

Kyogle Council

Confirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on 10 December 2012.

PRESENT

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

IN ATTENDANCE

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

MEETING COMMENCEMENT

The Mayor declared the meeting open at 5.00 pm

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

Cr. Michael Reardon declared an interest in the following item/s:

- Item 12.3 Independent Auditing of Quarries
Reason for Declaration – Owner of quarry
- Item 13A.2 Interim Budget Review Items
Reason for Declaration – Heavy haulage contributions – owner of quarry
- 13B.2 Minutes of Planning and Environment Committee

Reason for Declaration - owner of quarry

- o 13B.3 Development Consent 2009-124; Application for Modification
Reason – works for the proponent

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

- o Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 November to 30 November 2012 - 2012/55
Reason for Declaration –Trustee of the Kyogle Showground Trust
- o Item 12.1 Toonumbar Dam Access Road
Reason for Declaration – discussion on RDA matters – RDA Board Member
- o Item 12.7 Minutes of Corporate & Community meeting 26 November 2012
Reason for Declaration – RDA Board Member

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

- o Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 November to 30 November 2012 - 2012/55
Reason for Declaration – Treasurer of the Showground Trust

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

- o Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 November to 30 November 2012 - 2012/29
Reason for Declaration – undertakes contract work for proponent

Cr. Chris Simpson declared a non-pecuniary and non-substantial interest in the following item/s:

- o Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 November – 30 November 2012 DA 2012/39
Reason for Declaration – Neighbour of applicant

ITEM 5 QUESTION TIME

- Mr Lynette Zito addressed Council in relation to;
Question Item 9.5 Rescission Motion – As all Councillors will be aware, I have put forward an expression of interest in being a member of the Internal Audit Committee. Just to clarify the matter, my reason for offering my services to the Internal Audit Committee is my belief that, by doing so, I can contribute to Council and therefore, by extension, this community. With two Councillors and two independent members, the Chair who is always a Councillor, has the casting vote. Therefore this Committee which is supposed to be independent will not be so.
So my question is to Councillors Creedy, Dwyer and Reardon – how does the Rescission Motion at Item 9.5 meet Council's commitment to engaging with the community as outlined in Item 13E.1 in today's business paper, specifically Council is committed to engaging with the community to:
 - Better meet the needs of the community;
 - Tap into local knowledge and expertise
 - Have a more informed community
 - Encourage and enable community participating in decision making; and
 - Improve the relationship with the community.

Mayor advised the question would be answered during debate of this item.

- Mr Phil Gome addressed Council in relation to;
 1. What are the steps in the process to finalising the Kyogle Local Environment Plan (LEP)? In particular opportunities for public consultation, public input and likely timelines.

The Acting Director of Planning & Environment advised the LEP is currently with the State Government being drafted by Parliamentary Counsel, and is expected to be gazetted before the end of 2012. Council has requested that the LEP commence at the end of January 2013. There are no further opportunities for public comment.

2. Is Council staff under State Legislation or Council Policy, required to maintain notes, file notes, records of discussions, or minutes of informal meetings or formal meetings with Community Groups and Developers and Government Agencies and Departments?

The General Manager advised no.

3. Has Council staff maintained notes, files notes, record of discussions or minutes of all informal or formal meetings with the Joint Regional Planning Panel in relation to the Cedar Point Quarry?

The General Manager advised the question would be taken on notice.

- Mrs Val Ferris, from Kyogle Red Cross addressed Council in relation to; Correspondence asking Council consider planting red and white roses for the Red Cross Centenary in 2014 in established gardens in the Centre of Town. Also asked if Council needed to formalise this request into a motion?

The General Manager advised a motion was not required, and a formal response would be provided to the letter advising of support to the request.

Advised that she supported the recording of Council meetings and enquired if there was any difficulty in adopting this process?

The General Manager advised that there were no technical equipment difficulties in adopting this process and included in today's agenda is a report on this matter.

- Mrs Elva Jones addressed Council in relation to; The steps now ordered for the Kyogle Swimming Pool and enquired how long before they will be installed? Also asked if prior to installation, an invitation is extended to the various groups involved in the project to attend an opening?

The Acting Director of Planning Services advised the order for the steps has been placed and as soon as they arrive they will be installed.

The General Manager advised that the date would be verified and Mrs Jones would be advised as soon as the date was confirmed.

- Mrs Anne Reardon addressed Council in relation to;
An article in the Northern Star on 28 November 2012 entitled "Casino gets scoop on poop with new street scrubber" referring to an item of plant purchased to clean the foot path. Asked if Council could hire the plant for Kyogle main street to remove chewing gum and the like?

The Acting Director of Technical Services advised the "scrubber" is unfortunately not able to remove chewing gum, only bird droppings, litter and dust.

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF ORDINARY MINUTES

101212/ 1 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland .

That the Minutes of the Ordinary Meeting held on 12 December 2012 were adopted.

CARRIED

FOR VOTE - Unanimous vote

7.2 CONFIRMATION OF EXTRAORDINARY MINUTES

101212/ 2 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Chris Simpson.

That the Minutes of the Extraordinary Meeting held on 26 November 2012, were adopted.

CARRIED

FOR VOTE - Unanimous vote

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION; CLR DANIELLE MULHOLLAND - CSG UPDATE

101212/ 3 RESOLVED

Moved by Councillor Danielle Mulholland , seconded by Councillor Lindsay Passfield.

That the General Manager ensure that Councillors are immediately informed of any notification of existing or proposed Coal Seam Gas (CSG) or other unconventional gas related activity, particularly the commencement of seismic testing or drilling within –

- (a) their respective Ward; and
- (b) within the confines of the Kyogle Local Government Area (LGA)

CARRIED

FOR VOTE - Unanimous vote

9.2 NOTICE OF MOTION; CLR JANET WILSON - CSG GROUNDWATER STUDY

Councillor Janet Wilson withdrew the motion.

9.3 NOTICE OF MOTION; CLR JOHN BURLEY - FUNDING PROPOSALS

101212/ 4 RESOLVED

Moved by Councillor John Burley, seconded by Councillor Janet Wilson.

That Council staff assess and make recommendations on proposals that come before Council for grant funding, whether at local, state or federal level, according to the specified criteria relating to funding proposals, for the consideration of Council.

CARRIED

FOR VOTE - Unanimous vote

9.4 NOTICE OF MOTION; CLR JOHN BURLEY - AGED CARE FUNDING

101212/ 5 RESOLVED

Moved by Councillor John Burley, seconded by Councillor Lindsay Passfield.

That Council investigate opportunities for sourcing funding through the Australian Government's aged care funding scheme and identifying the service providers who would be eligible to apply.

CARRIED

FOR VOTE - Unanimous vote

9.5 RESCISSION MOTION; CLRS CREEDY, DWYER AND REARDON - INTERNAL AUDIT COMMITTEE

101212/ 6 RESOLVED

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

That Council rescind the following resolutions passed at the Ordinary Council meeting held on 12 November 2012;

- 13D.5(2) - "That the membership of the Internal Audit Committee be two (2) Councillors (excluding the Mayor) & 3 independent members, at least one with financial expertise"
- 13D.5/(4) "That council call for a public expression of interest for an additional independent member for the Internal Audit Committee."

CARRIED

FOR VOTE - Chris Simpson, Maggie Creedy, Bob Dwyer, Lindsay Passfield, Michael Reardon, Danielle Mulholland

AGAINST VOTE - Ross Brown, Janet Wilson, John Burley

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 TOONUMBAR DAM ACCESS ROAD

101212/ 7 RESOLVED

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

That the Toonumbar Dam Access Road report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

Having declared an interest in Regional Development Australia matters Councillor Janet Wilson left the meeting at 5.55 p.m.

101212/ 8 RESOLVED

Moved by Councillor Ross Brown, seconded by Councillor Danielle Mulholland .

That to further progress the issue of Toonumbar Dam Access Road, Council;

- a) At the December quarter budget review, consider allocating funds to design the road as per the report (\$40,000)
- b) The Tourism Economic Development Officer and Community Projects Officer further progress the options for contributing funding from a number of sources, including Federal Government funding through Regional Development Australia – Round 5 and State Water.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Janet Wilson

Councillor Janet Wilson returned to the meeting at 6.10 p.m.

12.2 COUNCIL RESOLUTIONS REQUIRING ACTION

101212/ 9 RESOLVED

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

1. That the Council resolutions requiring action report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

101212/ 10 RESOLVED

Moved by Councillor Chris Simpson, seconded by Councillor John Burley.

2. That Council advises the Minister for Transport regarding the communities frustrations and concern with regard to the delay in Summerland Way roadworks at the Fairymount bridge, Imbrey's Slip, and Glenn Road detour and the negative impact these issues are having on the community. We request that the Minister ensures these issues are addressed as a matter of urgency.

CARRIED

FOR VOTE - Unanimous vote

12.3 INDEPENDENT AUDITING OF QUARRIES

Having declared an interest in Item 12.3 Councillor Michael Reardon left the meeting at 6.28 p.m.

101212/ 11 RESOLVED

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

1. That the Independent Auditing of Quarries report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Michael Reardon

101212/ 12 RESOLVED

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

2. That upon completion of the current Quarry Audit program a further report be brought to Council detailing audit findings and a Draft Strategic Audit Plan and Program.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Michael Reardon

Councillor Michael Reardon returned to the meeting at 6.40 p.m.

12.4 COAL SEAM GAS

101212/ 13 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Chris Simpson.

That the Coal Seam Gas report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

12.5 SPECIAL VARIATIONS TO GENERAL INCOME

101212/ 14 RESOLVED

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

1. That the Special Variations to General Income report was received and noted.

CARRIED

FOR VOTE - Unanimous vote

101212/ 15 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Robert Dwyer.

2. That Council apply the pegged increase of 3.4% for 2012/13.

CARRIED

FOR VOTE - Unanimous vote

12.6 FINANCIAL REPORT NOVEMBER 2012

101212/ 16 RESOLVED

Moved by Councillor Robert Dwyer, seconded by Councillor Janet Wilson.

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

CARRIED

FOR VOTE - Unanimous vote

12.7 MINUTES OF CORPORATE & COMMUNITY MEETING 26 NOVEMBER 2012

Having declared an interest in item 12.7 Councillor Janet Wilson left the meeting at 6.55 p.m.

101212/ 17 RESOLVED

Moved by Councillor Chris Simpson, seconded by Councillor Danielle Mulholland .

That the Minutes of the Corporate and Community Services Committee meeting held 26 November 2012 were received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Janet Wilson

Councillor Janet Wilson returned to the meeting at 6.56 p.m.

ITEM 13 GENERAL MANAGER 'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 TECHNICAL SERVICES COMMITTEE MEETING NOVEMBER 2012

101212/ 18 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor John Burley.

1. That the Works, Quarries, Renaming of Hootens Road and Bridge Naming Report be received and noted.
2. That, under section 162 of the Roads Act 1993, Council adopts the proposed road name shown below and serve notice of this name on Australia Post, the Registrar-General and the Surveyor General as required under Section 7 of the Roads (General) Regulation 2000, prior to Gazettal.

| | |
|---------------------------|--------------|
| Road No. | 247 |
| Current Road Name | Hootens Road |
| Proposed Road Name | Hootons Road |
| Reason | naming error |
3. That the proposal to name the Dyraaba Station No 1 Bridge "Bakers Bridge " be advertised for public comment or submissions for a period of 30 days and that a further report be brought to Council on submissions received.

CARRIED

FOR VOTE - Unanimous vote

13A.2 INTERIM BUDGET REVIEW ITEMS

Having declared an interest in item 13A.2 Councillor Michael Reardon left the meeting at 6.59 p.m.

101212/ 19 RESOLVED

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

1. That the report on Interim Budget Review Items were received and noted
2. That Council approve the variations to the budget as contained in the table below;

| Budget Area | Current Budget | Proposed Budget | Difference |
|---|-------------------|-------------------|-----------------|
| State Highways RMCC Income (GL61600.5995) | -\$719,500 | -\$947,100 | -\$227,600 |
| MR 83 Maintenance Expenditure (W251) | \$338,031 | \$477,179 | \$139,148 |
| SH 16 Maintenance Expenditure (W252) | \$154,500 | \$242,952 | \$88,452 |
| Sub-Total | -\$226,969 | -\$226,969 | \$0 |
| Collins Valley Rd Bridge Replacement (W538) | \$0 | \$70,000 | \$70,000 |
| Sub-Total | \$0 | \$70,000 | \$70,000 |
| Sealed Roads Maintenance East of the Ranges (W150) | \$300,000 | \$406,913 | \$106,913 |
| Millers Quarry Heavy Haulage | \$0 | -\$106,913 | -\$106,913 |
| Main Road 141 Maintenance (W101) | \$265,500 | \$285,194 | \$19,694 |
| Chadburns Heavy Haulage | \$0 | -\$531 | -\$531 |
| Griffiths Heavy Haulage | \$0 | -\$19,163 | -\$19,163 |
| Sub-Total | \$565,500 | \$565,500 | \$0 |
| MR 141 Black Spot Project Taveners Road East Income (W490) | -\$400,000 | -\$674,000 | -\$274,000 |
| MR 141 Black Spot Project Taveners Road East Expenditure (W490) | \$400,000 | \$674,000 | \$274,000 |
| Sub-Total | \$0 | \$0 | \$0 |

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Michael Reardon

Councillor Michael Reardon returned to the meeting at 7.06 p.m.

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED & OUTSTANDING FOR THE PERIOD 1 NOVEMBER 2012 TO 30 NOVEMBER 2012

101212/ 20 RESOLVED

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

1. That, with the exception of the following items in which Councillors Janet Wilson, Robert Dwyer, Lindsay Passfield and Chris Simpson have declared an interest,
 - Cr Janet Wilson 13B.1 Development Applications Received, Determined and Outstanding DA 2012/55
 - Cr Robert Dwyer 13B.1 Development Applications Received, Determined and Outstanding DA 2012/55
 - Cr Lindsay Passfield 13B.1 Development Applications Received, Determined and Outstanding DA 2012/29
 - Cr Chris Simpson 13B.1 Development Applications Received, Determined and Outstanding DA 2012/39

The information contained in the report Development Applications Received, Determined and Outstanding for the period 1 November 2012 to 30 November 2012 was received and noted.

CARRIED

FOR VOTE - Unanimous vote

Having declared an interest in Item 13B.1 Councillors Janet Wilson, Robert Dwyer, Lindsay Passfield and Chris Simpson left the meeting at 7.10 p.m.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 November 2012 to 30 November 2012 only in relation to DA2012/55, DA2012/29 and 2012/39 in which Councillors Janet Wilson, Robert Dwyer, Lindsay Passfield and Chris Simpson have declared an interest was received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Chris Simpson, Janet Wilson, Bob Dwyer, Lindsay Passfield

Councillors Janet Wilson, Robert Dwyer, Lindsay Passfield and Chris Simpson returned to the meeting at 7.10 p.m.

Adjournment of Meeting

The meeting was adjourned at 7.10 pm for a meal break.

The meeting was reconvened at 7.35 pm

13B.2 MINUTES OF PLANNING AND ENVIRONMENT COMMITTEE NOVEMBER 2012

Having declared an interest in item 13B.2 Councillor Michael Reardon left the meeting at 7.35 p.m.

101212/ 21 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland .

1. That the minutes of the Planning and Environment Committee November 2012 report were received and noted.
2. That Council staff further consult with the applicant with the aim of addressing the concerns raised within the body of the report.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Michael Reardon

13B.3 DEVELOPMENT CONSENT 2009-124: APPLICATION FOR MODIFICATION

Having declared an interest in item 13B.3 Councillor Michael Reardon remained outside for this item.

101212/ 22 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland .

1. That pursuant to Section 96 (2) of the *Environmental Planning and Assessment Act 1979* Council approve part of the application to modify development consent 2009-
-

124 issued 18 May 2009 to permit construction of a new shed and shed extension and accordingly grant amended development consent 2009-124 as follows:

Condition 1 to be amended to read:

The development shall be carried out and maintained in accordance with the following plans, except where otherwise provided by the conditions of this consent:

| Plan Title | Revision No. | Plan number | Date |
|--|---------------------|--------------------|---------------------------|
| Overall Site Layout | | A01 | 24 May 2012 (received) |
| Plan & Elevations Shed 3 | | A03 | 24 May 2012 (received) |
| Sketch Shed 2 | | SK2 | 24 May 2012 (received) |
| Fire Truck access to Proposed Sheds | | 06439_GR- AUG12 | 24 May 2012 (received) |

Modify Condition 2 to read:

The applicant being informed that this approval shall be regarded as being otherwise in accordance with the information and particulars set out and described in the development application registered in Council's records as Development Application No. 09-124 on March 2009 and as modified by this consent. Any alteration, variation or extension to the use for which approval has been given would require further development consent.

Add new Condition 51:

'The new shed and shed extension must be clad in low-reflective material'.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - Michael Reardon

Councillor Lindsay Passfield and Councillor Danielle Mulholland called for a Division.

| For | Against |
|------------------------|----------------|
| Cr Ross Brown | |
| Cr Janet Wilson | |
| Cr Danielle Mulholland | |
| Cr Robert Dwyer | |
| Cr Lindsay Passfield | |

| | |
|------------------|--|
| Cr Maggie Creedy | |
| Cr Chris Simpson | |
| Cr John Burley | |

Councillor Michael Reardon returned to the meeting at 7.35 p.m.

13B.4 KOALA PLAN OF MANAGEMENT

101212/ 23 RESOLVED

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

That Kyogle Council does not adopt a Koala Plan of Management.

CARRIED

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

AGAINST VOTE - Janet Wilson, Danielle Mulholland

A motion was moved by Councillor Janet Wilson, seconded Councillor Danielle Mulholland

That Council seek funding from the Office of Environment and Heritage to undertake a background biodiversity study.

The motion was put to the vote and was LOST.

FOR VOTE - Janet Wilson, Danielle Mulholland

AGAINST VOTE - Chris Simpson, Ross Brown, Maggie Creedy, Bob Dwyer, John Burley, Lindsay Passfield, Michael Reardon

13B.5 DELEGATIONS AND INDEPENDENT REVIEWS OF PLAN-MAKING DECISIONS

101212/ 24 RESOLVED

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

1. That Council accepts the delegations for plan-making under section 59 of the *Environmental Planning and Assessment Act 1979* and in accordance with section 381 of the *Local Government Act 1993*, Council sub-delegates to the General Manager the plan making functions conferred upon it.
2. That Council writes to the Minister of Planning and Infrastructure accepting the delegations under section 59 of the *Environmental Planning and Assessment Act 1979* and informs the Minister that the function is sub-delegated to the General Manager in accordance with section 381 of the *Local Government Act 1993*.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13C ENVIRONMENT SERVICES REPORT

13C.1 DELEGATION TO COUNCIL OF FUNCTIONS UNDER THE PLUMBING AND DRAINAGE ACT 2012

101212/ 25 RESOLVED

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

1. That Council accepts the delegations under Section 21(1) of the Act to enable Council to continue to undertake activities in relation to the regulation of on-site plumbing and drainage.
2. That Council acknowledge the delegation by signing the Instrument of Delegation and returning it to Fair Trading.
3. That pursuant to Section 21(2)(a) of the Plumbing and Drainage Act 2011, Council sub-delegate the functions to the General Manager.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13D CORPORATE SERVICES REPORT

13D.1 TELECONFERENCING FACILITIES

101212/ 26 RESOLVED

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

1. That Kyogle Council does not further investigate, purchase or install video conferencing facilities.

CARRIED

FOR VOTE - Unanimous vote

101212/ 27 RESOLVED

Moved by Councillor Danielle Mulholland , seconded by Councillor Robert Dwyer.

2. That Council investigate the costs associated with Teleconferencing equipment to assist with communities West of the Range, in line with Council's upgrade of phone system.

CARRIED

FOR VOTE - Unanimous vote

13D.2 RECORDING OF COUNCIL MEETINGS

A motion was moved by Councillor Maggie Creedy, seconded by Councillor Robert Dwyer.

1. That Council amend the Code of Meeting Practice to allow for the recording of Ordinary and closed Council meetings.
2. That detailed policy (re-recording of meetings) be developed when the Code of Meeting Practice review workshop is held.

The motion was put to the vote and was LOST.

FOR VOTE - Chris Simpson, Maggie Creedy, Bob Dwyer, Michael Reardon

AGAINST VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland

13D.3 CODE OF MEETING PRACTICE

101212/ 28 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland .

1. That Council defer consideration of the Code of Meeting Practice until the February 2013 Ordinary meeting.

2. That Council holds a Code of Meeting practice workshop prior to the February 2013 Ordinary meeting.

CARRIED

FOR VOTE - Unanimous vote

13D.4 REVIEW OF CUSTOMER SERVICE POLICY

101212/ 29 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland .

That Council defer adoption of the Customer Service Policy until the February 2013 Ordinary meeting.

CARRIED

FOR VOTE - Unanimous vote

13D.5 REVIEW OF INVESTMENT POLICY

101212/ 30 RESOLVED

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

That the reviewed Investment Policy was adopted.

CARRIED

FOR VOTE - Unanimous vote

13D.6 SES VEHICLES AND TABULAM SES SHED

101212/ 31 RESOLVED

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

1. That Council advise the SES that the vehicles be transferred at market value.
2. That the funds received be used to conduct underpinning works at the Tabulam SES shed and if the funds are insufficient that an amount be included in the 2013/2014 budget to enable the works to occur.

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland

AGAINST VOTE - Chris Simpson, Maggie Creedy, Bob Dwyer, Michael Reardon

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 REVIEW OF COMMUNITY ENGAGEMENT POLICY

101212/ 32 RESOLVED

Moved by Councillor Danielle Mulholland , seconded by Councillor Lindsay Passfield.

That Council defer adoption of the Community Engagement Policy until the February 2013 Ordinary meeting.

CARRIED

FOR VOTE - Unanimous vote

ITEM 13F GENERAL MANAGER'S REPORT

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

14.1 PECUNIARY INTEREST RETURNS

101212/ 33 RESOLVED

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

1. That the information contained in the report "Pecuniary Interest Returns" was received and noted.
2. That the tabled "Kyogle Council Register of Disclosures" was received

CARRIED

FOR VOTE - Unanimous vote

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Maggie Creedy

- Referred to an attachment to the business paper, the NOROC Minutes and a Recommendation seconded by Councillor Brown – Item 4. Environmental Zones E2 and E3. What does the recommendation imply?
-

The Mayor advised the recommendation requested that the Minister for Planning and Infrastructure review the E2 and E3 zones so that LEPs for each Council area be completed in full.

Cr Chris Simpson

- Asked if future Council reports could list the writer on each report?

The Mayor advised they are all essentially reports from the General Manager.

Cr Danielle Mulholland

- Would like a workshop for all Councillors on visioning projects for future funding?

The Mayor advised Council could undertake such a workshop in the new year.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED MEETING

Item 16.1 – Transport of Waste to Queensland Landfills

These items are 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

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.

101212/ 34 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland

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

Council closed its meeting at 9.12 p.m. The public and media left the Chamber.

16.02 OPEN COUNCIL RESUMES

101212/ 35 RESOLVED

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

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

Open Council resumed at 9.17 p.m.

CARRIED

FOR VOTE - Unanimous vote

16.1 TRANSPORT OF WASTE TO QUEENSLAND LANDFILLS.

- 1) That the Transport of Waste to Queensland Landfills report was received and noted.
- 2) That Council investigates the installation of a weigh bridge at its Kyogle facility to reduce the landfill levy fee imposed by the State Government of NSW.
- 3) That Council investigate the possibility of increased sort separation of waste stream at all of its facilities.

CARRIED

FOR VOTE - Unanimous vote

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 9.18 p.m.

