

Kyogle Council

Confirmed Minutes of the Extraordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Tuesday 30 November 2010.

PRESENT

Cr. J. Wilson, (Deputy Mayor in the Chair), Cr. R. Brown, Cr. J. O'Reilly, Cr. L. Passfield , Cr. L. Zito, Cr. R. Dwyer, Cr. R. Leadbeatter.

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

ELECTION OF CHAIR

The Deputy Mayor vacated the Chair.

Councillors elected Councillor Ross Brown as Chair by open vote.

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

Councillor Ross Brown assumed the Chair.

ITEM 1 APOLOGIES

Apologies were received from Councillor Ernie Bennett and Councillor Tom Cooper.

301110/ 1 RESOLVED

Moved Councillor Lynette Zito, seconded Councillor Robert Leadbeatter.

That the apologies be accepted and the leave of absences granted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

ITEM 2 OPENING PRAYER

The Chair read the opening prayer.

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Chair read the traditional lands acknowledgement.

ITEM 4 DECLARATION OF INTERESTS

Nil.

ITEM 5 GENERAL MANAGER 'S REPORT

5.1 PRESENTATION FROM AUDITORS ON 2009/2010 FINANCIAL STATEMENTS

301110/ 2 RESOLVED

Councillor Lindsay Passfield, seconded Councillor John O'Reilly.

That the Presentation from Council's Auditors Thomas, Noble & Russell on the 2009/2010 Financial Reports were received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

5.2 2009/2010 FINANCIAL STATEMENTS

301110/ 3 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

That Council:

1. Adopts the 2009/2010 General Purpose Financial Report;

2. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the General Purpose Financial Report;
3. Adopts the 2009/2010 Special Purpose Financial Report;
4. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the Special Purpose Financial Report.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

A motion was moved by Councillor Ross Brown, seconded Councillor Lynette Zito,

5. That Council makes the management of Employee Leave Entitlements an item to be included in the General Manager's Review criteria – Part B, and the General Manager provide a report establishing a suitable criteria to the next Council meeting.

The motion was put to the vote and was CARRIED.

301110/ 4 RESOLVED

Councillor Ross Brown, seconded Councillor Lynette Zito.

5. That Council makes the management of Employee Leave Entitlements an item to be included in the General Manager's Review criteria – Part B, and the General Manager provide a report establishing a suitable criteria to the next Council meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

5.3 2009/2010 ANNUAL REPORT

301110/ 5 RESOLVED

Councillor Lindsay Passfield, seconded Councillor John O'Reilly.

That the Kyogle Council Annual Report for the 2009/2010 reporting period as amended was adopted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

ITEM 6 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 7 CONFIDENTIAL BUSINESS PAPER

7.01 MOVE INTO CLOSED COUNCIL

Item 17.1 - Easement Agreement

This item is classified CONFIDENTIAL under section 10A(2) (i) 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 that would if disclosed:
- (g) advice concerning litigation, or advice that would otherwise be privileged

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.

301110/ 6 RESOLVED

Councillor Lynette Zito, 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

Council Closed its meeting at 4:45 p.m. The public and media left the Chamber.

Mr Andrew McInnes from McInnes Legal joined the meeting at 4.45 p.m. to address any questions arising from Item 7.1 – Easement Agreement.

7.02 MOVE OUT OF CLOSED COUNCIL

301110/ 7 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

That Council move out of Closed Council and into Open Council.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Ernie Bennett, Tom Cooper

Open Council resumed at 5.15 p.m.

The following resolution of Council while the meeting was closed to the public was read to the meeting by the Mayor.

7.1 EASEMENT AGREEMENT

That Council authorises the Mayor and the General Manager to enter into negotiations in accordance with the deeds of agreement described in this report along with the associated easements on the terms outlined within the report.

MEETING CLOSURE

There being no further business the Chair declared the meeting closed at 5.16 p.m.

Signature of Chairperson.....

