

## **Kyogle Council**

### **Unconfirmed Minutes of the Extraordinary Council Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 29 June, 2015.**

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#### **PRESENT**

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie Creedy, Cr Janet Wilson, Cr Chris Simpson, Cr Ross Brown (arrived at 5.05pm), Cr John Burley, Cr Robert Dwyer, Cr Lindsay Passfield and Cr Michael Reardon.

#### **IN ATTENDANCE**

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

#### **MEETING COMMENCEMENT**

The Mayor declared the meeting open at 5pm.

#### **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**

Nil

## **ITEM 4.1 CHANGE ORDER OF BUSINESS**

### **290615/01 RESOLVED**

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

That the order of business be amended to consider Item 5.2 (Delivery Program 2015/2019 and Operational Plan 2015/2016) first and Item 5.1 (Fit for the Future Rural Council Template Submission) second.

**CARRIED**

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

## **ITEM 5 GENERAL MANAGER'S REPORTS**

### **5.2 DELIVERY PROGRAM 2015/19 & OPERATIONAL PLAN 2015/16 FOR ADOPTION**

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

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Moved by Councillor Maggie Creedy, seconded by Councillor John Burley:

1. That Council adopt the amended Draft Delivery Program 2015/2019 and Operational Plan 2015/2016 incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary to take affect to resolutions made during the consideration of this report;
  2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.315092 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$220.00 which is expected to yield 15% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
  3. That a Residential Rate, to be known as the "Residential Rate" of 0.603587 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$220.00 which is expected to yield 44.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
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4. That a Residential Rate, to be known as the “Residential – Kyogle” Rate of 0.853564 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$235.00 which is expected to yield 22.8% 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 “Rural Residential Rate” of 0.442007 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$220.00 which is expected to yield 22.6% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Business Rate, to be known as the “Business Rate” of 0.438648 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$220.00 which is expected to yield 43.1% 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 – Kyogle” Rate of 0.816068 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$235.00 which is expected to yield 15.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That a Stormwater and Flood Special Rate, to be known as the “Stormwater and Flood Residential” Rate of 0.0344 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area

of the Council of Kyogle that belongs to the category of Residential and the sub-category of Residential - Kyogle in accordance with Sections 516 and 529 of the Local Government Act 1993, that is developed land and not able to be defined as vacant land subject to a minimum amount of \$86.00 in accordance with Section 548 of the Local Government Act 1993;

9. That a Stormwater and Flood Special Rate, to be known as the "Stormwater and Flood Business" Rate of 0.0344 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the category of Business and the sub-category of Business - Kyogle in accordance with Sections 518 and 529 of the Local Government Act 1993, that is developed land, not able to be defined as vacant land, subject to a minimum amount of \$86.00 in accordance with Section 548 of the Local Government Act 1993;
10. That the following Water Supply Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$107.00
• 20mm Connection	\$344.00
• 25mm Connection	\$538.00
• 32mm Connection	\$881.00
• 40mm Connection	\$1,376.00
• 50mm Connection	\$2,150.00
• 80mm Connection	\$5,504.00
• 100mm Connection	\$8,600.00
• Fire Service Connection	\$344.00

Consumption Charges

Consumption up to 200kL usage	\$1.50 per kL
Consumption above 200kL usage	\$1.90per kL
Home Dialysis allocation first 100 kL	no charge

- 11 That the following Residential Sewerage Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge	\$662.00
Vacant Annual Sewerage Charge	\$107.00

12. That the following Non Residential Sewerage Charges be made for the rating year 1 July 2015 to 30 June 2016, 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	\$107.00
• 20mm Connection	\$261.00
• 25mm Connection	\$407.00
• 32mm Connection	\$668.00
• 40mm Connection	\$1,044.00
• 50mm Connection	\$1,631.00
• 80mm Connection	\$4,176.00
• 100mm Connection	\$6,525.00

Consumption Charges

\$1.03 per kl

13. That the following Trade Waste Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers with pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.03

(b) Trade Waste – Dischargers without pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$3.00/kL

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

Annual Trade Waste Fee	\$480.00
Re-inspection Fee	\$68.00
Excess mass charges	(detailed in Fees and Charges)

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

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

14. That the following Domestic Waste Management charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 496 and Sections 501, 502 and 503 of the Local Government Act 1993;
- Waste Management Service availability charge \$50.00  
(all rateable properties within the Kyogle LGA garbage collection service area)
  - Occupied Premises \$450.00
  - Additional Domestic Waste Service \$400.00
15. That the following Commercial and Other Waste charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 501 of the Local Government Act 1993;
- Commercial Properties \$464.00
  - Landfill Management Charge \$38.00  
(all rateable properties outside the garbage collection area)
  - Additional Commercial Waste Service \$414.00
16. That the following On Site Sewerage Management charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 501 of the Local Government Act 1993;
- OSMS Annual Charge \$39.00
17. That Council set the Rate of Interest, to apply for the rating year 1 July 2015 to 30 June 2016, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 6% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;
18. That Council adopt the Schedule of Fees and Charges contained in the Draft 2015/2016 Fees and Charges, as amended, in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;
19. 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.

An amendment was moved by Cr Chris Simpson, seconded by Cr Robert Dwyer:

That Council reduce the proposed rate increase to 5% above rate pegging in the 2015/2016 year (impact recommendations 2-7).

Cr Ross Brown left the meeting at 5.12pm  
Cr Ross Brown returned to the meeting at 5.13pm

Cr Ross Brown left the meeting at 5.17pm.  
Cr Ross Brown returned to the meeting at 5.17pm.

The amendment was put to the vote and was lost.

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

AGAINST VOTE - John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy

## **290615/02 RESOLVED**

Moved by Councillor Maggie Creedy, seconded by Councillor John Burley:

1. That Council adopt the amended Draft Delivery Program 2015/2019 and Operational Plan 2015/2016 incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary to take affect to resolutions made during the consideration of this report;
2. That a Farmland Rate, to be known as the “Farmland Rate” of 0.315092 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 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 \$220.00 which is expected to yield 15% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
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18. That Council adopt the Schedule of Fees and Charges contained in the Draft 2015/2016 Fees and Charges, as amended, in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

19. 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 - John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy, Janet Wilson

AGAINST VOTE - Ross Brown, Chris Simpson, Bob Dwyer

Cr Ross Brown left the meeting at 5.57pm

## **5.1 FIT FOR THE FUTURE RURAL COUNCIL TEMPLATE SUBMISSION FOR ADOPTION**

**REPORT BY: ACTING GENERAL MANAGER**

**CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT**

### **290615/03 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Maggie Creedy

1. That Council receives and notes the report on Fit for the Future - Rural Council Proposal draft submission.
2. That Council adopts the Fit for the Future - Rural Council Proposal for Kyogle Council for submission to IPART by the 30<sup>th</sup> June 2015 due date.

**CARRIED**

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

AGAINST VOTE - Chris Simpson, Bob Dwyer

ABSENT DID NOT VOTE - Ross Brown

**ITEM 6 URGENT BUSINESS WITHOUT NOTICE**

Nil.

**MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 6pm.