail cannot wag the dog.

I think we can all acknowledge that we need new people in our LGA for our community and local economy to remain viable and vital. We can't afford to send a signal, even unintentionally, that you're only welcome so long as nothing ever changes. Change is inevitable and it's up to us to ensure that it's positive for everyone.

Finally, I'd like to leave you with a quote from Kyogle Council's own Economic Development Policy – 2011 to 2015: "New residents are being drawn to the Kyogle Local Government Area (LGA) as the 'undiscovered country' of Northern New South Wales – a region with traditional villages, high quality of life and a welcoming environment.

Residents recognise the unique value of this region and seek to retain its best qualities while improving opportunities for its long term economic sustainability. Balance – in growth, lifestyle, investment and pace of life – is the key. This balance should reflect the views and desires of the whole community – long term residents and newcomers, young and old."

- Peter Carlill -- Right to Farm Policy

"I have already written and presented a submission to Kyogle Council dated 10 December, 2014 re The Farmer Has the Right to Farm.

I expressed my support for the document as a farmer of many years and my family of many years before me. I firmly believe that the document can help the landowner and the Kyogle Council.

It is not Kyogle Councils' role to become involved in disputes between neighbours and landowners. Council has the responsibility of running its business with its many departments covering health, roads, planning, garbage, water supply, swimming pools, and libraries just to name a few.

I was a government appointment, as a local agriculturalist, to the Land Board for over 20 years. The Local Land Boards are made up of The Chairman, (a Solicitor well versed in Rural Law), and two lay members from the local area. Disputes and differences are heard and dealt with by the Board; sittings for the Casino Land Board were held in either the Casino Court House or the Kyogle Court House on a needs basis. Most cases dealt with the Dividing Fence Act, access to water and irrigation licences and determining carrying capacity of properties and other matters between landholders.

The Land Board usually visited the properties in dispute to see firsthand the problem and to assess the situation. A decision was handed down by the Board for which was final with no right of reply. At no time, over the many years that I was involved with Local Land Board, were councils involved in these situations, and neither they should have been. There are ways and means of settling these disputes without the involvement of council officers or councillors.

The Right to Farm Document comprehensively lists 27 rural activities that can be expected to be carried out by different farming procedures within this Council area depending on land use. I believe this document should be attached to the 149 Certificate and preferably to be printed in a different colour, when land purchases are made.

When land deals are made, the purchaser should be made to sign that they have read the contents of the Right to Farm Document. The key to this document is to have the purchaser of the said land sign the document indicating that they realise and understand the various farm activities that are and can be carried out on farms in this Shire of Kyogle.

I realise that this document on the Right to Farm is not a legal document, however it does contain very useful information to the would-be purchaser. If a dispute arises after the purchase has been completed and if it is taken to council, Kyogle Council will be in a stronger position to inform the complaining party that they have read and signed the Right to Farm Document attached to their 149 certificate. It is not Councils' duty to arbitrate or take sides.

These disputes are something Council should not be involved in as Council has so much more to administer in running its Council business.

There is room for tolerance and understanding between parties; however it is difficult to accommodate people who are paranoid with a single agenda."

- Mark Wright -- Rescission Motion, Funding Barretts Bridge Replacement

"I'm here to talk about the motion to rescind a motion carried at last month's meeting to repair Barretts Bridge on Duck Creek Road, Old Bonalbo. I am

representing TRG Investments, trading as Superforest Plantations. I am also representing my family as it is a family business.

This bridge is in a very, very poor state. It has recently had a 20 tonne load limit placed on it, which is far too low for us to carry on our business. At present we need to bring trucks across the bridge carrying heavy machinery. We also need to get cattle trucks out which exceed that limit and transport timber off the property on jinkers which exceed that limit as well.

We were very pleased when the motion was passed last month to repair the bridge accessing emergency funds and we are now very concerned about the rescission motion that has come forward.

We are a small family business with significant investments in the Kyogle Council area. We have about 1300 hectares of land under management and we have been developing a plantation timber resource -- a serious and viable resource -- in the area over the last 15 years.

We are already producing significant material from that timber coming out and selling it to local markets. We supply local businesses with our cattle integrated into our plantations and also timber to local mills, most of which are based here in Kyogle. We really would like the Council not to rescind the motion and to repair the bridge as quickly as possible.

On another note, the condition of bridges within Kyogle Council is, I understand, a significant problem for the council, probably the major issue that the council is facing. As someone who has come into the area from outside, invested heavily and now resides in the area, I can see this being a serious impediment for other businesses to come in and invest in the future in the region. So I would like you to really consider how you are going to deal with this issue going forward because there is a lot of potential in this area, in the Kyogle Council, for development along the lines that we are progressing and it would be really great if you could fix your bridges."

- Lynette Zito -- Financial Assistance/Futures Funding and Kyogle Australia Day

"The motion at Item 13D.2 wants to, in part, abolish the Futures Fund and redirect those funds to infrastructure maintenance and replacement.

I note that the Futures Fund annual budget allocation has already been reduced from \$40,000 to \$10,000 a year.

And \$10,000 per year is the proverbial drop in the bucket for Council's infrastructure budget but it can, on the other hand, provide an enormous benefit, both social and economic, to the community, through the types of projects that are funded.

In the past, Futures Fund grants went to:

- *Kyogle RSL sub-Branch and Kyogle Red Cross - Centennial of Gallipoli exhibition;*
- *Gugun Guddaba - Find Your Music Project;*
- *Wiangaree Rodeo and Sports Committee;*
- *Wadeville Reserve Trust;*
- *Mallanganee and District Progress Association*
- *Village Hall Players;*
- *Cawongla Preschool;*
- *Kyogle and District Arts Council - Raw Dance Company Workshops and Performance; and*
- *Mallanganee Progress Association -- Mallanganee Village Festival.*

This funding is vital in part because it is one of the very few grants available to unincorporated not-for-profit organisations.

Without seed money to get us started in our inaugural year, Village Hall Players (VHP) would never have had the opportunity to see if such a festival as Perform Kyogle would work -- and it did -- and we now are planning the 2016 festival. This is what supporting "economic development project of benefit to the Kyogle Community" is all about.

I ask Councillors, on behalf of Kyogle and District Arts Council, Village Hall Players and the myriad of other community organisations, that when you consider this motion, you amend the motion to remove the Future Fund from consideration and leave this small sum to continue to benefit our community at the grass roots level.

In relation to Item 9.2 Australia Day Celebrations: Kyogle town's Australia Day celebrations have gone from strength to strength over the past three years.

This is evidenced by the growing number of people attending and the wide variety of nominations received from all sectors of the community.

Our Australia Day Ambassadors have been excited to come to Kyogle and have left marvelling at our town and the sense of community shown during this day of celebrations -- so much so that Liz Deep-Jones accepted the Village Hall Players' offer to be its Patron. This way, through VHP, she keeps in touch with Kyogle and its happenings.

I'm sorry to say that I find this motion to be paternalistic and denigrating and extraordinarily offensive to all the members of this community who have given of their time and talents and worked hard to make our Australia Day celebrations over the years engaging, fun and encompassing of all.

As a member of the Kyogle Australia Day Committee for 2015, I sincerely hope that Councillor Dwyer will withdraw his motion, but if not, then it is my hope that surely no other Councillor would want to second a motion that is insulting to all current and past committee members."

ITEM 7 CONFIRMATION OF MINUTES

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

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

090315/02 RESOLVED

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

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

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 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 RESCISSION MOTION: CRS BROWN, CREEDY AND WILSON -- FUNDING BARRETT'S BRIDGE REPLACEMENT

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

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

That Council rescind part 2 of motion number 090215/11: That Council borrow the required funds from internally restricted reserves and expedite the replacement of Barretts Bridge.

Councillor Ross Brown foreshadowed motion:

That a report be provided that outlines Council's proposed capital works and repair program over the next three years. Such report should include what works will occur with known funding and what proposed works are dependent on as yet unrealised outside funding.

090315/03 RESOLVED

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

That Council rescind part 2 of motion number 090215/11: That Council borrow the required funds from internally restricted reserves and expedite the replacement of Barretts Bridge.

CARRIED

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

090315/04 RESOLVED

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

That a report be provided that outlines Council's proposed capital works and repair program over the next three years. Such report should include what works will occur with known funding and what proposed works are dependent on as yet unrealised outside funding.

CARRIED

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

9.2 NOTICE OF MOTION -- CR ROBERT DWYER; AUSTRALIA DAY CELEBRATIONS

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

090315/05 RESOLVED

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

That in future, Kyogle Council accepts the responsibility for developing the format under which the Australia Day celebrations will take place in Kyogle.

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 Robert Dwyer, seconded by Councillor Michael Reardon:

That Kyogle Council participates in the activities of the Australia Day celebrations on the day.

LOST

FOR VOTE - Michael Reardon, Chris Simpson, Bob Dwyer

AGAINST VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Danielle Mulholland, Maggie Creedy

ABSENT. DID NOT VOTE - John Burley

9.3 NOTICE OF MOTION; COUNCILLOR ROBERT DWYER - COST OF FACILITATOR FOR COUNCILLOR WORKSHOP

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

090315/06 RESOLVED

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

1. That the General Manager be requested to make known to all councillors the cost of employing a moderator/facilitator to oversee the Kyogle Council workshop held at Council Chambers on Monday, 2 March;
2. That this information be made available to councillors with 24 hours.

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

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

090315/07 RESOLVED

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

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

**11.1 DELEGATES REPORT: COUNCILLOR LINDSAY PASSFIELD --
WOODENBONG TO LEGUME ROAD ALLIANCE**

**REPORT BY: COUNCILLOR LINDSAY PASSFIELD
CONTACT: COUNCILLOR LINDSAY PASSFIELD**

090315/08 RESOLVED

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

That Council receives and notes the delegates report provided by Councillor Lindsay Passfield in respect of the Legume to Woodenbong Road Alliance.

CARRIED

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

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

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

090315/09 RESOLVED

Moved by Councillor Lindsay Passfield, 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 FINANCIAL MONTHLY REPORT FEBRUARY 2015

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

090315/10 RESOLVED

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

That Council receives and notes the information contained in the Monthly Financial Report – February 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 MT LINDESAY ROAD UPGRADE

REPORT BY: INFRASTRUCTURE WORKS

CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN

090315/11 RESOLVED

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

That this matter be deferred until after consideration of Item 13D.2

CARRIED

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

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 31 JANUARY TO 26 FEBRUARY, 2015

REPORT BY PLANNING AND ENVIRONMENT

CONTACT ACTING EXECUTIVE MANAGER PLANNING AND ENVIRONMENT LACHLAN BLACK

090315/12 RESOLVED

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

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

- Cr Michael Reardon 13B.1 Development Applications Received, Determined and Outstanding DA 2014/27 - Reason for Declaration - Owner of a quarry.

The information contained in the report Development Applications Received, Determined and Outstanding for the period 31 January to 26 February, 2015 be received and noted.

CARRIED

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

Councillor Michael Reardon left the meeting at 6.22 pm

090315/13 RESOLVED

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

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 31 January to 26 February, 2015 only in relation to DA2014/27 In which Councillor Reardon has declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley, Michael Reardon

Councillor Reardon returned to the meeting at 6.22 pm.

13B.2 REPORT ON THE PUBLIC EXHIBITION FOR THE DRAFT RURAL AND RESIDENTIAL LAND ACTIVITIES RIGHT TO FARM POLICY

REPORT BY: PLANNING AND ENVIRONMENT
CONTACT: GENERAL MANAGER ARTHUR PIGGOTT

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

1. That Council receive and note the report on the Public Exhibition of the Draft Rural and Residential Land Activities Right To Farm Policy
 2. That the Draft Rural and Residential Land Activities Right To Farm Policy be amended as outlined in this report and any other amendments required of Council, and a commencement date of 10 April 2015 be adopted for the Policy to come into effect.
 3. That a Public Notice advising of the commencement date be placed in Richmond River Express Examiner and also placed on Council's website.
 4. That all those people making a submission be advised of the decision of Council in regard to the Policy.
-

5. That the attached Fact Sheet, as amended, be endorsed and distributed widely within the Kyogle LGA through Real Estate Agents and On Council Website.
6. That the Fact Sheet as amended be included as an attachment with all Section 149 Certificates issued by Kyogle Council.

Councillor Danielle Mulholland foreshadowed a motion:

1. That Council receive and note the report on the Public Exhibition of the Draft Rural and Residential Land Activities Right to Farm Policy;
2. That the Draft Rural and Residential Land Activities Right to Farm Policy as amended be converted to a Position Statement and placed on Council's website.
3. That all those people making a submission be advised of the decision of Council in regard to the Position Statement.
4. That the Fact Sheet as amended be included as an attachment with all Section 149 Certificates issued by Kyogle Council.

090315/14 RESOLVED

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

1. That Council receive and note the report on the Public Exhibition of the Draft Rural and Residential Land Activities Right To Farm Policy
2. That the Draft Rural and Residential Land Activities Right To Farm Policy be amended as outlined in this report and any other amendments required of Council, and a commencement date of 10 April 2015 be adopted for the Policy to come into effect.
3. That a Public Notice advising of the commencement date be placed in Richmond River Express Examiner and also placed on Council's website.
4. That all those people making a submission be advised of the decision of Council in regard to the Policy.
5. That the attached Fact Sheet, as amended, be endorsed and distributed widely within the Kyogle LGA through Real Estate Agents and On Council Website.
6. That the Fact Sheet as amended be included as an attachment with all Section 149 Certificates issued by Kyogle Council.

CARRIED

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

AGAINST VOTE - Janet Wilson, Danielle Mulholland

ABSENT. DID NOT VOTE - John Burley

The foreshadowed motion lapsed.

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

13D.1 REPORT ON INTERNAL AUDIT COMMITTEE TO FEBRUARY 2015

**REPORT BY: GENERAL MANAGER
CONTACT: ARTHUR PIGGOTT**

090315/15 RESOLVED

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

That Council

1. Receives and notes the report on the activities of the Internal Audit Committee;
2. Offer Mr Andrew Stevens an extension on his membership to December 2016;
3. Advertise the vacant community position and consider all applications received at a further meeting;
4. Investigates the resourcing of the Internal Audit function as part of the 2015/2016 Budget deliberations.

CARRIED

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

AGAINST VOTE - Ross Brown, Lindsay Passfield

ABSENT. DID NOT VOTE - John Burley

13D.2 RESOLUTION 090215/07 INVESTING POTENTIAL SAVINGS IN INFRASTRUCTURE BACKLOG

TITLE COUNCIL MEETING AGENDA (MINUTES)

**REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: ACTING EXECUTIVE MANAGER ADMINISTRATION AND COMMUNITY JOHN WATKINS & EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN**

The Acting Executive Manager Administration and Community left the meeting at 6.58pm.

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

That Council receives and notes the report, Resolution 090215/07 Investing Potential Savings in Infrastructure Backlog.

The Executive Manager Urban and Assets and Councillor Ross Brown left the meeting at 6.53pm.

Cr Brown returned to the meeting at 6.56pm. The Acting Executive Manager Administration and Community returned to the meeting at 6.56pm.

Cr Passfield foreshadowed:

- That Council requires the Financial Assistance Policy be reviewed in line with the direction of the report to ensure Futures Funding is directed to promoting economic development activity
- That Council terminates the self-help policy and transfers the residual funds to the upgrade of Mt Lindesay Road.

Executive Manager Urban and Assets returned to the meeting at 7.00pm

090315/16 RESOLVED

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

That Council receives and notes the report, Resolution 090215/07 Investing Potential Savings in Infrastructure Backlog.

CARRIED

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

090315/17 RESOLVED

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

That Council requires the Financial Assistance Policy be reviewed in line with the direction of the report to ensure Futures Funding is directed to promoting community economic development activity.

CARRIED

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

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

That Council terminates the self-help policy and transfers the residual funds to the upgrade of Mt Lindesay Road.

Councillor Lindsay Passfield withdrew his motion.

090315/18 RESOLVED

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

That for 2014-15 year, \$53,043 from the self-help budget be transferred to the Mt Lindesay Road Program.

CARRIED

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

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 CHANGE OF USE - FINANCIAL ASSISTANCE GRANT; OLD BONALBO SOLDIERS' MEMORIAL HALL ASSOC

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

090315/19 RESOLVED

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

That Council grants the Old Bonalbo Soldiers' Memorial Hall Association's request for a change of use of their \$1,000 Financial Assistance Grant to the purchase of a replacement hot water heater for their hall.

CARRIED

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

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 MT LINDESAY ROAD UPGRADE

**REPORT BY: INFRASTRUCTURE WORKS
CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN**

090315/20 RESOLVED

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

That Council;

1. Accepts the funding from Fixing Country Roads of \$685,000 for the upgrade of Mount Lindesay Road;
2. Approves the inclusion of the Mt Lindesay Road Upgrade project in the 2014/15 budget with a total expenditure budget of \$785,000 comprising the grant funds of \$685,000 and a reallocation of \$20,000 from the current years Regional Roads Capital budget for Mount Lindesay Road Reseals, \$53,045 reallocated from the current Rural Local Roads Capital budget for Self Help Program, and \$26,955 reallocated from the current Regional Roads Operational budget for Mount Lindesay Road maintenance;
3. Writes to the Minister thanking him for the funding and provides relevant publicity for the project.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 13F GENERAL MANAGER'S REPORT

Nil.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer

- Motorists have the habit of cutting the corner at the intersection of Pratt Street and Anzac Drive. Can Council investigate how the problem can be corrected?

Cr Maggie Creedy:

- In regard to the weighbridge and waste facility upgrade, is it on time and to budget?
- I would like a report for the next meeting on the Youth Advisory Committee. The report to include meeting dates and minutes. The report also to outline achievements to date in the Local Government Area by the Committee with regard to "youth issues and promoting youth issues to the wider community".

Cr Lindsay Passfield:

- Could Council pass on the thanks and appreciation of the Sandy Creek community to staff on the work undertaken to expedite a solution in regard to access following the bridge collapse?

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 16.1 Offer of Sale on Water Fund House

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: -

- (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.

090315/21 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Chris Simpson:

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 7.20 pm. The public and the media left the Chamber.

16.02 OPEN COUNCIL RESUMES

090315/22 RESOLVED

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

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

CARRIED

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

Open Council resumed at 7.21.pm.

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

1. That the report on the offer of sale on water fund house be received and noted.
2. That the General Manager be authorised to accept the offered amount as outlined in this report and enter into a contract for the sale of the property.
3. That the General Manager and the Mayor be authorised to action all documentation associated with the sale.
4. That Council authorises the use of the common seal on documentation associated with the sale.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 7.22 p.m.