

NAMBUCCA SHIRE COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 OCTOBER 2018 HELD AT THE ARGENTS HILL HALL, NORTH ARM ROAD, ARGENTS HILL

The following document is the minutes of the Ordinary Council meeting held **25 October 2018**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 15 November 2018 and therefore subject to change. Please refer to the minutes of 15 November 2018 for confirmation.

PRESENT

Cr John Wilson (Deputy Mayor)
Cr Martin Ballangarry OAM
Cr Susan Jenvey
Cr Janine Reed

Cr John Ainsworth
Cr Brian Finlayson
Cr David Jones
Cr Anne Smyth

ALSO PRESENT

Michael Coulter (General Manager)
Paul Gallagher (AGM Engineering Services)
Clint Fitzsummons (Asset Manager)

Robert Hunt (AGM Corporate Services)
Lorraine Hemsworth (Minute Secretary)
Faye Hawthorne (Accountant)

APOLOGIES

Cr Rhonda Hoban (Mayor)

APOLOGIES

494/18 **RESOLVED:** (Ainsworth/Jones)

That the apologies be accepted.

PRAYER

In the absence of a member of the Nambucca Minister's Association Mr Barry Tasker provided a prayer at the commencement of the meeting.

DISCLOSURE OF INTEREST

Councillor John Wilson declared a non-pecuniary - significant conflict interest in Item 9.9 *Request for Donation – Lions Club of Nambucca Heads and others – Australia Day 2019* under the Local Government Act as Cr Wilson is Treasurer of the Lions Club of Nambucca Heads. Cr Wilson left the meeting for this item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 11 OCTOBER 2018

495/18 **RESOLVED:** (Smyth/Reed)

That the minutes of the Ordinary Council Meeting of 11October 2018 be confirmed.

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PUBLIC FORUM AND DELEGATIONS

RECOMMENDATION

That the following public forum and delegations be heard:

Public Forum:

- i Mr Tom Macindoe – Vice President Argents Hill Hall Committee of Management*
- ii Mr Alfred Blakey - 1 Road Condition past the end of the bitumen on North Arm Road, 2 Bulky Goods Vouchers 3 Rubbish build-up at the entrances to the Service Centre at Nambucca Heads*
- iii Ms Paula Flack - Roadside Management*

Delegations:

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iv Mr James Sugumar Director Financial Audit and Ms Cathy Wu Audit Leader

9.10 Donation request to cover shortfall in budget for Regional Cultural Fund project Upgrade of the Nambucca Community Arts Centre.....46

v Ms Marlene Griffin

i Mr Tom Macindoe – Vice President Argents Hill Hall Committee of Management

Mr Macindoe addressed Council making the following points:

- 2017/18 – routine administration of the hall
- Acknowledge assistance from the Nambucca Shire Council
- Thank residents for their assistance with events and hiring of hall
- Renovations still to be completed eg painting and tiling
- Last grading of road best yet
- Would like to see a large section of road sealed

ii Alfred Blakey - 1 Road Condition past the end of the bitumen on North Arm Road, 2 Bulky Goods Vouchers 3 Rubbish build-up at the entrances to the Service Centre at Nambucca Heads

Mr Blakey addressed Council making the following points:

- Road condition lasted for long period since last grading
- Grading should be on an “as needs” basis
- Objected to the taking away of one of the two Bulky Goods Vouchers per year
- People starting to dump rubbish in area eg Hanging Rock Road
- Request for more vouchers being supplied for waste
- The on ramp has a large rubbish build-up at the entrances to the Service Centre at Nambucca Heads – perhaps CCTV cameras and issue fines – could be a good revenue raiser
- Nambucca Shire is a great place to live

iii Ms Paula Flack - Roadside Maintenance Management

- Thanks for coming out to Argents Hill
- Thanks for work on roads
- Objection to chemical use on the verges for roadside maintenance
- Request use of more chemical free maintenance
- Request Council to notify resident when spraying roadside

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EXTENSION OF TIME

496/18 **RESOLVED:** (Smyth/Jenvey)

That an extension of time be granted for five minutes.

Delegations Continued:

Ms Paula Flack addressed Council in relation to roadside vegetation management with notes placed on TRIM File 39804/2018.

ROADSIDE MAINTENANCE MANAGEMENT:

497/18 **RESOLVED:** (Smyth/Jenvey)

That a report come to Council regarding the current vegetation management program and a breakdown of costing for spraying versus slope mower for maintenance work. The report is to include answers to those questions raised by Ms Paula Flack.

ITEM 9.10 SF2395 Brought Forward

498/18 **RESOLVED:** (Ainsworth/Ballangarry)

The donation request to cover the shortfall in the budget for Regional Cultural Fund project – Upgrade of the Nambucca Community Arts Centre be brought forward.

Delegations Continued:

ITEM 9.10 Donation request to cover shortfall in budget for Regional Cultural Fund project - Upgrade of the Nambucca Community Arts Centre

Ms Marlene Griffin (Nambucca Community Arts Centre) addressed Council with notes placed on Trim File 39855/2018.

ITEM 9.10 SF2395 251018 Donation request to cover shortfall in budget for Regional Cultural Fund project - Upgrade of the Nambucca Community Arts Centre

MOTION: (Ainsworth/Reed)

That a decision on the Donation request to cover the shortfall in the budget for the Regional Cultural Fund project - Upgrade of the Nambucca Community Arts Centre be deferred, with staff to determine if there is any alternate funding possibilities and a report to come back to Council.

The Deputy Mayor used his casting vote.

499/18 **RESOLVED:** (Ainsworth/Reed)

That a decision on the Donation request to cover the shortfall in the budget for the Regional Cultural Fund project - Upgrade of the Nambucca Community Arts Centre be deferred, with staff to determine if there is any alternate funding possibilities and a report to come back to Council.

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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 251018 Outstanding Actions and Reports

500/18 **RESOLVED:** (Finlayson/Ainsworth)

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

ITEM 9.2 SF791 251018 Minutes of the Land Development Committee Meeting held on 27 September 2018

MOTION: (Reed/Finlayson)

That Council adopt the recommendations of the Land Development Committee meeting held on 27 September 2018 being:

- 1 That in response to the enquiry for the purchase of Council's 1.3 hectares of B7 land on the corner of Railway Road and Hyland Park Road that Council advise a price for a non-conditional contract of \$90 per m² plus GST, take it or leave it. And for conditional contracts that the price be negotiated.
- 2 That Council obtain a valuation for Lot 1 DP 732604 and Lot 5 DP 749153 Ginnagay Way, Nambucca Heads for consideration by Council preparatory to the lots being listed for sale with a real estate agent. Further any possible contamination of the land be disclosed to the valuer and any potential purchaser.
- 3 That Council advise the Nambucca Valley Archery Club that its Lower Nambucca land is not available for an archery range for the reason that Council proposes to sell the land. Further that Council advise the Archery Club if any suitable land becomes available.
- 4 That Council provide an interim response to the Department of Premier and Cabinet in relation to the Growing Local Economies Program advising that Council will consider the matter at its meeting on 11 October 2018.
- 5 That Council undertake a workshop in relation to the report on the Valla Growth Area prior to consideration at Council's meeting on 11 October 2018.

Deputy Mayor Cr Wilson did not exercise his casting vote. The motion was Lost.

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ITEM 9.3 SF2460 251018 LEP and DCP Amendment

501/18 **RESOLVED:** (Finlayson/Reed)

That Council:

- 1 Make the local environmental plan as outlined within the planning proposal contained within attachment 1 in accordance with section 3.36(2) of the Environmental Planning and Assessment Act 1979.**
- 2 Approve the amendments to the Nambucca Development Control Plan 2010 by adding clause A5.14 to the existing document as outlined in attachment 2.**

Upon being put to the meeting, the motion was declared carried.

For the Motion:	Councillors Ainsworth, Ballangarry, Finlayson, Jenvey, Jones, Reed, Smyth and Wilson
	Total (8)
Against the Motion:	Nil
	Total (0)

ITEM 9.4 SF1031 251018 Amended Water Carters Policy

502/18 **RESOLVED:** (Ainsworth/Finlayson)

- 1 That Council staff publicly exhibit the draft Water Carters Policy (38320/2018) for 28 days.**
 - 2 That Council staff report to Council once public exhibition of the draft policy is completed to determine if Council will proceed with its adoption.**
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ITEM 9.5 SF2423 251018 Undetermined Development Applications either greater than 12 months or where submissions received to 17 October 2018

503/18 **RESOLVED:** (Jones/Finlayson)

That the information contained in the report on undetermined Development Applications either greater than 12 months or where submissions received to 17 October 2018 be noted by Council.

ITEM 9.6 SF2327 251018 Nambucca Shire Library Strategic Plan - Presentation of draft for adoption

504/18 **RESOLVED:** (Smyth/Ballangarry)

- 1 That Council extends its thanks to all who participated in development of the Nambucca Shire Library Strategy.**
 - 2 That Council adopt the draft Nambucca Shire Library Strategy 2018-2022.**
 - 3 That there be a report to Council in twelve months' time on the progress of implementing the Nambucca Shire Library Strategy 2018-2022.**
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ITEM 9.7 SF2422 251018 Minutes of the Nambucca Shire Council Access Committee meeting held 28 August 2018

505/18 **RESOLVED:** (Finlayson/Reed)

That Council endorse the minutes of the Nambucca Shire Council Access Committee meeting held 28 August 2018.

ITEM 9.8 SF2513 251018 Macksville Gift - Donation Request for Lighting Hire

506/18 **RESOLVED:** (Ainsworth/Jones)

That Council provide the Macksville Gift Committee with a donation of \$690 for hire of lighting for the 2018 event.

CALL FOR CHAIRPERSON

507/18 **RESOLVED:** (Jones/Reed)

That Cr Ballangarry take the Chair as Deputy Mayor Cr Wilson declared a non-pecuniary significant conflict interest in Item 9.9.

Deputy Mayor Councillor John Wilson left the meeting before the commencement of this item, the time being 6.53 PM and Cr Ballangarry took the Chair for Item 9.9.

ITEM 9.9 SF2513 251018 Request for Donation - Lions Club of Nambucca Heads and others - Australia Day 2019

508/18 **RESOLVED:** (Reed/Finlayson)

That Council approve a Section 356 donation of \$500.00, to assist the Lions Club of Nambucca Heads with the 2019 Australia Day event at Gordon Park, Nambucca Heads.

Deputy Mayor Councillor John Wilson returned to the meeting at the completion of this item, the time being 6.55 PM and resumed the Chair at this time.

Item 9.10 was dealt with earlier in the meeting under delegations.

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ITEM 9.11 SF1148 251018 Council Ranger's Report September 2018

509/18 **RESOLVED:** (Reed/Jones)

- 1 The Ranger's Impounding Statistics for September 2018 be received and noted by Council.
 - 2 The penalties issued for the three (3) months of July, August and September 2018 be noted.
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ASSISTANT GENERAL MANAGER CORPORATE SERVICES REPORT

ITEM 10.1 – DEFERRED AWAITING AUDITORS ARRIVAL

510/18 **RESOLVED:** (Jones/Reed)

That Item 10.1 be deferred until the Auditors are present.

ITEM 10.2 SF2362 251018 Delivery Program and Operational Plan Update

511/18 **RESOLVED:** (Ainsworth/Finlayson)

That Council note the status of the Delivery Program and Operational Plan as at 30 June 2018.

ITEM 10.3 SF1031 251018 Review of Risk Management Policy

512/18 **RESOLVED:** (Reed/Finlayson)

That the revised Risk Management Policy No G11 (37355/2018) be adopted.

ITEM 10.4 SF1031 251018 Draft Councillor Record Keeping and Social Media Policies

513/18 **RESOLVED:** (Finlayson/Ainsworth)

That Council adopt the Councillor Record Keeping Policy (37641/2018) and Social Media Policy (38070/2018).

ITEM 10.5 SF251 251018 Schedule of Council Public Meetings 2018

514/18 **RESOLVED:** (Reed/Finlayson)

- 1 The schedule of dates for meetings in 2018 be noted.
 - 2 Council note the Ordinary Council meeting on 29 November 2018 is to be held at the Eungai District Soldiers' & Memorial Hall.
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ITEM 10.6 SF339 251018 Unkya Reserve Committee of Management - Annual General Meeting - 8 August 2018

515/18 **RESOLVED:** (Ainsworth/Reed)

- 1 That Council endorse the minutes of the Unkya Reserve Committee of Management Annual General Meeting held on 8 August 2018 and thank the outgoing Committee for their work in the past twelve months.
 - 2 That the funds raised from the Car Boot Sale of \$250 and the Benefit Concert of \$2,020 which was donated to the Eungai Fire Victims be endorsed.
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ITEM 10.7 SF2486 251018 Minutes - Australia Day Committee Meeting held 15 October 2018

516/18 **RESOLVED:** (Finlayson/Reed)

That the minutes from the Australia Day Committee meeting held 15 October 2018 be noted.

ASSISTANT GENERAL MANAGER ENGINEERING SERVICES REPORT

ITEM 11.1 SF1676 251018 2018-19 Capital Works Program Monthly Report

517/18 **RESOLVED:** (Ainsworth/Ballangarry)

- 1 That Council receive and note the information pertaining to the progress of the 2018/2019 Capital Works Program for October 2018.
 - 2 That Council allocate an additional \$53,000 from working funds to WO 3093 Scotts Head Road to cover the cost of a full 200mm sub soils drainage blanket and \$90,000 from the RMS 2017/18 Block Grant WO 2396 Rodeo Drive to cover the additional expenditure on the project attributed to unforeseen adverse pavement conditions, poor subgrade and water springs.
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ITEM 11.2 SF2459 251018 Lanes Bridge Bowraville - Progress report No 2

518/18 **RESOLVED:** (Ainsworth/Ballangarry)

That Council receive and note the second progress report on the replacement of Lanes Bridge as at 15 October 2018.

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ITEM 11.3 SF2393 251018 Application for Temporary Road Closures - Macksville Gift Procession on 10 November 2018

519/18 **RESOLVED:** (Reed/Smyth)

1 That Council approve a request from Macksville Athletic Club to conduct Macksville Gift Procession, noting the following has been received:

- Certificate of Currency for Public Liability Insurance;
- Traffic Management Plan confirming Accredited Traffic Controllers will be on site;
- Police and Roads and Maritime Services notification for the road closures, and
- Road Occupancy Licence for the Pacific Highway closure.

2 That Council endorse road closures for the Macksville Gift Procession to be held between 11.30am and 11.50am on 10 November 2018 as follows:

- Wallace Street - Station Street to Cooper Street;
 - Matilda Street - Station Street to Wallace Street; and
 - Cooper Street - Wallace Street to Boundary Street.
-

ITEM 11.4 SF1621 251018 Nambucca District Water Supply River Monitoring Committee Meeting Minutes - 19 September 2018

520/18 **RESOLVED:** (Smyth/Ballangarry)

That Council:

- 1 Receive and note the minutes of the River Monitoring Committee Meeting held on 19 September 2018.
 - 2 Receive and note the report on the status of the Bowra Dam Operation Licence for information only.
 - 3 Note that following receipt of an amended Review of Environmental Factors (REF), a further submission to amend the Bowra Dam Operation Licence to allow for the capture of a portion of runoff from high rainfall events will be submitted to Water NSW.
 - 4 Receive and noted the information in the GHD Aquatic Ecology Monitoring report dated June 2018.
 - 5 Engage GHD to undertake another river monitoring survey in December 2018 and prepare a report on the findings.
 - 6 Adopt a conductivity level of 800µS/cm at the Bowraville STP monitoring station as the cease pumping alarm for pumping water from the Nambucca River to the water supply.
 - 7 The level of 800µS/cm shall be integrated into SCADA for automatic shut off of pumps along with a warning alarm at a level of 700µS/cm.
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Delegations Continued:

ITEM 10.1 Financial Statements 2017-2018

Mr James Sugumar and Ms Cathy Wu presented the Financial Statements 2017/2018 to Council.

ITEM 10.1 SF2366 251018 Financial Statements 2017-2018

521/18 **RESOLVED:** (Jones/Ainsworth)

- 1 That Council receive the Audited Financial Statements for the period ended 30 June 2018.
 - 2 That Council thank James Sugumar and Ms Cathy Wu for their presentation and attendance at the meeting.
 - 3 That Council thank Faye Hawthorne for her work in getting the statements ready.
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CLOSURE

There being no further business the Deputy Mayor then closed the meeting the time being 8.05 pm.

Confirmed and signed by the Mayor on 15 November 2018.

Cr Rhonda Hoban
MAYOR
(CHAIRPERSON)