

Kyogle Council

**Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers,
Stratheden Street, Kyogle, on Monday 22 October 2012.**

PRESENT

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

IN ATTENDANCE

The General Manager, the Acting Director 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 5.30 p.m.

ITEM 1 APOLOGIES

An apology was received from Councillor John Burley.

221012/ 1 RESOLVED

Moved Councillor Robert Dwyer, seconded Councillor Lindsay Passfield.

That the apology be accepted and the leave of absence be granted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

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

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

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

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 September 2012 – 30 September 2012 - 2012/55
Reason for Declaration – President Showground Trust

Cr. Maggie Creedy declared an interest in the following item/s:

- Item13D.1 – Financial Assistance
Reason for Declaration – member of Collins Creek Hall Committee & the Kyogle PA & H Society.

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

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 September 2012 – 30 September 2012 - 2012/29
Reason for Declaration – undertakes contract work for proponent
- Item13D.1 – Financial Assistance
Reason for Declaration - Woodenbong Tennis Club – wife is a life-time member.

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

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

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

- Item13B.2 – Review of Section 94 Heavy Haulage Agreement
Reason for Declaration – owner of an operating quarry

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

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 September 2012 – 30 September 2012 - 2012/57
Reason for Declaration – relative of applicant.

ITEM 5 QUESTION TIME

- Ms Lynette Zito addressed Council in relation to;
Item 13D.2 – Futures Funding and outlined the positive benefits to the Kyogle Local Government Area provided from plays put on by the Village Hall Players. Sought Council's financial support in providing funds which would enable the group to continue to provide productions.
- Mr Hayden Doolan addressed Council in relation to;
Kyogle Council being involved in creating a Youth Council which would provide local teenagers and young adults with the opportunity to contribute to local decision making processes and to have a real say on how youth-based initiatives are implemented with the Council LGA.

Asked would Council support the creation of a Youth Council?

ITEM 6 PUBLIC ACCESS

- Mr Michael Ross, Barkers Vale addressed Council in relation to;
Cawongla/Kyogle Road becoming too dangerous to drive on as there continues to be a lot of tailgating occurring. Provided correspondence signed by eight friends who also will not be travelling to Kyogle and doing their shopping anymore.
- Ms Josephine King addressed Council in relation to Item 9.1 – Koala Management Plan
Currently a volunteer in Lismore's Koala Care Centre where many injured and sick Koalas are brought in on a regular basis.
Concerned that Kyogle Council is making no effort to assist the Koala population in the Kyogle LGA. Would like Council to adopt a Koala Plan of Management as a matter of priority.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION OF ORDINARY MINUTES SEPTEMBER 2012

221012/ 2 RESOLVED

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

That the Minutes of the Ordinary Meeting held on 24 September 2012, were adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION; CLR JANET WILSON - KOALA MANAGEMENT PLAN

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

That Council develops a Koala Management plan to support the protection of the species which is at risk of being endangered through loss of habitat.

An amendment was moved by Councillor Ross Brown, seconded Councillor Lindsay Passfield.

That Councillors are provided with a report from staff which outlines the implications of a Koala Management Plan in comparison as to what is in place now. Report to include information on funding available for such a plan, information from other Councils where a Koala Management Plan is in place, and the impact that such a plan has had on Koala populations in the area.

FOR VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Danielle Mulholland
AGAINST VOTE - Chris Simpson, Maggie Creedy, Bob Dwyer, Michael Reardon
ABSENT. DID NOT VOTE - John Burley

The Mayor used his casting vote.

The amendment became the MOTION

The motion was put to the vote and was CARRIED.

221012/ 3 RESOLVED

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

That Councillors are provided with a report from staff which outlines the implications of a Koala Management Plan in comparison as to what is in place now. Report to include information on funding available for such a plan, information from other Councils where a Koala Management Plan is in place, and the impact that such a plan has had on Koala populations in the area.

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Danielle Mulholland
AGAINST VOTE - Chris Simpson, Maggie Creedy, Bob Dwyer, Michael Reardon
ABSENT. DID NOT VOTE - John Burley

The Mayor used his casting vote.

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil.

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 PLANT BUDGET REPORT - SEPTEMBER 2012.

221012/ 4 RESOLVED

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

That the Plant Budget Report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

12.2 PECUNIARY INTEREST RETURNS

221012/ 5 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland

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
ABSENT. DID NOT VOTE - John Burley

12.3 FINANCIAL REPORT SEPTEMBER

221012/ 6 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

12.4 COUNCIL RESOLUTIONS REQUIRING ACTING

221012/ 7 RESOLVED

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

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

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, Maggie Creedy, Bob Dwyer, Lindsay Passfield, Danielle Mulholland
AGAINST VOTE - Chris Simpson, Michael Reardon
ABSENT. DID NOT VOTE - John Burley

12.5 QUESTIONS FROM PREVIOUS COUNCIL MEETING

221012/ 8 RESOLVED

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

1. That the Questions from the Previous Council Meeting report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

221012/ 9 RESOLVED

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

2. That Council approaches NSW State Rail and requests that they provide adequate maintenance in accordance with Council's Property Access Management Plan or alternatively requests that they come to some agreement to fulfil that role.

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

12.6 EMPLOYEE LEAVE ENTITLEMENTS

221012/ 10 RESOLVED

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

That the Employee Leave Entitlements report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

ITEM 13 GENERAL MANAGER 'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 TECHNICAL SERVICES COMMITTEE MEETING OCTOBER 2012

221012/ 11 RESOLVED

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

1. That the Technical Services Committee meeting October 2012 were received and noted.
2. That Council lodge an appeal with the Roads and Maritime Services on the assessment of natural disaster funding for the replacement of the Collins Valley Road bridge.
3. That Council writes to the relevant State and Federal Ministers and Local Members seeking their support for Councils appeal with the Roads and Maritime Services on the assessment of natural disaster funding for the replacement of the Collins Valley Road bridge.
4. That Council writes to the NSW Minister for Regional Infrastructure and Services and request that the policy with respect to Closure of Crown Road reserves be reviewed such that no closure of Crown Roads results in any individual parcel being

left without a continuous length of public road reserve, or formal right of carriageway, connecting the property to the local road network.

5. That Council writes to the NSW Shires Association bringing this issue of Crown Reserve Closures and seeking their support.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

221012/ 12 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Chris Simpson.

6. That Council, whilst endeavouring to obtain funding under the natural disaster guidelines, and while seeking support from the State and Federal Member of Parliament, commence designing, planning and calling for tenders for the replacement of the badly damaged bridge over Collins Creek on Collins Valley Road.

(If this preparation work is carried out the council will be ready to commence work on the new bridge immediately the funding situation has been resolved.)

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

221012/ 13 RESOLVED

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

7. That Council directs the Tourism and Economic Development Officer to provide background information on traffic volumes on Toonumbar Dam Access Road, questions/visits to the Visitor Information Centre regarding Toonumbar Dam and the results of an interview with State Water and the Facility Operator on the matter.

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

13A.2 CORE INFRASTRUCTURE RISK MANAGEMENT PLAN

221012/ 14 RESOLVED

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

1. That the report on Core Infrastructure Risk Management Plan was received and noted.
2. That Council adopts the Risk Treatment Plan in the Core Infrastructure Risk Management Plan as the primary basis for all budgetary considerations.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 13B PLANNING SERVICES REPORT

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

221012/ 15 RESOLVED

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

1. That, with the exception of the following items in which Councillors Janet Wilson, Robert Dwyer, Lindsay Passfield, Chris Simpson and the Director of Corporate & Community Services 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
 - Director of Corporate & Community Services 13B.1 Development Applications Received, Determined and Outstanding DA 2012/57
 - 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 September 2012 to 30 September 2012 was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Having declared an interest in Item 13B.1 Councillors Janet Wilson, Robert Dwyer and the Director of Corporate & Community Services left the meeting at 6.18 p.m.

221012/ 16 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Chris Simpson.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 September 2012 to 30 September 2012 only in relation to DA2012/55 and 2012/57 in which Councillors Janet Wilson and Robert Dwyer, together with the Director of Corporate & Community Services have declared an interest was received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Janet Wilson, Robert Dwyer

Councillors Janet Wilson and Robert Dwyer, together with the Director of Corporate & Community Services returned to the meeting at 6.20 p.m.

Having declared an interest in Item 13B.1 Councillors Lindsay Passfield and Chris Simpson left the meeting at 6.21 p.m.

221012/ 17 RESOLVED

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

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Lindsay Passfield, Chris Simpson

Councillors Lindsay Passfield and Chris Simpson returned to the meeting at 6.22 pm.

13B.2 REVIEW OF SECTION 94 HEAVY HAULAGE AGREEMENT

Having declared an interest in Item 13B.2 Councillor Michael Reardon left the meeting at 6.23 p.m.

221012/ 18 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Chris Simpson.

1. That the report Review of Section 94 Heavy Haulage Contributions was received and noted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Michael Reardon

221012/ 19 RESOLVED

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

2. That Council reviews the Section 94 Heavy Contributions Plan with a view to including Regional Road based haulage.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Michael Reardon

221012/ 20 RESOLVED

Moved by Councillor Ross Brown, seconded by Councillor Janet Wilson.

3. A further report be provided on independent compliance auditing of all quarries within the Kyogle Local Government Area along with a comparison of the cost savings on staff time.
4. Once the ongoing audit is complete, an updated report on recommended actions, if any, be provided to Council.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Michael Reardon

Councillor Michael Reardon returned to the meeting at 6.33 p.m.

ITEM 13C ENVIRONMENT SERVICES REPORT

13C.1 CONSTRUCTION SITE WASTE MINIMISATION AND MANAGEMENT POLICY

221012/ 21 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Janet Wilson.

1. That the report on the Construction Site Waste Minimisation and Management Policy was received and noted.

CARRIED

FOR VOTE - Unanimous vote

AGAINST VOTE - Maggie Creedy

ABSENT. DID NOT VOTE - John Burley

221012/ 22 RESOLVED

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

2. That Council re-exhibit the Construction Site Waste Minimisation and Management Policy for 21 days with specific reference to the building industry operators involved, and a further report be provided to the December Ordinary meeting.

CARRIED

FOR VOTE – Unanimous
ABSENT. DID NOT VOTE - John Burley

ITEM 13D CORPORATE SERVICES REPORT

13D.1 FINANCIAL ASSISTANCE

Having declared an interest in Item 13D.1 Councillor Lindsay Passfield left the meeting at 6.43 p.m.

221012/ 23 RESOLVED

Moved by Councillor Maggie Creedy, seconded by Councillor Michael Reardon.

1. That Council grant financial assistance to the following Organisation:

Woodenbong Tennis Club	Tennis	Resurfacing Tennis Court	1,000.00
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FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley, Lindsay Passfield

Councillor Lindsay Passfield returned to the meeting at 6.45 p.m.

221012/ 24 RESOLVED

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

2. That the Financial Assistance report was received and noted.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

221012/ 25 RESOLVED

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

3. That Council grant financial assistance to the following Organisations:

Applicant	Reason for Request	Funds requested
Collins Creek Public Hall	Replace guttering on hall	250.00
Kyogle Public School P&C Association	Construction of a memorial for commemorative services	500.00
Bonalbo & District Community Hall	Annual food handling licence.	220.00
Wadeville Reserve Trust - Hanging Rock Hall	To waive development application fees for hall extensions.	1,000.00
Woodenbong Amateur Swimming Club	50 th Celebration Alan Mahoney Memorial Swimming Pool	500.00
Old Bonalbo Soldiers Memorial Hall Association	Kitchen needs maintenance and improvements to bring up to standard.	1,000.00
St Vincent's De Paul	Upgrade of centre and conference facility to comply with WHS and customer Service requirements.	1,000.00
Kyogle Seniors' Centre	To assist in purchasing Bingo equipment for the elderly.	500.00
Village Hall Players	To provide in-kind assistance for KMI hall rental.	500.00
Kyogle Scouts Group	To assist in re-establishing Kyogle Scouts Group.	500.00
Cawongla District Tennis and Recreation Club	To purchase glue for synthetic grass tennis court resurfacing	1,000.00
Wiangaree Public Hall Reserve Trust	Reimbursement of development application fee to Council for works involving upgrading toilet facilities to be disable friendly.	735.00
Total		\$8,705.00

That Council grant financial assistance to the following Individuals:

Applicant	Reason for Request	Funds requested
Nicholas Fuller	For a junior cricket tour to England and France with Wanderers Australia	500.00
Jackson Felton	To assist with Air fares whilst competing in NSRA Rode in Bull riding.	500.00
Trent Rose	Travel and accommodation in Sydney for State Representation	100.00
William Rose	Travel and accommodation in Sydney for State Representation	100.00
Thomas Rose	Travel and accommodation in Sydney for State Representation	100.00
Timothy Rose	Travel and accommodation in Sydney for State Representation	100.00
Total		\$ 1,400.00

CARRIED

FOR VOTE - Ross Brown, Janet Wilson, Maggie Creedy, Lindsay Passfield, Michael Reardon, Danielle Mulholland

AGAINST VOTE - Chris Simpson, Bob Dwyer

ABSENT. DID NOT VOTE - John Burley

13D.2 FUTURES FUNDING APPLICATIONS

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

1. That Futures funding of \$8,500 be provided to the Village Hall Players towards costs associated with performances throughout the LGA.

An amendment was moved by Councillor Maggie Creedy, seconded Councillor Robert Dwyer.

1. That Futures funding of \$5,000 be provided to the Village Hall Players towards costs associated with performances throughout the LGA.

The amendment was put to the vote and was CARRIED

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

AGAINST VOTE - Janet Wilson

ABSENT. DID NOT VOTE - John Burley

The amendment became the motion.

221012/ 26 RESOLVED

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

1. That Futures funding of \$5,000 be provided to the Village Hall Players towards costs associated with performances throughout the LGA.

CARRIED

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

AGAINST VOTE - Janet Wilson

ABSENT. DID NOT VOTE - John Burley

A motion was moved by Councillor Chris Simpson, seconded by Councillor Maggie Creedy

2. That futures funding of \$1,500 be provided to Kyogle Community Economic Development Committee trading as Kyogle Community Cinema for the payment of overhead costs.

A motion was foreshadowed by Councillor Janet Wilson

2. That the Cinema Management Group be asked to provide Council with more information regarding their plans to develop a sustainable film industry.

An amendment was moved by Councillor Robert Dwyer, seconded Councillor Danielle Mulholland.

2. That this matter be held in abeyance until Council receives a further report from the Kyogle Community Economic Development Committee trading as Kyogle Community Cinema as to how they aim to put the Cinema on a viable footing.

The amendment was put to the vote and was CARRIED.

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

The amendment became the motion.

The motion was put to the vote and was CARRIED.

221012/ 27 RESOLVED

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

2. That this matter be held in abeyance until Council receives a further report from the Kyogle Community Economic Development Committee trading as Kyogle Community Cinema as to how they aim to put the Cinema on a viable footing.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

Councillor Janet Wilson then withdrew her foreshadowed motion.

13D.3 VEHICLE POLICY REVIEW COMMITTEE

221012/ 28 RESOLVED

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

That Council forms a Vehicle Policy Sunset Committee consisting of:

- Councillor Robert Dwyer
- Councillor Chris Simpson
- Councillor Danielle Mulholland
- Councillor Michael Reardon
- General Manager
- Director Corporate and Community Services
- Manager Plant and Depots
- 2 Staff representatives (nominated by the General Manager)

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 VILLAGE MAINTENANCE AGREEMENT - WIANGAREE & DISTRICT PROGRESS ASSOCIATION

221012/ 29 RESOLVED

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

1. That the renewal of the village maintenance agreements with the Wiangaree and District Progress Association as amended for the period 1 October 2012 - 30 September 2015 was received and noted.

2. That the Mayor and General Manager be authorised to sign and affix the Council seal to the Village Maintenance Agreement between Kyogle Council, and the Wiangaree and District Progress Association as amended.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

13E.2 VILLAGE MAINTENANCE AGREEMENT - OLD BONALBO & DISTRICT PROGRESS ASSOCIATION & THE OLD BONALBO SOLDERS MEMORIAL HALL

221012/ 30 RESOLVED

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

1. That the renewal of the village maintenance agreements with the Old Bonalbo and District Progress Association and the Old Bonalbo Soldiers Memorial Hall for the period 1 July 2012 to 30 June 2015, as amended was received and noted.
2. That the Mayor and General Manager be authorised to sign and affix the Council seal to the Village Maintenance Agreement, as amended between Kyogle Council, and the Old Bonalbo and District Progress Association.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

221012/ 31 RESOLVED

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

3. That a review be carried out on the level of assistance provided to the villages in relation to the Village Maintenance Agreements.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

ITEM 13F GENERAL MANAGER'S REPORT

13F.1 ORDINARY AND COMMITTEE MEETINGS CYCLE 2012-13

221012/ 32 RESOLVED

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

1. That Councillor Chris Simpson be appointed to the Corporate & Community Committee.
2. That Councillor Danielle Mulholland be appointed to the Internal Audit Committee.

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

221012/ 33 RESOLVED

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

3. That Council adopt the following Ordinary Council meeting dates and times:

Ordinary Meetings
Monday, 12 November 2012, 5.00 p.m.
Monday, 10 December 2012, 5.00 p.m.
Monday, 11 February 2013, 5.00 p.m.
Monday, 11 March 2013, 5.00 p.m.
Monday, 8 April 2013, 5.00 p.m.
Monday, 13 May 2013, 5.00 p.m.
Tuesday, 11 June 2013, 5.00 p.m. (10 June – Queens Birthday Holiday)
Monday, 8 July 2013, 5.00 p.m.
Monday, 12 August 2013, 5.00 p.m.
Monday, 9 September 2013, 5.00 p.m.

That Council adopt the following Committee meeting dates and times

Committee Meetings	
26 November 2012	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
24 December 2012	No meeting – Christmas Eve
25 February 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
25 March 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
22 April 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
27 May 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
24 June 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
22 July 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
26 August 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm
23 September 2013	Corporate & Community 2.30 pm Technical Services 3.30 pm Planning & Environmental 4.30 pm

Note: The Committee meetings are scheduled to be held at the above times, however should a meeting not be required, for practicality the following meeting scheduled may be moved forward.

CARRIED

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

AGAINST VOTE - Ross Brown, Janet Wilson, Lindsay Passfield

ABSENT. DID NOT VOTE - John Burley

13F.2 DELEGATIONS OF AUTHORITY

221012/ 34 RESOLVED

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

That the Delegations of Authority were adopted.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

13F.3 ORGANISATIONAL STRUCTURE

221012/ 35 RESOLVED

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

1. That the Kyogle Council Organisational Structure report was received and noted.
2. That Council amends its organisational structure to a four (4) department structure containing the following departments:
 - Administration and Community
 - Planning and Environment
 - Urban and Assets
 - Infrastructure Service Delivery
3. That the only senior staff position within the structure is that of the General Manager.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Councillor Michael Reardon

- Referred to the dilapidated Tennis Court toilets at Mallanganee which are scheduled to be demolished and asked that work commences immediately.
- Requested information on costing for Council to provide adequate drainage around the Mallanganee Tennis Courts.

Councillor Danielle Mulholland

- Can Council please provide a timeframe on when the Mallanganee Tennis Court toilets are going to be demolished?

Councillor Chris Simpson

- Could information be provided in the near future on the options available to implement safety steps at the Kyogle Swimming Pool, as the government grant funding available ceases by the end of December 2012.

Councillor Danielle Mulholland

- Community Engagement Policy when will this policy be revised and presented to Council?
- Could Council please investigate the costs associated with purchasing tele-conferencing equipment to assist with the Communities west of the range?

Councillor Maggie Creedy

- Could the General Manager please clarify in a full written report who is eligible to represent the Council as its delegate on the Far North Coast Weeds Board? Council was led to believe that it is a Mayoral appointment. As it is a four year appointment and the Mayoral position is for one year only how can this work?
- If it is a Mayoral appointment could you please provide evidence from past appointments to support this finding?

Councillor Robert Dwyer

- Mallanganee Caravan Park – what plans, if any, does Council have for the future restoration of this facility?

Councillor Ross Brown

- Requested a report outlining the way costs are incurred at the Kyogle Swimming Pool. What percentages are staffing costs and is it more cost efficient to make the pools free and then lease out the canteen?

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED MEETING

- **Item 16.1 - Tenders for Kyogle Bowling Club River Bank Restoration Contract No. 1201249**
- **Item 16.2 – Tenders for Design Services for Kyogle Water Supply Augmentation Contract No. 2011/12-013**

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.

221012/ 36 RESOLVED

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

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 Burley

16.02 OPEN COUNCIL RESUMES

221012/ 37 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 7.54 p.m.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

**16.1 TENDERS FOR KYOGLE BOWLING CLUB RIVER BANK RESTORATION
CONTRACT NO. 1201249**

1. That the Tenders for Kyogle Bowling Club River Bank Restoration report was received and noted.
2. That Council brings forward \$85,000 from the 2013/14 Capital Works Program for the Kyogle Flood Measures – Construction to the current financial year at a 4:1 State:Council funding ratio.
3. That Council accepts the tender of FE Marsh and Co Pty Ltd for Contract No. 1201249.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

**16.2 TENDERS FOR DESIGN SERVICES FOR KYOGLE WATER SUPPLY
AUGMENTATION CONTRACT NO. 2011/12-013**

1. That the Tenders for Design Services for Kyogle Water Supply Augmentation report were received and noted.
2. That Council brings forward \$90,000 from the 2013/14 Capital Works Program for the Kyogle Water Supply Augmentation to the current financial year at a 1:1 State:Council funding ratio.
3. That Council accepts the tender of MWH for Contract No. 2011/12-013.

CARRIED

FOR VOTE - Unanimous vote
ABSENT. DID NOT VOTE - John Burley

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 7.55 p.m.

Signature of Chairperson.....

