

NAMBUCCA SHIRE COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 APRIL 2016

The following document is the minutes of the Ordinary Council meeting held 28 April 2016. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 12 May 2016 and therefore subject to change. Please refer to the minutes of 12 May 2016 for confirmation.

PRESENT

Cr Rhonda Hoban (Mayor)
Cr Brian Finlayson
Cr Anne Smyth

Cr John Ainsworth (arrived 5.55 pm)
Cr Bob Morrison
Cr Elaine South

ALSO PRESENT

Scott Norman (Acting General Manager)
Monika Schuhmacher (Minute Secretary)

Paul Gallagher (AGM Engineering Services)

APOLOGIES

Cr Kim MacDonald
Cr Paula Flack
Michael Coulter (General Manager)

PRAYER

Rev Ross Duncan from the Anglican Church offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Councillor B Morrison declared a non-pecuniary significant conflict of interest in Item 10.1 *Donations Program (Section 356) 2016/2017 - Applications for Approval* under the Local Government Act as Cr Morrison is a member of the Lions Club of Nambucca Heads. Cr Morrison holds no Executive position in the Club and is not involved in any decision making committees.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 14 APRIL 2016

184/16 **RESOLVED:** (Smyth/South)

That the minutes of the Ordinary Council Meeting of 14 April 2016 be confirmed.

DELEGATIONS

RESOLVED:

That the following delegations be heard:

- 9.3 **Gordon Park Tennis Centre Committee of Management - Request for Reimbursement of DA fees totalling \$1445.95 - DA2016/35**
 - i) **Mr John Tait, Treasurer Gordon Park Tennis Club Committee of Management**

 - 10.2 **Customer Satisfaction Survey March 2016**
 - i) **Mr James Parker, Jetty Research**
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Mr John Tait addressed Council (to prepared notes which are on file SF25) making the following points:

- Saving to build new Club House, estimated cost \$162,000 + GST
- Tabled Treasurer's report showing record of saving and main projects undertaken
- To lodge expression of interest they must have 75% funding
- Good record of repaying loans to Tennis Australia, need 70% of funds
- Could build a new Club House in about 8 years but with an interest free loan from Council of \$70,000 Club House could be built by 2017

ITEM 9.3 SF25 280416 Gordon Park Tennis Centre Committee of Management -
Request for Reimbursement of DA fees totalling \$1445.95 - DA2016/35
185/16 **RESOLVED:** (Finlayson/Morrison)

That Gordon Park Tennis Club Committee of Management be advised that Council can only reimburse the fees in part, as the budget will only allow for a reimbursement amount of \$1000 in this financial year.

ITEM 11.7 SF25 280416 Request for Interest free Loan by the Gordon Park Tennis
Committee of Management
186/16 **RESOLVED:** (Finlayson/South)

That this item be deferred until the Council meeting on 12 May 2016.

DELEGATIONS continued

Mr James Parker provided a PowerPoint presentation to Council detailing the results of the latest Customer Satisfaction Survey.

ITEM 10.2 SF2211 280416 Customer Satisfaction Survey March 2016
187/16 **RESOLVED:** (Finlayson/Smyth)

That the report be received and Mr James Parker be thanked for his presentation.

ASKING OF QUESTIONS WITH NOTICE

There were no questions with notice.

QUESTIONS FOR CLOSED MEETING WHERE DUE NOTICE HAS BEEN RECEIVED

There were no questions for Closed Meeting where due notice has been received.

GENERAL MANAGER REPORT

ITEM 9.1 SF959 280416 Outstanding Actions and Reports
188/16 **RESOLVED:** (Smyth/Finlayson)

That the list of outstanding actions and reports be noted and received for information by Council.

ITEM 9.2 SF2173 280416 Outstanding DAs greater than 12 months OR where submissions

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received - 6 April 2016 - 19 April 2016

189/16 **RESOLVED:** (Finlayson/Ainsworth)

That the information be noted by Council.

Item 9.3 was dealt with under Delegations.

ITEM 9.4 SF1148 280416 Council Ranger's Report March 2016

190/16 **RESOLVED:** (Finlayson/Morrison)

That Council's Ranger's report for March 2016 be received and noted by Council.

ITEM 9.5 SF1963 280416 Impact of Transfer of Public Housing Properties to NGO's

191/16 **RESOLVED:** (Ainsworth/South)

- 1 **That Council make representations to the Minister for Local Government, the Hon. Paul Toole, in relation to its concerns about the transfer of public housing from Housing NSW to various non-government organisations and the substantial loss of rate income which will flow from such transfers. Further that the Minister be requested to take these concerns into consideration when responding to the Review of the Local Government Rating System.**
 - 2 **That Local Government NSW and the Premier be informed of these representations.**
 - 3 **That Council make a submission to IPART in regard to the Issues Paper for its Review of the Local Government Rating System, seeking to have the impact of transfer of public housing from Housing NSW to various non-government organisations and the loss of rate income which will flow from such transfers included in the review.**
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ITEM 9.6 SF2025 280416 Review of the Local Government Rating System.

192/16 **RESOLVED:** (Finlayson/Ainsworth)

That Council make a submission to IPART based on the issues raised in the discussions in the report.

ASSISTANT GENERAL MANAGER CORPORATE SERVICES REPORT

ITEM 10.1 SF25 280416 Donations Program (Section 356) 2016/2017 - Applications for Approval

193/16 **RESOLVED:** (Finlayson/Ainsworth)

That Council provides reduced donations for all *eligible* applicants in proportion to the available budget.

ITEM 10.3 SF251 280416 Schedule of Council Public Meetings

194/16 **RESOLVED:** (Ainsworth/Finlayson)

That the schedule of dates for public Council meetings be noted and received for information by Council.

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ASSISTANT GENERAL MANAGER ENGINEERING SERVICES REPORT

ITEM 11.1 SF85 280416 Minutes of the NSW Rural Fire Service Liaison Committee –
10 February 2016

195/16 **RESOLVED:** (Ainsworth/South)

That Council receive, note the report and endorse the minutes for the RFS Liaison Committee Meeting Service Level Agreement - 2015/16 held on Wednesday 10 February 2016.

ITEM 11.2 SF1676 280416 Capital Works Report - March 2016

196/16 **RESOLVED:** (Ainsworth/Finlayson)

- 1 **That the Capital Works Report for the third quarter of the 2015/16 financial ending 31 March 2016 be received and noted.**
 - 2 **That the anticipated carryover works be noted and revotes confirmed at the June Capital Works Program for the fourth quarter.**
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ITEM 11.3 SF825 280416 Retention of Plant 5138 Isuzu Tipping Truck and Conversion to a
Water Cart

197/16 **RESOLVED:** (Ainsworth/Finlayson)

That Council replace plant 5138 Isuzu tipping truck in the 2016/2017 in accordance with the plant replacement schedule and instead of disposing of the truck by trade or private sale retain the old truck Plant No.5138 to convert it into a permanent water cart.

ITEM 11.4 SF102 280416 Overall Plan for the Parking of Bicycles

198/16 **RESOLVED:** (Finlayson/Ainsworth)

- 1 **That Council adopt the contents of the report and commence consultation with the Chambers of Commerce, the bicycle clubs and business owners in the Macksville, Nambucca Heads and Bowraville CBD areas for appropriate locations to install bicycle parking facilities.**
 - 2 **That subject to available funding, Council introduces a program for the installation of multiple bicycle parking facilities within the various reserves across the Shire commencing along the foreshores and high use areas.**
 - 3 **That Council include the requirements for bicycle parking within new developments through the development assessment process with larger developments to provide opportunities for transport access or cycleway provision.**
 - 4 **That Council encourage commercial facilities on private land and other Government service providers to install secure long term bicycle parking facilities at locations such as; train stations, schools, shopping centre and industrial estates.**
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ITEM 11.5 SF453 280416 Waste Management Quarterly Report January - March 2016

199/16 **RESOLVED:** (Finlayson/Ainsworth)

- 1 **That Council receive and note the information provided in the Waste Management Quarterly**

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Report for the third quarter of the financial period 1 January – 31 March 2016.

- 2 That Council receive a quarterly update on the progress and take up on the trial of the voucher system through the Waste Management Quarterly Reporting. And that Council receive a report on the number and nature of complaints regarding the discontinuing the bulky goods pickup service.

200/16 **RESOLVED:** (Ainsworth/Finlayson)

- 3 That Council write to State Government advising that the cost of disposing asbestos imposed by the State Government acts as a significant disincentive to the proper disposal of this dangerous waste.
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ASSISTANT GENERAL MANAGER ENGINEERING SERVICES REPORT – LATE

ITEM 11.6 RF275 280416 Feasibility Report Bowraville Bellingen Road Access Fire Trail update

201/16 **RESOLVED:** (Ainsworth/South)

That Council receive and note the Feasibility Investigation Report, progress of work and the implications of the RMS proposal.

Item 11.7 was dealt with under Delegations where it was resolved that the item be deferred to the next Council meeting.

COUNCIL IN CLOSED MEETING (CLOSED TO THE PUBLIC)

RESOLVED: (AINSWORTH/FINLAYSON)

- 1 THAT COUNCIL CONSIDER ANY WRITTEN REPRESENTATIONS FROM THE PUBLIC AS TO WHY THE MEETING SHOULD NOT BE CLOSED TO THE PUBLIC.
- 2 THAT COUNCIL MOVE INTO CLOSED MEETING TO DISCUSS THE MATTERS FOR THE REASON(S) LISTED BELOW.

REASON REPORTS ARE IN CLOSED MEETING:

GENERAL MANAGER REPORT

FOR CONFIDENTIAL BUSINESS PAPER IN CLOSED MEETING

ITEM 12.1 SF2089 280416 BUSINESS INVESTMENT INQUIRY - VALLA URBAN GROWTH AREA

IT IS RECOMMENDED THAT THE COUNCIL RESOLVE INTO CLOSED SESSION WITH THE PRESS AND PUBLIC EXCLUDED TO ALLOW CONSIDERATION OF THIS ITEM, AS PROVIDED FOR UNDER SECTION 10A(2) (D) OF THE LOCAL GOVERNMENT ACT, 1993, ON THE GROUNDS THAT THE REPORT CONTAINS COMMERCIAL INFORMATION OF A CONFIDENTIAL NATURE THAT WOULD, IF DISCLOSED (I) PREJUDICE THE COMMERCIAL POSITION OF THE PERSON WHO SUPPLIED IT; OR (II) CONFER A COMMERCIAL ADVANTAGE ON A COMPETITOR OF THE COUNCIL; OR (III) REVEAL A TRADE SECRET.

CLOSED MEETING

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THE ORDINARY COUNCIL MEETING'S MEETING IN **CLOSED MEETING** COMMENCED AT 7.40 PM.

RESUME IN OPEN MEETING

RESOLVED: (FINLAYSON/AINSWORTH)

THAT ORDINARY COUNCIL MEETING RESUME IN OPEN MEETING. THE ORDINARY COUNCIL MEETING RESUMED IN OPEN MEETING AT 8.10 PM.

FROM COUNCIL IN CLOSED MEETING

GENERAL MANAGER REPORT

FOR CONFIDENTIAL BUSINESS PAPER IN CLOSED MEETING

ITEM 12.1 SF2089 280416 BUSINESS INVESTMENT INQUIRY - VALLA URBAN GROWTH AREA

202/16 **RESOLVED:** (AINS WORTH/SOUTH)

- 1 THAT COUNCIL NOTE THE PROGRESS OF THE BUSINESS INVESTMENT INQUIRY IN THE VALLA URBAN GROWTH AREA.
 - 2 THAT COUNCIL PREPARE A DRAFT DEVELOPMENT CONTROL PLAN TO ALLOW THE 8 HECTARES OF LAND THE SUBJECT OF THE INVESTMENT INQUIRY TO BE SUBDIVIDED (EXCISED) FROM LOT 2 DP 1173066.
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CLOSURE

There being no further business the Mayor then closed the meeting the time being 8.15 pm.

Confirmed and signed by the Mayor on 12 May 2016.

CR RHONDA HOBAN
MAYOR
(CHAIRPERSON)