

Kyogle Council

Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday, 10 August, 2015.

PRESENT

Cr Danielle Mulholland (Mayor in the Chair), Cr Maggie Creedy, Cr Ross Brown, Cr John Burley, 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 Planning and Environment.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.01 pm.

ITEM 1 APOLOGIES

Apologies were received from Councillor Chris Simpson and Councillor Janet Wilson

100815/01 RESOLVED

Moved Councillor Lindsay Passfield, seconded Councillor Ross Brown.

That the apologies be accepted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

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 John Burley declared an interest in the following item/s:

- Item No 9.1 Notice of Motion – Councillor Danielle Mulholland; Panel to Recruit General Manager
Reason for Declaration – conflict of interest.

Acting General Manager Graham Kennett declared an interest in the following item/s:

- Item No 9.1 Notice of Motion – Councillor Danielle Mulholland; Panel to Recruit General Manager
Reason for Declaration – conflict of interest.

Executive Manager Infrastructure Works Jeff Breen declared an interest in the following item/s:

- Item No 9.1 Notice of Motion – Councillor Danielle Mulholland; Panel to Recruit General Manager
Reason for Declaration – conflict of interest.

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 4 July, 2015 to 31 July, 2015 - DA2013/11
Reason for Declaration -- neighbouring property owner.

ITEM 5 QUESTION TIME

Joe McErlean spoke on Item 9.2 and asked why has Council not called tenders for the sale of the fill coming from the flood mitigation project site. He also asked will turning lanes be constructed at the industrial subdivision site on Summerland Way as required by the development consent to allow the traffic movements to happen safely.

The Acting General Manager advised that the questions would be taken on notice.

ITEM 6 PUBLIC ACCESS

Nil

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF THE MINUTES OF THE 13 JULY 2015 ORDINARY MEETING

REPORT BY: ACTING GENERAL MANAGER
CONTACT: GRAHAM KENNETT

100815/02 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 13 July, 2015 be adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION -- COUNCILLOR DANIELLE MULHOLLAND; PANEL TO RECRUIT GENERAL MANAGER

REPORT BY: GENERAL MANAGER'S OFFICE

CONTACT: COUNCILLOR DANIELLE MULHOLLAND

Councillor John Burley, Executive Manager Infrastructure Works Jeff Breen and Acting General Manager Graham Kennett left the meeting at 5.05 pm.

100815/03 RESOLVED

Moved by Councillor Danielle Mulholland, seconded by Councillor Michael Reardon:

1. That Council appoints the Mayor (Councillor Mulholland), Councillors Reardon, Wilson and Creedy to form a selection panel with Local Government NSW Consultant Mr Christian Morris as a facilitator to assess applications for the position of general manager, undertake preliminary interviews, and shortlist up to three candidates for final interviews before full Council;
2. That Council holds an Extraordinary Meeting on Thursday September 10, 2015 commencing at 10.00 am to allow for interviews of the three final shortlisted applicants before full Council, and for Council to decide on an appointment for the position of general manager.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson, Janet Wilson and John Burley.

Councillor John Burley, the Acting General Manager Graham Kennett and the Executive Manager Infrastructure Works Jeff Breen returned to the meeting at 5.13 pm.

9.2 NOTICE OF MOTION -- COUNCILLOR MICHAEL REARDON; USE OF FILL FROM FLOOD MITIGATION PROJECT FOR APPROVED INDUSTRIAL ESTATE

REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: COUNCILLOR MICHAEL REARDON

Councillor Michael Reardon withdrew his Notice of Motion.

9.3 NOTICE OF MOTION -- COUNCILLOR LINDSAY PASSFIELD; WOOD ENCOURAGEMENT POLICY

REPORT BY: GENERAL MANAGER'S OFFICE
CONTACT: COUNCILLOR LINDSAY PASSFIELD

100815/04 RESOLVED

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

That Council request the General Manager review the Latrobe City Council's Wood Encouragement Policy and provide a report to the September meeting of Council. This report should include the implications of Kyogle Council adopting a similar policy and recommendations on the way forward.

CARRIED

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

AGAINST VOTE - Michael Reardon

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

REPORT BY: ACTING GENERAL MANAGER
CONTACT: GRAHAM KENNETT

100815/05 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 COUNCIL RESOLUTIONS REQUIRING ACTION

REPORT BY: ACTING GENERAL MANAGER

CONTACT: GRAHAM KENNETT

100815/06 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

12.2 MONTHLY FINANCE REPORT - JULY 2015

REPORT BY: ADMINISTRATION AND COMMUNITY

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

100815/07 RESOLVED

Moved by Councillor Michael Reardon, seconded by Councillor John Burley:

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS DETERMINED AND OUTSTANDING FOR THE PERIOD 4 JULY, 2015 TO 31 JULY, 2015

REPORT BY PLANNING AND ENVIRONMENT

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

100815/08 RESOLVED

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

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

- Executive Manager Administration and Community Carol O'Neill 13B.1 Development Applications Determined and Outstanding DA 2013/11 - Reason for Declaration - Neighbour of the property owner.

The information contained in the report Development Applications Determined and Outstanding for the 4 July, 2015 to 31 July, 2015 be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

The Executive Manager Administration and Community left the meeting at 5.25 pm.

100815/09 RESOLVED

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

That the information contained in the report Development Applications Determined and Outstanding for the period 4 July, 2015 to 31 July, 2015 only in relation to DA 2013/11 in which the Executive Manager Administration and Community Carol O'Neill has declared an interest be received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

The Executive Manager Administration and Community returned to the meeting at 5.26 pm.

ITEM 13C ENVIRONMENT SERVICES REPORT

ITEM 13D CORPORATE SERVICES REPORT

13D.1 REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN

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

100815/10 RESOLVED

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

That Council receives and notes the 30 June 2015 review of the Delivery Program and Operational Plan.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13D.2 JUNE 2015 QUARTERLY BUDGET REVIEW

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

100815/011 RESOLVED

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

1. That the June 2015, Quarterly Budget/Delivery Plan Review Statement be received and noted:
2. That the funds identified as revotes in the June 2015 budget review and shown in the table below be incorporated into the 2015/2016 budget.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13D.3 DEBT RECOVERY AND HARDSHIP POLICY

REPORT BY: ADMINISTRATION AND COMMUNITY

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

100815/12 RESOLVED

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

That the amended Debt Recovery and Hardship Policy be adopted.

CARRIED

FOR VOTE - Ross Brown, John Burley, Lindsay Passfield, Danielle Mulholland, Bob Dwyer

AGAINST VOTE - Michael Reardon, Maggie Creedy

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13D.4 MINUTES INTERNAL AUDIT COMMITTEE

**REPORT BY: EXECUTIVE MANAGER CORPORATE AND COMMUNITY
SERVICES**

CONTACT: CAROL O'NEILL

100815/13 RESOLVED

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

That Council receives and notes the Minutes of the Internal Audit Committee meeting June 15, 2015.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13D.5 NOTICE OF MOTION CLR REARDON - ACTIVE/INACTIVE HALLS, BUILDINGS AND PROPERTIES

REPORT BY: ADMINISTRATION AND COMMUNITY

CONTACT: CAROL O'NEILL

100815/14 RESOLVED

Moved by Councillor Michael Reardon, seconded by Councillor Ross Brown:

That Council receives and notes the report, Notice Of Motion Clr Reardon - Active/Inactive Halls, Buildings And Properties.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 13E COMMUNITY SERVICES REPORT

Nil.

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 Additional Funding Announcements and Budget Allocations

REPORT BY: ACTING GENERAL MANAGER

CONTACT: GRAHAM KENNETT

100815/15 RESOLVED

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

1. That Council receives and notes the report, Additional Funding Announcements and Budget Allocations;
2. That Council authorises the Acting General Manager to accept the Australian Governments contribution of \$220,000 towards the construction of bridge number 150-B2501 Minneys Bridge, Clarence Way;
3. That Council adopts the changes to the 2015/16 and 2016/17 capital works programs as per the tables included in the budget and financial aspects section of this report, and that the Delivery Program 2015/2019 and Operational Plan 2015/2016 be amended to incorporate these changes.
4. That Council writes to the Minister for Infrastructure and Regional Development thanking him for the additional funding allocations.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13F.2 FINANCIAL ASSISTANCE GRANTS

REPORT BY: ACTING GENERAL MANAGER
CONTACT: GRAHAM KENNETT

100815/16 RESOLVED

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

1. That Council acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of council services and infrastructure;
2. That Council acknowledges it will receive \$3,894,000 in Financial Assistance Grants in 2015-16;
3. That Council will ensure that this federal funding, and other funding provided by the Federal Government under relevant grant programs, is appropriately identified as Commonwealth grant funding in council publications, including annual reports;
4. That Council writes to the Minister for Infrastructure and Regional Development requesting the consideration of the removal of the Minimum Grant from the General Grants component of the Financial Assistance Grants to Local Government in order that the states have a greater ability to redirect the available funds to the Councils in most need.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

13F.3 UNION PICNIC DAY 2015

REPORT BY: ACTING GENERAL MANAGER
CONTACT: GRAHAM KENNETT

100815/17 RESOLVED

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

That Council designate Tuesday, 3 November, 2015, as the Union Picnic Day for 2015.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE – Chris Simpson and Janet Wilson

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Robert Dwyer

- Trucks using Anzac Drive are causing damage to the surface that was previously rehabilitated. Why are the return truck movements along Anzac Drive rather than along the street from which they are exiting the quarry site?

Response:

The Acting General Manager advised that the contractor's vehicles are operating in accordance with the traffic management plan. The reason for the vehicles returning along Anzac Drive is to avoid trucks passing each other on McDougal Street which is too narrow to cater for passing trucks.

Under the contract, there is provision for the repair of any damaged section of road. There is also a couple of sections on Kyogle Road showing signs of damage and we will wait until haulage of excess material is completed before arranging for those repairs.

Cr Maggie Creedy

- How many landfill vouchers were used in the 2014/15 year and what percentage of vouchers issued were used?

Cr John Burley

- Seeking clarification on the development consent for the Sugarbowl Café especially in relation to the disability access.

Cr Lindsay Passfield

- When will the police station at Urbenville be manned?

Cr Michael Reardon

- Asked for an update about the painting of the handrail of the bridge at Bonalbo.

Response:

Executive Manager Infrastructure Works advised that a quotation is being sought for the removal and galvanisation of the handrail, but that no price has yet been received.

- Requested an itemised list of the whereabouts of cattle yards on flood mitigation project site, were they sold?

Response:

The Acting General Manager advised that some of the yard panels were removed by the lessee of the site as they belonged to him, some that were damaged during removal were sent to the landfill where they have either been sold from the tip shop or recycled. The remainder are stored at the Kyogle Water Treatment Plant where they are intended to be reused on dump point installations at Bonalbo and Woodenbong.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

Nil.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 5.56 pm.