

Kyogle Council

Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 26 September 2011.

PRESENT

Cr. E. Bennett, (Mayor in the Chair), Cr. R. Brown (Mayor in the Chair - following Mayoral election), Cr. J. Wilson, Cr. J. O'Reilly, Cr. L. Passfield , Cr. L. Zito, Cr. R. Dwyer, Cr. R. Leadbeatter and Cr. T. Cooper.

IN ATTENDANCE

The General Manager, the Director of Technical Services, the Director of Corporate & Community Services, the Director of Planning & Environmental Services and the Personal Assistant to the General Manager & Corporate Services.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 3.30 p.m.

ITEM 1 APOLOGIES

Nil

ITEM 2 OPENING PRAYER

The Mayor read the opening prayer.

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Mayor read the traditional lands acknowledgement.

ITEM 4 DECLARATION OF INTERESTS

Cr. Robert Dwyer declared an interest in the following item/s:

- o Item 14E.3 – Financial Assistance

Reason for Declaration – member of the Showground Trust.

Cr. Janet Wilson declared an interest in the following item/s:

- o Item 14E.3 – Financial Assistance

Reason for Declaration – Secretary of Kyogle Showground Trust.

Cr. Tom Cooper declared an interest in the following item/s:

- Item 14B.1 Development Applications Received, Determined and Outstanding for the period 1 August - 31 August 2011 - 2011/30, 2011/34
Reason for Declaration – purchasing property with a potential quarry site - these are all quarry developments.

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

- Item 14B.1 Development Applications Received, Determined and Outstanding for the period 1 August - 31 August 2011 DA 2011/84, 2011/126
Reason for Declaration – employed by the owner of properties and relative of property owner respectively.
- 14E.1 – Australia Day Committees
Reason for Declaration - Deputy Chairman of East of Range Committee

Director of Planning, Environmental Services declared an interest in the following item/s:

- Item 14B.1 Development Applications Received, Determined and Outstanding for the period 1 August - 31 August 2011 - 2007/188
Reason for Declaration - previous preparation of SOE affects prior to being employed by Kyogle Council.
- Item 14E.3 - Financial Assistance Applications
Reason for Declaration - Related to applicant for "Branching out Counselling".

Director Corporate & Community Services declared an interest in the following item/s:

- Item 14B.1 Development Applications Received, Determined and Outstanding for the period 1 August - 31 August 2011 - 2011/138
Reason for Declaration – relative of owner

Director of Technical Services declared an interest in the following item/s:

- Item 14F.1 Acting General Manager
Reason for Declaration - name mentioned within the report.

The General Manager declared a pecuniary interest in the following item/s:

- Item 14D.4 Union Picnic Day
Reason for Declaration - not a Union member

ITEM 5 ANNUAL APPOINTMENTS

5.1 ELECTION OF MAYOR

Councillor Ernie Bennett vacated the position of Chair.

The Returning Officer (being the General Manager) advised:

- “As required by the Local Government Act 1993, Section 227, the election of Mayor was to be by the Councillors from among their numbers”.

- “The election procedure will be in accordance with Schedule 7 of the Local Government (General) Regulation 2005”.
- “The Local Government Act appoints the General Manager (or a person appointed by the General Manager) as the Returning Officer. “I will be the Returning Officer. Mrs Carol O’Neill, Director Corporate & Community Services, has been appointed Assistant Returning Officer.”
- “Council is required to determine whether the election is to be by ordinary ballot or open voting or preferential voting. This will require a resolution of Council”.

260911/ 1 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

That the Returning Officer (being the General Manager) conduct the election of the Mayor in accordance with Schedule 7 of the Local Government (General) Regulation 2005 and that the election be by ordinary ballot.

CARRIED

FOR VOTE - Unanimous vote

The Returning Officer asked if there were any nominations without notice for the position of Mayor.

Nil were received.

The Returning Officer advised that he had received two (2) nominations for the position of Mayor –

- Councillor Ross Brown
- Councillor Tom Cooper

The Returning Officer then conducted a draw for positions on the ballot paper.

The Returning Officer called for the Assistant Returning Officer to draw the names.

Councillor Tom Cooper drew first position on the ballot paper, Councillor Ross Brown drew position number two on the ballot paper.

Ballot papers were distributed to each Councillor by the Assistant Returning Officer.

The Returning Officer removed the ballot papers, and counted the ballot papers. The counting was checked by the Assistant Returning Officer.

The Returning Officer then declared Councillor Ross Brown elected as Mayor.

Councillor Ross Brown (7) votes
Councillor Tom Cooper (2) votes

5.2 ELECTION OF DEPUTY MAYOR

260911/ 2 **RESOLVED**

Councillor Lindsay Passfield, seconded Councillor John O'Reilly.

That a Deputy Mayor be elected for the Mayoral term by the Councillors from among their numbers.

CARRIED

FOR VOTE - Unanimous vote

The Returning Officer (being the General Manager) advised:

- "The election procedure will be in accordance with Schedule 7 of the Local Government (General) Regulation 2005".
- "I will be the Returning Officer. Mrs Carol O'Neill, Director Corporate & Community Services, has been appointed Assistant Returning Officer."
- "Council is required to determine whether the election is to be by ordinary ballot or open voting or preferential voting. This will require a resolution of Council".

260911/ 3 **RESOLVED**

Councillor Lindsay Passfield, seconded Councillor John O'Reilly.

That the Returning Officer (being the General Manager) conduct the election of the Deputy Mayor in accordance with Schedule 7 of the Local Government (General) Regulation 2005 and that the election be by ordinary ballot.

CARRIED

FOR VOTE - Unanimous vote

The Returning Officer asked if there were any late nominations without notice for the position of Deputy Mayor.

Nil nominations were received.

The Returning Officer advised that he had received three (3) nominations for the position of Deputy Mayor –

- Councillor Robert Leadbeatter
- Councillor Robert Dwyer
- Councillor Lynette Zito

Councillor Robert Dwyer drew first position on the ballot paper, Councillor Lynette Zito drew position number two on the ballot paper, and Councillor Robert Leadbeatter drew position number three on the ballot paper.

Ballot papers were distributed to each Councillor by the Assistant Returning Officer.

The Returning Officer removed the ballot papers, and counted the ballot papers. The counting was checked by the Assistant Returning Officer.

The Returning Officer then advised each Councillor received three (3) votes.

A name was therefore chosen by lot to exclude one of the three candidates

Councillor Lynette Zito was excluded.

Councillor Robert Dwyer drew first position on the ballot paper, Councillor Robert Leadbeatter drew position number two on the ballot paper.

Ballot papers were distributed to each Councillor by the Assistant Returning Officer.

The Returning Officer then declared Councillor Robert Leadbeatter elected as Deputy Mayor.

Councillor Robert Leadbeatter (5) votes

Councillor Robert Dwyer (4) votes

Councillor Ross Brown assumed the position of Chair.

5.3 ORDINARY MEETING CYCLE 2011/12

260911/ 4 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Leadbeatter.

That Council adopt the following Ordinary Council meeting dates:

Monday, 24 October 2011, 3.30 p.m.
Monday, 28 November 2011, 3.30 p.m.
Monday, 19 December 2011, 3.30 p.m.
Monday, 27 February 2012, 3.30 p.m.
Monday, 26 March 2012, 3.30 p.m.
Monday, 23 April 2012, 3.30 p.m.
Monday, 28 May 2012, 3.30 p.m.

Monday, 25 June 2012, 3.30 p.m.
Monday, 23 July 2012, 3.30 p.m.
Monday, 27 August 2012, 3.30 p.m.
Monday, 24 September 2012, 3.30 p.m.

CARRIED

FOR VOTE - Unanimous vote

5.4 REVIEW OF COMMITTEE STRUCTURE

A motion was moved by Councillor Lynette Zito, seconded Councillor Lindsay Passfield.

1. That the Review of Committee Structure report was received and noted.

A motion was foreshadowed by Councillor Lynette Zito

2. That Council adopts the amended Committee Structure;
3. Council appoints Councillors to be members of the following Committees for the 2011/2012 year.

Committee	Member(s)
Technical Services Committee	Mayor Councillor Lindsay Passfield Councillor Tom Cooper Councillor John O'Reilly Councillor Robert Dwyer
Community & Cultural Services Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Leadbeatter Councillor Robert Dwyer
Planning & Environment Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Dwyer Councillor Tom Cooper
Traffic Committee	Councillor Robert Leadbeatter
Local Emergency Management Committee	Mayor

General Manager's Review Committee	Mayor Deputy Mayor Councillor John O'Reilly
Internal Audit Committee	Councillor Lynette Zito

4. That Council sets the following dates for Committee Meetings for the 2011/2012 year.

Date
10 October, 2011
14 November, 2011
12 December, 2011
13 February, 2012
12 March 12, 2012
10 April 10, 2012 (Tuesday due to Easter Holiday)
14 May 14, 2012
June 11, 2012 (Tuesday due to Queens Birthday Holiday)
9 July, 2012
13 August 13, 2012
10 September 10, 2012

The motion was put to the vote and was CARRIED.

260911/ 5 RESOLVED

Councillor Lynette Zito, seconded Councillor Lindsay Passfield.

1. That the Review of Committee Structure report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

A motion was moved by Councillor Lynette Zito, seconded by Councillor John O'Reilly.

2. That Council adopts the amended Committee Structure;
3. Council appoints Councillors to be members of the following Committees for the 2011/2012 year

Committee	Member(s)
Technical Services Committee	Mayor Councillor Lindsay Passfield Councillor Tom Cooper Councillor John O'Reilly Councillor Robert Dwyer
Community & Cultural Services Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Leadbeatter Councillor Robert Dwyer
Planning & Environment Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Dwyer Councillor Tom Cooper
Traffic Committee	Councillor Robert Leadbeatter
Local Emergency Management Committee	Mayor
General Manager's Review Committee	Mayor Deputy Mayor Councillor John O'Reilly
Internal Audit Committee	Councillor Lynette Zito

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10 April 10, 2012 (Tuesday due to Easter Holiday)
14 May 14, 2012
June 11, 2012 (Tuesday due to Queens Birthday Holiday)
9 July, 2012
13 August 13, 2012

10 September 10, 2012

The motion was put to the vote and was CARRIED.

260911/ 6 RESOLVED

Councillor Lynette Zito, seconded Councillor John O'Reilly.

2. That Council adopts the amended Committee Structure;
3. Council appoints Councillors to be members of the following Committees for the 2011/2012 year

Committee	Member(s)
Technical Services Committee	Mayor Councillor Lindsay Passfield Councillor Tom Cooper Councillor John O'Reilly Councillor Robert Dwyer
Community & Cultural Services Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Leadbeatter Councillor Robert Dwyer
Planning & Environment Committee	Mayor Councillor Lynette Zito Councillor Janet Wilson Councillor Robert Dwyer Councillor Tom Cooper
Traffic Committee	Councillor Robert Leadbeatter
Local Emergency Management Committee	Mayor
General Manager's Review Committee	Mayor Deputy Mayor Councillor John O'Reilly
Internal Audit Committee	Councillor Lynette Zito

4. That Council sets the following dates for Committee Meetings for the 2011/2012 year.

Date
10 October, 2011
14 November, 2011
12 December, 2011
13 February, 2012

12 March 12, 2012
10 April 10, 2012 (Tuesday due to Easter Holiday)
14 May 14, 2012
June 11, 2012 (Tuesday due to Queens Birthday Holiday)
9 July, 2012
13 August 13, 2012
10 September 10, 2012

CARRIED

FOR VOTE - Unanimous vote

5.5 COUNCIL DELEGATES 2011/12

260911/ 7 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Leadbeatter.

1. That the current Delegates list and memberships were received and noted;

A motion was moved by Councillor Lindsay Passfield, seconded Councillor Lynette Zito

2. That Council adopts the following Delegates List and memberships (Councillor and staff) as:

Organisation	Delegate(s)
Australia Day Committee – Kyogle Woodenbong	Councillor Robert Dwyer
Australia Day Committee –Woodenbong	Councillor Lindsay Passfield
Australia Day Committee – West of the Range	Councillor Tom Cooper
Rural Financial Counselling Service NSW Northern Region	Councillor Lynette Zito
Kyogle Chamber of Commerce	Councillor Robert Dwyer
NSW Rural Fire Service “Service Level Agreement” Committee	Mayor
NOROC (Northern Rivers Regional	Mayor

Organisation of Councils)	
Downs to Rivers Action Committee (Tenterfield Council Secretariat)	Councillor Lindsay Passfield Councillor Robert Leadbeatter
Summerland Way Promotional Committee	Councillor Lindsay Passfield
Kyogle Bushfire Management Committee	Councillor Robert Leadbeatter
Far North Coast Weeds	Councillor Ernie Bennett
Shires Association of New South Wales "A" Division	Mayor
National Timber Councils Taskforce	Councillor Lindsay Passfield Councillor Robert Dwyer
Timber Industry Working Party	Councillor Robert Dwyer Councillor Lindsay Passfield Councillor Robert Leadbeatter
Police Accountability Community Team (PACT)	Mayor
Area Health Board community Engagement Committee	Councillor Janet Wilson

The motion was put to the vote and was CARRIED.

260911/ 8 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

2. That Council adopts the following Delegates List and memberships (Councillor and staff) as:

Organisation	Delegate(s)
Australia Day Committee – Kyogle Woodenbong	Councillor Robert Dwyer
Australia Day Committee –Woodenbong	Councillor Lindsay Passfield
Australia Day Committee – West of the Range	Councillor Tom Cooper
Rural Financial Counselling Service NSW Northern Region	Councillor Lynette Zito
Kyogle Chamber of Commerce	Councillor Robert Dwyer
NSW Rural Fire Service "Service Level Agreement" Committee	Mayor
NOROC (Northern Rivers Regional Organisation of Councils)	Mayor
Downs to Rivers Action Committee (Tenterfield Council Secretariat)	Councillor Lindsay Passfield Councillor Robert Leadbeatter
Summerland Way Promotional Committee	Councillor Lindsay Passfield

Kyogle Bushfire Management Committee	Councillor Robert Leadbeatter
Far North Coast Weeds	Councillor Ernie Bennett
Shires Association of New South Wales "A" Division	Mayor
National Timber Councils Taskforce	Councillor Lindsay Passfield Councillor Robert Dwyer
Timber Industry Working Party	Councillor Robert Dwyer Councillor Lindsay Passfield Councillor Robert Leadbeatter
Police Accountability Community Team (PACT)	Mayor
Area Health Board community Engagement Committee	Councillor Janet Wilson

CARRIED

FOR VOTE - Unanimous vote

Councillor John O'Reilly departed the meeting at 4.05 p.m.

ITEM 6 QUESTION TIME

- Mr Hans Tribolet, from Diary Flat addressed the meeting and asked "Why was Council sourcing gravel from a quarry outside the local government area, when he has a quarry with suitable road base available"?

The Director of Technical Services advised that the product being currently used has to meet Roads & Traffic Authority specifications and the material from Tribolet's Quarry was not of the same standard.

The Mayor suggested Mr Tribolet make contact with the Director of Technical Services to discuss the matter further.

- Mr Alan Roberts addressed the meeting in relation to Council's Extraordinary meeting held 12 September and the resolution provided to the Coal Seam Gas Parliamentary Inquiry and thanked Council in particular Councillor Janet Wilson for the submission. Noted that the attachments provided with the Extraordinary meeting agenda supported the CSG concept, but no documentation was provided against the argument which would have provided a balanced approach.

The Mayor advised Council's resolution to the Inquiry, will also provide an opportunity to gather information from the public prior to the Council forwarding a final submission. The calling of public submissions will be advertised through Council's newsletter.

- Mrs Anne Reardon addressed the meeting in relation to the upcoming 2012 Local Government Elections and the possibility of reducing Councillor numbers. Asked if Council are going to seek information from its constituents on the matter?

The Mayor advised Council had considered the matter previously.

- Ms Boudicca Cerese addressed the meeting in relation to CSG Inquiry and thanked council for supporting the community concerns, and asked how Council will be seeking information from the public?

The Mayor advised invitation for public submissions would be through Council's Newsletter.

- Ms Kylie Thomas addressed the meeting in relation to the newly adopted Committee Meetings schedule and asked if a specific commencement time could be made publicly available through Council's website and Newsletter?

The General Manager advised a set time for each meeting would be available on Council's website and newsletter. Also, if a person has expressed a specific interest in a committee meeting/agenda that person/s will be notified.

- Ms Kylie Thomas also asked in relation to Council receiving petitions/submissions for the CSG Inquiry, does each signature on a petition receive the same status as an individual who provides a separate letter?

The General Manager advised any petitions/submissions will be forwarded with Council's Inquiry submission.

- Mr Phil Gome addressed the meeting in relation to the Minister for local Government providing dispensation from pecuniary interest for the Kyogle LEP 2011 and asked the following questions;
 1. What was the process for the six Councillors requesting and receiving dispensation from pecuniary interest responsibilities in relation to the Kyogle LEP?
 2. What are the reasons for the six Councillors requesting and receiving the dispensation?

The General Manager advised that an application was made to and approved by the Minister for Local Government to enable Council to deal with the Kyogle Local Environmental Plan 2011, as a quorum was not otherwise possible.

ITEM 7 PUBLIC ACCESS

- Mr Tom Fitzgerald, Chair of the Planning & Developing Committee for the Establishment of a Cultural Hub, comprising Art Gallery, Museum and Library Extension addressed the meeting and sought Council's assistance in providing administrative assistance towards resubmitting a fresh application to Regional

Development Funding Australia for a Grant of \$4.2 million, which closes in November 2011.

- Ms Kylie Thomas addressed the meeting in relation to Item 14B.3 and the changes to be adopted within DCP 11.
Following the calling for submissions from the community on DCP 11 and the forwarding of petitions and letters on proposed changes, none of these are reflected in the draft document. Expressed extreme disappointment in the matter and asked Council to rethink about adopting the document as is.

ITEM 8 CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF ORDINARY MINUTES

260911/ 9 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Leadbeatter.

That the Minutes of the Ordinary Meeting held on 22 August, 2011, were adopted.

CARRIED

FOR VOTE - Unanimous vote

8.2 CONFIRMATION OF EXTRAORDINARY MINUTES

260911/ 10 RESOLVED

Councillor Lynette Zito, seconded Councillor Tom Cooper.

That the Minutes of the Extraordinary Meeting held on 12 September, 2011, were adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 9 MAYORAL MINUTE

Nil.

ITEM 10 NOTICES OF MOTION

10.1 NOTICE OF MOTION, COUNCILLOR ROBERT DWYER - LEP NO CONFIDENCE

A motion was moved by Councillor Robert Dwyer, seconded Councillor Janet Wilson.

That Kyogle Councillors adopt a position of no confidence in its current form the contents of the Kyogle draft LEP.

A motion was foreshadowed by Councillor Janet Wilson

That the matter be referred to resolution of the General Manager for a review process.

The motion was put to the vote and was CARRIED.

260911/ 11 RESOLVED

Councillor Robert Dwyer, seconded Councillor Janet Wilson.

That Kyogle Councillors adopt a position of no confidence in its current form the contents of the Kyogle draft LEP.

CARRIED

FOR VOTE - Ernie Bennett, Janet Wilson, Lindsay Passfield, Robert Dwyer, Robert Leadbeatter, Tom Cooper

AGAINST VOTE - Lynette Zito, Ross Brown

ABSENT. DID NOT VOTE - John O'Reilly

Councillor Lindsay Passfield and Councillor Ross Brown called for a Division.

For	Against
Cr Lindsay Passfield	Cr Lynette Zito
Cr Robert Dwyer	Cr Ross Brown
Cr Robert Leadbeatter	
Cr Ernie Bennett	
Cr Tom Cooper	

Cr Janet Wilson	
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10.2 NOTICE OF MOTION, COUNCILLOR ROBERT DWYER - LEP & RU1

A motion was moved by Councillor Robert Dwyer, seconded Councillor Lynette Zito.

1. That prior to any exhibition of any further draft LEP's for the Kyogle Shire, that contain any zoning of peoples property other than RU1 that the relevant property owner be extended the courtesy of being made aware of the proposed zoning and any restrictions that may apply as a result.
2. That any property owner with property subject to zoning, other than RU1 be notified via personal and confidential correspondence. This will avail the property owner with a document they can refer to should the need arise.

The motion was put to the vote and was LOST.

FOR VOTE - Ernie Bennett, Robert Dwyer, Tom Cooper
 AGAINST VOTE - Janet Wilson, Lindsay Passfield, Lynette Zito, Robert Leadbeatter, Ross Brown
 ABSENT. DID NOT VOTE - John O'Reilly

Councillor Lindsay Passfield and Councillor Robert Leadbeatter called for a Division.

For	Against
Cr Tom Cooper	Cr Ross Brown
Cr Robert Dwyer	Cr Lynette Zito
Cr Ernie Bennett	Cr Robert Leadbeatter
	Cr Lindsay Passfield
	Cr Janet Wilson

10.3 NOTICE OF MOTION; CLR ROBERT DWYER - LIONS ROAD

260911/ 12 RESOLVED

Councillor Robert Dwyer, seconded Councillor Lynette Zito.

1. That the Engineering Department undertake a costing of the proposed works for the Kyogle Lions Club are anticipating having carried out on the Lions Road.
2. That a report be presented to Council on the scope of the anticipating works along with the costing.
3. That Council consider matching the cost of this project on a dollar for dollar basis subject to available funds.
4. That Council staff bring a report to Council on how savings, or tother means, with the current budget, may be achieved to ensure council have these available funds.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John O'Reilly

10.4 NOTICE OF MOTION; CLR ROBERT DWYER - HURFORDS SAWMILL OPERATION TIMES

Councillor Robert Dwyer withdrew the Notice of Motion.

10.5 NOTICE OF MOTION; CLR JANET WILSON - CULTURAL PRECINCT PLANNING & DEVELOPMENT COMMITTEE

260911/ 13 RESOLVED

Councillor Janet Wilson, seconded Councillor Lynette Zito.

1. That Council reconvene the Cultural precinct Planning and Development Committee, to include the Arts Council, the Kyogle Gallery, the Museum, Library, Reconciliation, Youth services and appropriate staff, with a view to examining reasons why the application for a grant to build a hub for creative industries and heritage was not successful and compiling an amended application for round 2, November 2011, which includes consideration of the following matters;
 - How Project planning, management procedures and protocols to support roles and responsibilities between council and the community based organisations

involved in the project can be achieved by making best use of expertise within the Arts/heritage programs which council currently manages.

- Recommendations on the future management plan for the creative industries and heritage precinct.
- Recommendations on how the KMI Hall should be incorporated into the overall management plan for the creative industries and heritage precinct.

2. Provide a further report to Council at the November cycle of meetings with recommendations related to the above matters to be considered for inclusion in the revised application.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

10.6 NOTICE OF MOTION; CLR JANET WILSON - HEALTH CARE SERVICES BONALBO

260911/ 14 RESOLVED

Councillor Janet Wilson, seconded Councillor Tom Cooper.

1. That Council contacts the Bonalbo Hospital Executive Officer/Director of Nursing to discuss how the hospital and Council can collaborate to develop a community action plan for future primary health care services in Bonalbo.
2. That Council discuss the opportunities for a role in the development of the community action plan with the Active Kyogle Program.
3. That a report about the outcomes of those discussions be provided to the October Ordinary meeting of Council with recommendations about the best way to proceed.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

10.7 NOTICE OF MOTION; CLR TOM COOPER - WORKSHOP LEP AND OTHER INFORMATION

260911/ 15 RESOLVED

Councillor Tom Cooper, seconded Councillor Lindsay Passfield.

To enable Councillors to respond to the submission to the current draft LEP at a workshop to be convened in November and staff obtain copies of the current adjoining LEP's of Tenterfield, Clarence Valley, Tweed and Richmond Valley local government areas, with a comparison of major issues raised by ratepayers in relation to our draft LEP.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

10.8 NOTICE OF MOTION; CLR TOM COOPER - DRAFT LEP

260911/ 16 RESOLVED

Councillor Tom Cooper, seconded Councillor Robert Dwyer.

Due to the underlying concerns of our residents and rate payers in relation to our current Draft LEP – Council organises an open forum on the philosophy behind the Environment Planing Instruments contained in LEP's to be explained to the general public, by inviting State Members Mr Thomas George, Don Page, Jeff Provis, Minister Hazzard, Premier Barry O'Farrell and Deputy Director for Planning Tom Gellybrand and for this forum to be organised in the near future.

CARRIED

FOR VOTE - Ernie Bennett, Lindsay Passfield, Robert Dwyer, Robert Leadbeatter, Ross Brown, Tom Cooper
AGAINST VOTE - Janet Wilson, Lynette Zito
ABSENT. DID NOT VOTE - John O'Reilly

ITEM 11 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

ITEM 12 DELEGATES REPORTS

Nil.

ITEM 13 INFORMATION PAPERS

13.1 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING, AUGUST 2011

260911/ 17 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

1. That the minutes of the Local Emergency Management Committee meeting held August 30, 2011 were received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

A motion was moved by Councillor Ernie Bennett, seconded by Councillor Lindsay Passfield

2. That Council write to National Parks & Wildlife asking why they had not consulted and involved all of the users of the Haystack Tower.

The motion was put to the vote and was CARRIED.

260911/ 18 RESOLVED

Councillor Ernie Bennett, seconded Councillor Lindsay Passfield.

2. That Council write to National Parks & Wildlife asking why they had not consulted and involved all of the users of the Haystack Tower.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.2 WORKS PROGRAM REPORT

260911/ 19 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

That the Works Program report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.3 FINANCIAL REPORTS - AUGUST 2011

260911/ 20 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

That the information contained in the Monthly Finance Report – August 2011 was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.4 PLANT BUDGET REPORT - AUGUST 2011

260911/ 21 RESOLVED

Councillor Lynette Zito, seconded Councillor Janet Wilson.

That the Plant Budget Report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.5 QUARRIES REPORT

260911/ 22 **RESOLVED**

Councillor Robert Dwyer, seconded Councillor Lynette Zito.

That the Quarries Report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John O'Reilly

13.6 OUTSTANDING COUNCIL RESOLUTIONS

A motion was moved by Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

1. That the Outstanding Council Resolutions report be received and noted.

A motion was foreshadowed by Councillor Lynette Zito

2. That the resolution from Council's Ordinary meeting 21 June 2010, "Mallanganee and Grevilia Schools – Cultural Facilities" be taken as completed.
3. Responses to correspondence sent also be provided in the report.

The motion was put to the vote and was CARRIED.

260911/ 23 **RESOLVED**

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

1. That the Outstanding Council Resolutions report be received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John O'Reilly

A motion was moved by Councillor Lynette Zito, seconded Councillor Lindsay Passfield.

2. That the resolution from Council's Ordinary meeting 21 June 2010, "Mallanganee and Grevilia Schools – Cultural Facilities" be taken as completed.

3. Responses to correspondence sent also be provided in the report.

The motion was put to the vote and was CARRIED.

260911/ 24 RESOLVED

Councillor Lynette Zito, seconded Councillor Lindsay Passfield.

2. That the resolution from Council's Ordinary meeting 21 June 2010, "Mallanganee and Grevilia Schools – Cultural Facilities" be taken as completed.
3. Responses to correspondence sent also be provided in the report.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.7 QUESTIONS FROM AUGUST ORDINARY MEETING

260911/ 25 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

That the Questions from August Ordinary Meeting report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

13.8 REVISED STAFF PROFILE

260911/ 26 RESOLVED

Councillor Lynette Zito, seconded Councillor Lindsay Passfield.

That the revised staff profile was received and noted

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

ITEM 14 GENERAL MANAGER 'S REPORT

ITEM 14A TECHNICAL SERVICES REPORT

14A.1 NAMING OF BRIDGE ON THE LIONS ROAD

260911/ 27 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Leadbeatter.

That the request to name the bridge over Logans Creek at Cougal on the Lions Road "Murphys Culvert" be advertised and public submissions invited and that a further report be presented to Council on any submissions received.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

ITEM 14B PLANNING SERVICES REPORT

14B.1 DEVELOPMENT APPLICATIONS RECEIVED, OUTSTANDING AND DETERMINED FOR THE PERIOD AUGUST 1, 2011 TO AUGUST 31, 2011

260911/ 28 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

1. That, with the exception of the following items in which Councillors Tom Cooper, Lindsay Passfield, Director of Corporate & Community Services and Director of Planning & Environmental Services have declared an interest,

- Cr Tom Cooper 14B.1 Development Applications Received, Determined and Outstanding DA 2011/30, 2011/34
-

- Cr Lindsay Passfield 14B.1 Development Applications Received, Determined and Outstanding DA 2011/84, 2011/126
- Director of Corporate & Community Services 14B.1 Development Applications Received, Determined and Outstanding DA 2011/138
- Director of Planning & Environmental Services 14B.1 Development Applications Received, Determined and Outstanding DA 2007/188

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - John O'Reilly

Having declared an interest in Item 14B.1 Councillor Tom Cooper, Councillor Lindsay Passfield, the Director of Corporate & Community Services and the Director of Planning & Environmental Services left the meeting at 5.46 p.m.

260911/ 29 RESOLVED

Councillor Robert Leadbeatter, seconded Councillor Robert Dwyer.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 August - 31 August 2011 only in relation to DA's 2011/30, 2011/34, 2011/84, 2011/126, 2011/138 2007/188, in which Councillors Tom Cooper, Lindsay Passfield, the Director of Corporate & Community Services and the Director of Planning & Environmental Services have declared an interest was received and noted.

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - Tom Cooper, Lindsay Passfield, John O'Reilly

Councillor Tom Cooper, Councillor Lindsay Passfield, the Director of Corporate & Community Services and the Director of Planning & Environmental Services returned to the meeting at 5.47 p.m.

260911/ 30 RESOLVED

Councillor Robert Leadbeatter, seconded Councillor Lynette Zito.

That Council issue Development Consent Notice 2011/146 for the development of a subdivision cancelling Lots 1-4 on Deposited Plan 456720, Lots 1 and 2 on Deposited Plan 111279, Lot 14 on Deposited Plan 111280, Lot 1 on Deposited Plan 183658, and Lots 10 and 11 on Deposited Plan 42399, County of Rous, Parish of Wiangaree, to create two (2) lots being Lot 1 (34.5 hectares) and Lot 2 (55 hectares), as subject to survey and the following conditions of consent:

1. The development shall be in accordance with development application number 2011-146 submitted by the Applicant on 30 June 2011, and in accordance with the following:

Statement of Environmental Effects entitled "Statement of Environmental Effects For Proposed Rural Subdivision at Summerland Way & Baileys Bridge Road, Kyogle" as prepared by Newton Denny Chapelle on behalf of estate of late AL Penman.

Subdivision Plan prepared by Newton Denny Chapelle

Reference No: 11/238

Revision: Unrevised

Name of Plan: Plan 3 - Proposed Subdivision

Scale: 1:5000 @ A3

Date: 17 May 2011

except where otherwise provided by the conditions of this development consent.

2. In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
3. Prior to the issue of a Subdivision Certificate the Proponent must submit to the Council a report addressing compliance with all relevant conditions of this consent.
4. This development consent is limited to a period of five (5) years in accordance with Section 95(1) of the *Environmental Planning and Assessment Act 1979*. Following the expiration of this period the consent will lapse unless work relating to the subdivision is physically commenced before the date on which the consent would otherwise lapse.
5. Apart from developer funded works, no improvements to existing roads, access and services will be provided by Council or any other utility authority.
6. The development must not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, light, traffic generation or otherwise.

7. All works must accord with the Kyogle Council *Development Control Plan No 1 – Subdivision* current at time of works.
8. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
9. Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
10. That no tree in the road reserve shall be damaged, destroyed or removed without the written consent of the Council.
11. Prior to carrying out any works within a public road reserve, the proponent shall complete an application under Council's Road Reserve Management Plan and receive written approval from Council. Satisfactory arrangements for restoration with Council's Technical Services Department shall also be required, with all works constructed according to Council's Development, Design and Construction Manuals (as amended). All costs shall be the responsibility of the proponent.
12. The road frontage of the proposed allotments is to be fenced out completely to the standard required by Council's Road Reserve Management Plan.
13. An all weather vehicular access shall be constructed and maintained from the point of connection to Council's road network to the existing dwelling site in accordance with Council's Property Access and Addressing Management Plan and the Northern Rivers Development and Design Manuals. This requires that the grade of the access does not exceed a grade of 1 in 6 or 16.67% within the road reserve, and does not exceed a grade of 1 in 4 or 25% within private property. Any section of the access that exceeds a grade of 1 in 8.3 or 12% shall be provided with a sealed surface on a suitable pavement. The access road is to be a minimum of 4m wide, with a minimum pavement depth of 150mm of compacted gravel, a maximum crossfall of 10%, and the radius on the inside of any bends shall not be less than 6m.
14. The applicant is to make written application to Council (accompanied by a location plan) for a vehicular access on each proposed subdivision allotment or part of any allotment separated by a constructed public road. Council shall not certify the final plan of subdivision until the applicant has received written approval for, and constructed in accordance with Council's approval an access on each allotment. No other accesses may be constructed or opened onto a Council road without the prior written approval of Council. (Refer to Council's Property Access and Addressing Management Plan).

15. All allotments where access is obtained from a sealed road shall have a sealed vehicular access from the roadway to the boundary of private property in accordance with Council's Property Access and Addressing Management Plan.
16. All stormwater from the site shall be disposed of without causing nuisance to adjoining properties.
17. Measures shall be put in place to control stormwater runoff. These control measures shall be in place prior to the commencement of works and shall prevent soil erosion and the transport of sediment from the development site into either:
 - adjoining land
 - natural drainage courses
 - constructed drainage systems, or
 - waterways.

All disturbed areas shall be stabilised and revegetated. Turfing or another approved seeding method shall be undertaken in each part of the development within 14 days of completion of earthworks. Topsoil shall be preserved for site revegetation.

Advice to Applicant or any party acting upon this consent

Council, in determining the subject application, requests you to take note of the following advice and where pertinent to convey the advice to future owners or tenants.

1. The proponent must apply for an Aboriginal Heritage Impact Permit in accordance with the *National Parks & Wildlife Act 1974* (NPW Act) prior to disturbing, damaging or destroying Aboriginal objects that occur on the land.

If Aboriginal cultural objects are uncovered due to development activities, all works should halt in the immediate area to prevent any further impacts to the find or finds, to resume only in accordance with the requirements of the Office of Environment & Heritage and the NPW Act.

2. Clearing native vegetation may require a clearing consent from the Northern Rivers Catchment Management Authority under the *Native Vegetation Act 2003* prior to the conduct of works.
3. Approval under the *Threatened Species Conservation Act 1995* may be required to clear native vegetation consisting only of groundcover.
4. Any dams constructed on the subject land must not exceed the Maximum Harvestable Right Dam Capacity without a licence being issued by the NSW Office of Water.

Water extracted under Basic Landholder Rights in the *Water Management Act 2000* cannot be used for commercial purposes and the NSW Office of Water should be contacted prior to undertaking any such extraction.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

Councillor Lindsay Passfield and Councillor Lynette Zito called for a Division.

For	Against
Cr Lindsay Passfield	
Cr Ross Brown	
Cr Robert Dwyer	
Cr Robert Leadbeatter	
Cr Ernie Bennett	
Cr Tom Cooper	
Cr Janet Wilson	
Cr Lynette Zito	

14B.3 PLANNING AND ENVIRONMENT COMMITTEE

260911/ 31 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Leadbeatter.

1. That the minutes of the Planning and Environment Committee Meeting held on Wednesday, July 27, 2011 be received and noted.
2. That Council request supplementary information with regard to impact of water flows in the area.
3. That Council adopt the proposed amendments to DCP 11 to include those matters discussed at the Planning and Environment Committee Meeting and as prescribed by the POEO Act.
4. That the provisions of DCP 11 with respect to bike riding be reviewed at the expiration of 12 months.
5. That the proposed amendments to DCP 12 - Complying Development be adopted as advertised.
6. That the Road Reserve Management Plan be amended as per the recommendations within this report and that the amended Road Reserve Management Plan be brought to Council for approval prior to public display.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John O'Reilly

Councillor Lindsay Passfield and Councillor Lynette Zito called for a Division.

For	Against
Cr Lindsay Passfield	
Cr Ross Brown	
Cr Robert Dwyer	
Cr Robert Leadbeatter	
Cr Ernie Bennett	
Cr Tom Cooper	
Cr Janet Wilson	
Cr Lynette Zito	

ITEM 14C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 14D CORPORATE SERVICES REPORT

14D.1 RATEPAYER PAYMENT INCENTIVE SCHEME

260911/ 32 RESOLVED

Councillor Ernie Bennett, seconded Councillor Robert Leadbeatter.

1. That Council draw three winning entries and that subject to eligibility, prize winners be notified by mail.
2. That the winners names be published in Council's Newsletter.
The winners are;
 - Mr MP Martin
 - Mr AG Boyd
 - Cloud

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John O'Reilly

**14D.2 MINUTES OF INTERNAL AUDIT COMMITTEE MEETING 15
SEPTEMBER 2011**

260911/ 33 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

That the Internal Audit Committee Charter was adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

14D.3 PUBLIC INTEREST DISCLOSURES ACT 1994

260911/ 34 RESOLVED

Councillor Lynette Zito, seconded Councillor Janet Wilson.

1. That the report on the Public Interest Disclosure Act 1994 was received and noted
2. That the amended Internal Reporting Policy - Public Interest Disclosure Act 1994 was adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

14D.4 UNION PICNIC DAY

Having declared an interest in Item 14D.4 during the discussions, the General Manager left the meeting at 6.00 p.m.

A motion was moved by Councillor Robert Leadbeatter, seconded Councillor Lynette Zito.

1. That Council designate Tuesday 1 November, 2011 as a Union Picnic Day holiday.

A motion was foreshadowed by Councillor Ernie Bennett

2. The Union Picnic Day shall be regarded as a holiday for all Council employees.

The motion was put to the vote and was CARRIED.

260911/ 35 RESOLVED

Councillor Robert Leadbeatter, seconded Councillor Lynette Zito.

1. That Council designate Tuesday 1 November, 2011 as a Union Picnic Day holiday.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

A motion was moved by Councillor Ernie Bennett, seconded by Councillor Tom Cooper

2. The Union Picnic Day shall be regarded as a holiday for all Council employees.

The motion was put to the vote and was CARRIED.

260911/ 36 RESOLVED

Councillor Ernie Bennett, seconded Councillor Tom Cooper.

2. The Union Picnic Day shall be regarded as a holiday for all Council employees.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

The General Manager returned to the meeting at 6.02 p.m.

A motion was moved by Councillor Robert Dwyer, seconded Councillor Robert Leadbeater.

1. That Kyogle Together be offered a new Occupation Agreement for a period of three years with a three year renewal option, with a monthly rental of \$500 to be reviewed at the end of the initial three years.

A motion was foreshadowed by Councillor Janet Wilson

That Council prepare a further report about this matter that:

- Separates the occupation licence from a service agreement
- Provides information about the services and activities which are currently used by Council at no cost from Gove House.
- Identifies the matters which need to be addressed in the occupation licence in relation to OH&S and disability access compliance and refer this to the October budget review.
- Provides information that can be used in a service agreement which identifies work from Council's social, cultural, economic objectives of the management plan, all objectives which supported the management plan, which would be better carried out by Kyogle Together, or are already being carried out by Kyogle Together.
- That appropriate costing be included in a report about the service agreement by March 2012.

Councillor Robert Dwyer withdrew his motion.

A motion was moved by Councillor Janet Wilson, seconded by Councillor Lynette Zito

That Council prepare a further report about this matter that:

- Separates the occupation licence from a service agreement
- Provides information about the services and activities which are currently used by Council at no cost from Gove House.
- Identifies the matters which need to be addressed in the occupation licence in relation to OH&S and disability access compliance and refer this to the October budget review.
- Provides information that can be used in a service agreement which identifies work from Council's social, cultural, economic objectives of the management plan, all objectives which supported the management plan, which would be better carried out by Kyogle Together, or are already being carried out by Kyogle Together.
- That appropriate costing be included in a report about the service agreement by March 2012.

The motion was put to the vote and was CARRIED.

260911/ 37 RESOLVED

Councillor Janet Wilson, seconded Councillor Lynette Zito.

That Council prepare a further report about this matter that:

- Separates the occupation licence from a service agreement
- Provides information about the services and activities which are currently used by Council at no cost from Gove House.
- Identifies the matters which need to be addressed in the occupation licence in relation to OH&S and disability access compliance and refer this to the October budget review.
- Provides information that can be used in a service agreement which identifies work from Council's social, cultural, economic objectives of the management plan, all objectives which supported the management plan, which would be better carried out by Kyogle Together, or are already being carried out by Kyogle Together.
- That appropriate costing be included in a report about the service agreement by March 2012.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

ITEM 14E COMMUNITY SERVICES REPORT

14E.1 AUSTRALIA DAY COMMITTEES

260911/ 38 RESOLVED

Councillor Robert Dwyer, seconded Councillor Janet Wilson.

1. That the Kyogle Australia Day Committee be delegated authority under section 355 of the Local Government Act
2. That the Woodenbong Australia Day Committee be delegated authority under section 355 of the Local Government Act

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

A motion was moved by Councillor Lindsay Passfield, seconded Councillor Robert Dwyer

3. That both Committees be provided with guidance of their responsibilities under Section 355 of the Local Government Act.

The motion was put to the vote and was CARRIED.

260911/ 39 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Dwyer.

3. That both Committees be provided with guidance of their responsibilities under Section 355 of the Local Government Act.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

14E.2 FUTURES FUNDING APPLICATIONS

260911/ 40 RESOLVED

Councillor Robert Dwyer, seconded Councillor Lynette Zito.

That Council allocate Futures funding to:

1. Kyogle Chamber of Commerce \$4,000 to conduct the Kyogle Musical Instrument Expo.
2. Wadeville Reserve Trust \$3,500 for an event that will be focused on adults.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

14E.3 FINANCIAL ASSISTANCE APPLICATIONS

Having declared an interest in Item 14E.3 Councillor Robert Dwyer, Councillor Janet Wilson and Director Planning & Environment left the meeting at 6.24 p.m.

260911/ 41 RESOLVED

Councillor Ernie Bennett, seconded Councillor Tom Cooper.

That Council grant financial assistance to the following applicants:

Local Organisations

Applicant	Reason for Request	Funds requested
Urbenville RSL Sub-Branch	Replace timber rail to boundary fence surrounding Urbenville War Memorial.	200
Bonalbo Charity Rodeo Committee	To assist with running expenses for 2011 Charity Rodeo in October	700
Upper Clarence Valley Senior Citizens - Bonalbo	To assist with providing a meal at Christmas for the Senior Citizens community of Bonalbo and district.	500
Upper Clarence Valley Seniors Week - Woodenbong	To assist with an event at Woodenbong Hall to celebrate Seniors Week in March 2012 involving seniors from all of Kyogle LGA.	700
Little Athletics Kyogle	Purchase equipment to replace damaged sustained by January 2011 floods	700
Woodenbong Amateur Swimming Club	To pay for the training of a lifeguard who will be able to run the Club nights at Woodenbong Pool.	800
Eden Creek Public Hall & Recreation Trust	To purchase tables, chairs and fridge to host community events.	700
Quota International of Kyogle Inc.	To assist with an annual seniors luncheon to be held in Kyogle in September.	500
Mummulgum Community Playgroup	To purchase play equipment art/craft supplies and a safety barrier gate for new community playgroup	700
Total		\$5,500

Individuals

Applicant	Reason for Request	Funds requested
Doug Reid	To produce a timeline of the Woodenbong District through a database available by either web or book.	500
Rachelle Crane	To assist with costs following being selected to sing at the Sydney Opera house representing	500
Alison Treanor	To develop Management Plan for all weather, multi-	500

	purpose sand arena for horse riding sports and Activities at Kyogle Showground.	
Catriona Bain	To assist with costs associated with competing in Australian Slalom Championships and Australian Schools Whitewater National Championships in Tasmania in 2012.	500
Anna Bain	To assist with costs associated with competing in Australian Slalom Championships and Australian Schools Whitewater National Championships in Tasmania in 2012.	500
Total		\$2,500

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - John O'Reilly

Councillor Robert Dwyer, Councillor Janet Wilson and the Director of Planning & Environment returned to the meeting at 6.29 p.m.

ITEM 14F GENERAL MANAGER'S REPORT

14F.1 ACTING GENERAL MANAGER

Having declared an interest in Item 14F.1 the Director of Technical Services left the meeting at 6.30 p.m.

260911/ 42 RESOLVED

Councillor Ernie Bennett, seconded Councillor Robert Leadbeater.

That Mr. Frank Winter was appointed as Acting General Manager for the following periods:

- 17 October, 2011 to 21 October, 2011 inclusive; and
- 31 October, 2011 to 4 November, 2011 inclusive.

CARRIED

FOR VOTE - Unanimous vote
 ABSENT. DID NOT VOTE - John O'Reilly

Director of Technical Services returned to the meeting at 6.31 p.m.

ITEM 15 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 16 QUESTIONS FOR NEXT ORDINARY MEETING

Councillor Lindsay Passfield

- Requested a letter of congratulations and thanks be provided to the Northern District Exhibit Council Inc. in relation to recent exhibitions and accolades received on their entries at the Sydney Royal Easter Show - 2011 and the Brisbane Ekka - 2011.
- Advised of a very successful event held mid-September organised by Bicycle Queensland on a tour from Goondiwindi to Brisbane. With approximately 800 riders visiting and camping in Woodenbong overnight, the group were extremely courteous and very well organised. Requested Council write to Cycle Queensland thanking them for their visit and extending a warm welcome for any future events.

ITEM 17 CONFIDENTIAL BUSINESS PAPER

17.01 MOVE INTO CLOSED COUNCIL

Item 17.1 - Stormwater and Flood Management

This item is classified CONFIDENTIAL under 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

This matter is confidential because it may contain personnel matters in relation to an individual.

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 is closed, as to whether that part of the meeting should be closed.

260911/ 43 RESOLVED

Councillor Ernie Bennett, seconded Councillor Lindsay Passfield.

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 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 section 11(2) of the Local Government Act 1993.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

Council closed its meeting at 6.35 p.m. The public and media left the Chamber.

17.02 OPEN COUNCIL RESUMES

260911/ 44 RESOLVED

Councillor Ernie Bennett, seconded Councillor Lindsay Passfield.

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

Open Council resumed at 6.38 p.m.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John O'Reilly

17.1 STORMWATER AND FLOOD MANAGEMENT

That the report on Stormwater and Flood Management was received and noted.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 6.40 p.m.

Signature of Chairperson.....

