

Kyogle Council

Unconfirmed Minutes of the Extraordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on 28 June 2012.

PRESENT

Cr. R. Brown (Mayor in the Chair), Cr. E. Bennett,, 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 6.30 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 a pecuniary interest in the following item/s, however would not be leaving the room:

- Item 5.1 - 2012-2013 Delivery Program/Operational Plan

Reason for Declaration – Border Ranges Rally is dealing with the Kyogle Showground Trust

Cr. Robert Leadbeatter declared a pecuniary interest in the following item/s, however would not be leaving the room:

- Item 5.5 – Application for Kyogle Main Street Bazaar

Reason for Declaration – owner business premises in Kyogle Township

Cr. Janet Wilson declared a pecuniary interest in the following item/s, however would not be leaving the room:

- Item 5.1 - 2012-2013 Delivery Program/Operational Plan

Reason for Declaration – Border Ranges Rally is dealing with the Kyogle Showground Trust

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

- Item 5.5 – Application for Kyogle Main Street Bazaar

Reason for Declaration – Affiliated with Kyogle Showground Trust

ITEM 5 GENERAL MANAGER'S REPORT

5.1 2012-2013 DELIVERY PROGRAM/OPERATIONAL PLAN

280612/ 1 RESOLVED

Councillor Lindsay Passfield, seconded Councillor John O'Reilly.

That the report 2012-2013 Delivery Program/Operational Plan was received and noted.

CARRIED

FOR VOTE - Unanimous vote

280612/ 2 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Lynette Zito.

1. That Council adopt the amended 2012/2013 Draft Delivery Program/Operational Plan, incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary;
2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.233700 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 14.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
3. That a Residential Rate, to be known as the "Residential Rate" of 0.539400 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 43.7% of revenue in

this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

4. That a Residential Rate, to be known as the “Residential – Kyogle” Rate of 0.762200 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$217.00 which is expected to yield 24.8% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
5. That a Residential Rate, to be known as the “Rural Residential Rate” of 0.347300 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 22.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Business Rate, to be known as the “Business Rate” of 0.392450 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$184.00 which is expected to yield 43.4% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
7. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.697400 cents in the dollar on the Land Value be now made for the rating year 1 July, 2012 to 30 June, 2013 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$217.00 which is expected to yield 16.4% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That the following Water Supply Charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

- Vacant Property \$88.00
- 20mm Connection \$283.40
- 25mm Connection \$442.80
- 32mm Connection \$726.00
- 40mm Connection \$1,133.60
- 50mm Connection \$1,771.20
- 80mm Connection \$4,534.40
- 100mm Connection \$7,085.00
- Fire Service Connection \$283.40

Consumption Charges

Consumption up to 200kL usage	\$1.20 per kL
Consumption above 200kL usage	\$1.80per kL
Home Dialysis allocation first 100 kL	no charge

9. That the following Residential Sewerage Charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge	\$606.00
Vacant Annual Sewerage Charge	\$ 88.00

10. That the following Non Residential Sewerage Charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of \$606.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

- Vacant property \$ 88.00
- 20mm Connection \$236.00
- 25mm Connection \$368.76
- 32mm Connection \$604.16
- 40mm Connection \$944.00
- 50mm Connection \$1,475.00
- 80mm Connection \$3,776.00
- 100mm Connection \$5,900.00

Consumption Charges

\$0.96 per kl

11. That the following Trade Waste Charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers requiring nil or minimal pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00

(b) Trade Waste – Dischargers requiring prescribed pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.00/kL

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

Annual Trade Waste Fee	\$480.00
Re-inspection Fee	\$68.00
Excess mass charges	per Appendix B

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

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

12. That the following Domestic Waste Management charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Section 496 and Sections 502 and 503 of the Local Government Act 1993;

- Occupied Premises \$416.50
- Unoccupied Premises \$ 32.00

13. That the following Commercial Waste charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Section 501 of the Local Government Act 1993;

- Commercial Properties \$416.50

14. That the following On Site Sewerage Management charges be made for the rating year 1 July, 2012 to 30 June, 2013, in accordance with Section 501 of the Local Government Act 1993;

- OSMS Annual Charge \$36.00

15. That Council set the Rate of Interest, to apply for the rating year 1 July, 2012 to 30 June, 2013, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 10% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;

16. That Council adopt the Schedule of Fees and Charges contained in the Appendix to the Management Plan in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

17. That Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

18. That the projects listed below be funded under the Self Help Policy at 50% contribution from Council;

-Initial Sealing Runnymede Road -	\$25,000
-Improvements Old Bonalbo -	\$28,000
-Hansen Road Grid Relocation -	\$3,660

19. That an additional amount of \$6,000 be added to the donations budget to provide traffic control services to the Border Ranges Rally.

20. That \$9,000 of the funding provided for rural local roads drainage improvements in the capital works program be allocated to the installation of a new pipe culvert on Homestead Road.

21. That the Regional Roads capital Works Program be adjusted to take into account the approved Regional Road Repair Program, which represents a reduction in external funding of \$289,000 over the four year period.

CARRIED

FOR VOTE - Unanimous vote

280612/ 3 RESOLVED

Councillor Tom Cooper, seconded Councillor Lindsay Passfield.

22. That Council bring forward the Goanna Creek bridge replacement into the 2012/2013 financial year budget.

CARRIED

FOR VOTE - Unanimous vote

5.2 LONG TERM FINANCIAL PLAN

280612/ 4 RESOLVED

Councillor Robert Dwyer, seconded Councillor John O'Reilly.

That the Long Term Financial Plan was adopted.

CARRIED

FOR VOTE - Unanimous vote

5.3 RATEPAYER INCENTIVE DRAW

280612/ 5 RESOLVED

Councillor Lindsay Passfield, seconded Councillor Robert Leadbeatter.

That Council discontinue the Ratepayer Incentive Prize program from July 1, 2012.

CARRIED

FOR VOTE - Unanimous vote

5.4 NOTICES OF MOTION - DRAFT LEP EXHIBITION

A motion was moved by Councillor Tom Cooper, seconded Councillor John O'Reilly

That Council extend the Draft LEP exhibition period until 1 August 2012.

The motion was put to the vote and was LOST.

FOR VOTE - Ernie Bennett, John O'Reilly, Robert Dwyer, Tom Cooper

AGAINST VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Lynette Zito, Robert Leadbeatter

5.5 APPLICATION FOR KYOGLE MAIN STREET BAZAAR

Having declared an interest in the item 5.5 Councillor Janet Wilson left the meeting at 7.25 p.m.

280612/ 6 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Leadbeatter.

1. That the report on the Application for Kyogle Main Street Bazaar was received and noted.

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

280612/ 7 RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Leadbeatter.

2. That approval be granted under the provisions of the Road Reserve Management Plan for a single trial event of the Kyogle Main Street Bazaar to be held on July 14, 2012 subject to the following conditions;
 1. The activity being carried out substantially in accordance with the Application to Conduct Works Within the Road Reserve received by Council on June 19, 2012, except where amended by the following conditions.
 2. This approval is limited to a single event to be held on July 14, 2012 and that any further future events will require development consent to be obtained under the Environmental Planning and Assessment Act.
 3. The activities must not involve exposure to view from any adjacent premises or from any public place of any unsightly matter.
 4. Advertising material shall be erected within the nominated stall areas only.
 5. Signage shall be non-reflective and non-iridescent to minimise any possible distraction to traffic.
 6. The event shall 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 or grit, oil or otherwise.
 7. The event being conducted between the hours of 8:00am and 4:00pm.
 8. No vehicles connected with the event shall be parked in Stratheden Street between the Summerland Way and Roxy Lane or any of the restricted parking zones within the Summerland Way during the course of the event, except for the purposes of loading and unloading between the hours of 7:00am to 8:00am and 4:00pm to 5:00pm only.
 9. That the event be restricted to the footpath area provided as outlined in the Bazaar Plan. A clear width of 2.0m shall be maintained at all times for pedestrian traffic. No obstructions whether permanent or temporary will be allowed within the 2.0m clear width for pedestrian traffic.
 10. No stall or other structure associated with the event is to restrict access to any building emergency exit or be erected within the frontage of any premises open for business.

11. The proponent is to provide evidence of Public Liability insurance with a minimum coverage of \$10,000,000 and listing Kyogle Council as an interested party. The evidence provided must specify that coverage extends to the specific event subject to this approval.
12. No materials are to be left on the existing road or footway areas. The road reserve is to be left in a clean and tidy condition. Council reserves the right to conduct works to restore any damage or remove any waste or obstructions from the road reserve with all costs to be recovered from the proponent.
13. The event will be carried out in accordance with Workcover requirements and Occupational Health and Safety regulations.
14. The premises shall be maintained in a clean and tidy state at all times.
15. Prior to operation, any food business must notify the NSW Food Authority of their business details at www.foodnotify.nsw.gov.au.

CARRIED

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

Councillor Janet Wilson returned to the meeting at 7.24 p.m.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 7.30 p.m.

