

NAMBUCCA SHIRE COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

The following document is the minutes of the Ordinary Council meeting held **29 November 2018**. These minutes are subject to confirmation as to their accuracy at the next meeting to be held on Thursday 13 December 2018 and therefore subject to change. Please refer to the minutes of 13 December 2018 for confirmation.

PRESENT

Cr Rhonda Hoban (Mayor)
Cr Brian Finlayson
Cr David Jones
Cr John Wilson (Deputy Mayor)

Cr Martin Ballangarry OAM
Cr Susan Jenvey
Cr Janine Reed

ALSO PRESENT

Michael Coulter (General Manager)
Clint Fitzsummons (Act AGM Engineering Services)

Robert Hunt (AGM Corporate Services)
Lorraine Hemsworth (Minute Secretary)

APOLOGIES

Cr John Ainsworth
Paul Gallagher (AGM Engineering Services)

Cr Anne Smyth

PRAYER

Father Shelwin Fernandez (Catholic Church), offered a prayer on behalf of the Nambucca Minister's Association.

DISCLOSURE OF INTEREST

Mr Michael Coulter declared a non-pecuniary - less significant conflict of interest in Item 11.4 *T021/2018 Tender Surf Life Saving Services 2018-2023 - Consideration for the provision of additional services for the Easter and September school holiday periods* under the Local Government Act as Mr Coulter is the Secretary of the Macksville-Scotts Head SLSC and also a patrol Captain and the Club has previously made representations to Council to provide lifeguard services at Scotts Head midweek in the September and Easter School holidays. Mr Coulter left the meeting for this Item.

CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING

SUBJECT: CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING 15 NOVEMBER 2018

569/18 **RESOLVED:** (Reed/Wilson)

That the minutes of the Ordinary Council Meeting of 15 November 2018 be confirmed.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

NOTICE OF MOTION - CR HOBAN

ITEM 5.1 SF2433 291118 NOTICE OF MOTION - Consultation regarding the use of Fischers Bridge

570/18 **RESOLVED:** (Finlayson/Reed)

- 1 That Council consult emergency services, residents and businesses most likely to regularly use Fischers Bridge to determine usage patterns and the service level the bridge provides.
- 2 That Council receive a report on the outcome of the consultation including any options available to address the bridge's poor condition.

NOTICE OF MOTION - CR REED - LATE

ITEM 5.2 SF2433 291118 NOTICE OF MOTION - Cr Janine Reed - Request for Leave of Absence from Monday 3 December 2018 until Tuesday 1 January 2019 inclusive

571/18 **RESOLVED:** (Reed/Jones)

That Cr Janine Reed be granted leave of absence in accordance with Section 234(d) of the Local Government Act for the period Monday 3 December 2018 to Tuesday 1 January 2019 inclusive.

DELEGATIONS

RECOMMENDATION

That the following delegations be heard:

- i Karina Daniels on behalf of Eungai Committee of Management*
- ii Brett McElhinney Single Lane Bridge at Unkya*

Ms Karina Daniels addressed Council making the following points:

- Welcomed all to the Eungai Hall
- The hall is 49 years old and has been very vibrant and now waned over the years
- The Hall committee suggested merging with Unkya Committee of Management
- Unkya a very busy Committee and decided to hold off on merger
- Many activities now being utilised, new ideas
- Table (swapping of produce and service)
- 5 year Vision plan for infrastructure work and applications for grants to be placed

Mr Brett McElhinney addressed Council making the following points:

- Attended a Council meeting with Eungai residents and were advised 2 lane bridge without walkway would be erected
 - Single lane concrete deck bridge built
 - Bridge narrower than statistics suggest
 - Bad maintenance of approaches and near misses on approaches
 - Trees cross line of vision
 - Drop from road to bridge
 - Deteriorated road
-

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ASKING OF QUESTIONS WITH NOTICE

ITEM 7.1 SF970 291118 QUESTION WITH NOTICE - Panel Contractors

572/18 **RESOLVED:** (Finlayson/Reed)

That the matter of Panel Contractors will be referred to the Audit, Risk Improvement Committee.

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 291118 Outstanding Actions and Reports

573/18 **RESOLVED:** (Finlayson/Reed)

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

ITEM 9.2 SF2265 291118 Nambucca Valley Cricket Association - Request for Funding for a Roller for Phillip Hughes Oval

574/18 **RESOLVED:** (Reed/Jones)

That Council approve an allocation of up to \$15,000 to the Nambucca Valley Cricket Association for the purchase of a replacement roller for the Philip Hughes Oval and the Association be requested to undertake voluntary work of an equivalent value to support the capital funding for the redevelopment of the Phillip Hughes Oval.

ITEM 9.3 SF884 291118 Extension of Arts Mid North Coast Memorandum of Understanding

575/18 **RESOLVED:** (Finlayson/Jenvey)

That Council agree to extend its Memorandum of Understanding with Arts Mid North Coast for one year from 1 July 2019.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 9.4 SF2534 291118 Local Government Aboriginal Network Conference 2019

MOTION: (Finlayson/Reed)

That Council respectfully decline to host the 2019 Local Government Aboriginal Network Conference for the reasons that it has neither the financial nor staffing resources to conduct a successful conference.

The motion was Lost.

MOTION: (Jenvey/Jones)

- 1 That Council seek the support of Bellingen Shire Council, Kempsey Shire Council and Coffs Harbour City Council to host a joint 2019 Local Government Aboriginal Network Conference.
- 2 That a report come back to Council on 13 December 2018.

AMENDMENT: (Hoban/Finlayson)

That based on Councillor Ballangarry's suggestion in relation to hosting the 2019 Local Government Aboriginal Network Conference that Council take no further action at this stage.

That the amendment was carried and became the motion.

576/18 **RESOLVED:** (Hoban/Finlayson)

That based on Councillor Ballangarry's suggestion in relation to hosting the 2019 Local Government Aboriginal Network Conference that Council take no further action at this stage.

ITEM 9.5 SF848 291118 Request to Write off Outstanding Rates & Charges

577/18 **RESOLVED:** (Finlayson/Wilson)

That Council apply \$1,000 from its donations budget to the Nambucca Heads Island Golf Club outstanding water account and that they be advised of this action.

ITEM 9.6 SF729 291118 Amendments to Council's Fees and Charges

578/18 **RESOLVED:** (Finlayson/Reed)

- 1 **That Council publicly exhibit the following amendments to the 2018-19 Revenue Policy (Fees and Charges) for 28 days:**
 - **Add a Tree Permit application fee - \$145.00 or \$400.00 where it is proposed to remove more than 100m² of vegetation.**
 - **Amend the existing "Euthanasia Charge" to a 'Surrender Companion Animal' fee - \$130.00 which may be reduced or waived in circumstances approved by the General Manager, Manager Development & Environment or Ranger.**
 - 2 **Staff report to Council once the public exhibition of the amended fees is concluded to determine if Council will proceed with endorsing the amendments.**
-

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 9.7 SF46 291118 Draft Cemetery Policy

579/18 **RESOLVED:** (Finlayson/Jones)

- 1 That Council adopt the draft Cemetery Policy contained within attachment 1 with the exception that Council only provide perpetual interment rights with no renewable rights and the fee for perpetual interment be \$3,000.
-

ITEM 9.8 SF1406 291118 Alternate JRPP Members

580/18 **RESOLVED:** (Reed/Wilson)

That Council appoint Kempsey Shire Council's Manager of Development & Compliance Graham Snow as Nambucca Shire Council's member on the Northern Joint Regional Planning Panel and Kempsey Shire Council's Manager Strategic & Asset Planning Erin Fuller as Nambucca Shire Council's alternate member on the Northern Regional Planning Panel.

ITEM 9.9 DA2018/209 291118 DA2018/209 - Telecommunications Pole (wifi) at Lot 2 DP
1202794, 12 Adin Street Scotts Head

581/18 **RESOLVED:** (Finlayson/Reed)

That Council as Owner of the land provide owner's consent to the lodgement of the development application and as the Consent Authority, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*, grant development consent subject to conditions provided as Attachment 1.

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

For the Motion:	Councillors Ballangarry, Finlayson, Hoban, Jenvey, Jones, Reed and Wilson Total (7)
Against the Motion:	Nil Total (0)

ITEM 9.10 SF2423 291118 Undetermined Development Applications either greater than 12 months or where submissions received to 21 November 2018

582/18 **RESOLVED:** (Jones/Finlayson)

That the information contained in the report on undetermined Development Applications either greater than 12 months or where submissions received to 21 November 2018 be noted by Council.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 9.11 SF97 291118 Review of Alcohol Free Zone - Central Business Area
Nambucca Heads

583/18 **RESOLVED:** (Reed/Jones)

- 1 **That Council establish an Alcohol Free Zone in Nambucca Heads in accordance with Section 644 of the Local Government Act (1993) in the area described as:**
 - an Eastern boundary of Wellington Drive (between the river and Ridge Street) and Estuary Lane;
 - a Northern boundary being Short Street (from Estuary Lane), Fletcher Street and Mann Street to the intersection with West Street;
 - a Western boundary being Creek Street, south to its intersection with Fraser Street; and
 - a Southern boundary of the Nelson Street Creek Street intersection, past the RSL Club; through Gordon Park.
 - 2 **That the Zone becomes effective upon expiry of the current Zone and concludes 10 January 2023.**
-

ITEM 9.12 SF1120 291118 Grant Application Status Report

584/18 **RESOLVEDS:** (Finlayson/Reed)

- 1 **That Council receive the list of grant applications including active projects, successful and unsuccessful applications, and undetermined applications, to 16 November 2018.**
 - 2 **That Council note the approved grant of \$25,000 under Safe & Secure Water Fund may not be accepted as NSW Department of Health have offered 100% funding for the Scoping Study.**
-

ASSISTANT GENERAL MANAGER CORPORATE SERVICES REPORT

ITEM 10.1 SF1031 291118 Draft Policy and Procedures Framework

585/18 **RESOLVED:** (Finlayson/Reed)

That Council adopt the Policy and Procedures Framework.

ITEM 10.2 SF1031 291118 Draft Inventory Policy and Attractive and Portable Items Policy

586/18 **RESOLVED:** (Finlayson/Jenvey)

That Council adopt the Draft Inventory Policy and the Draft Attractive and Portable Items Policy.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 10.3 SF1031 291118 Draft Asset Valuation and Revaluation Policy and Capital Versus Expenses Policy

587/18 **RESOLVED:** (Finlayson/Wilson)

That Council adopt the draft Asset Valuation and Revaluation Policy and the draft Capital Versus Expenses Policy.

ITEM 10.4 SF134 291118 Annual Report 2017/18

588/18 **RESOLVED:** (Wilson/Jenvey)

That Council note the completion of the 2017/2018 Annual Report and that the 2017/2018 Annual Report be placed on Council's website and advice be forwarded to the Minister for Local Government as required.

ITEM 10.5 SF1415 291118 Minutes of the Audit, Risk and Improvement Committee Meeting held 21 Nov 2018

i589/18 **RESOLVED:** (Wilson/Finlayson)

That the Minutes of the Audit, Risk and Improvement Committee held on 21 November 2018 be received and noted.

ITEM 10.6 SF2528 291118 September 2018 Budget Review

590/18 **RESOLVED:** (Finlayson/Reed)

That:

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

-
- a) The budget review for the quarter ended 30 September, 2018 be received.
- b) The recommended increases and decreases in votes be included as subsequent votes for the financial year 2018/2019.
-

ITEM 10.7 SF395 291118 Loan Report to 30 June 2018

591/18 **RESOLVED:** (Jenvey/Finlayson)

That the report on Loans as at 30 June 2018 be noted.

ITEM 10.8 SF251 291118 Schedule of Council Public Meetings 2018

592/18 **RESOLVED:** (Reed/Ballangarry)

That the schedule of dates for December meeting in 2018 and January 2019 be noted.

ITEM 10.9 SF588 291118 Nambucca District Historical Museum Committee of Management
- Annual General Meeting - 18 September 2018

593/18 **RESOLVED:** (Reed/Jenvey)

That Council endorse the minutes of the Nambucca District Historical Society Committee of Management Annual General Meeting held on 18 September 2018 and thank the outgoing Committee for their work in the past twelve months.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ASSISTANT GENERAL MANAGER ENGINEERING SERVICES REPORT

ITEM 11.1 SF2459 291118 Lanes Bridge Bowraville - Progress Report No3

594/18 **RESOLVED:** (Finlayson/Ballangarry)

That Council receive and note the third progress report on the replacement of Lanes Bridge as at 21 November 2018.

ITEM 11.2 SF1676 291118 2018-19 Capital Works Program Monthly Report

595/18 **RESOLVED:** (Wilson/Ballangarry)

That Council receive and note the information pertaining to the progress of the 2018/2019 Capital Works Program for November 2018.

ITEM 11.3 SF843 291118 Minutes of the Vehicular Access to Beaches Committee - 16
November 2018

596/18 **RESOLVED:** (Reed/Finlayson)

That Council receive and note the minutes of the Vehicular Access to Beaches Committee meeting held on Friday 16 November 2018 be received and noted.

That Council allocate an amount of \$40,000 from the Beach Permit Reserve to the 2018/19 Budget to enable the upgrade of the 4WD beach access track at Valla Beach.

Mr Michael Coulter left the meeting before the commencement of this item, the time being 6:58 PM

ITEM 11.4 T021/2018 291118 T021/2018 Tender Surf Life Saving Services 2018-2023 -
Consideration for the provision of additional services for the Easter and September school
holiday periods

RECOMMENDATION:

- 1 That Council note there is no identified funding available for the 2018/19 without having a detrimental effect on the roads or parks and reserves area of operations.**
 - 2 That Council consider the additional cost for the provision of surf life saving services at the Easter and September school holiday periods as part of the 2019/20 draft budget deliberations.**
-

Mr Michael Coulter returned to the meeting at the completion of this item, the time being 6:59 PM

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 11.5 SF1031 291118 Draft New Policy - Remote Signage

597/18 **RESOLVED:** (Finlayson/Reed)

- 1 That Council receive and note the draft Remote Signage Policy (Our Ref: 31816/2018) and place it on public exhibition for a period of 28 days, seeking comment.
 - 2 That a further report to be provided to Council after the closure of the public exhibition period.
-

ITEM 11.6 SF1031 291118 Draft New Policy - Biosecurity

598/18 **RESOLVED:** (Jenvey/Jones)

- 1 That Council place the draft Biosecurity Policy (Our Ref: 6679/2018) on public exhibition and extend the statutory 28 days, through to mid-February due to the pending Christmas holiday period.
 - 2 That a further report be provided to Council following the closing of the public exhibition period in mid-February advising of any comments received from Councillors and the community detailing any potential amendments to the document and seeking formal adoption of the Draft Biosecurity Policy (Our Ref: 6679/2018) replacing the current Noxious Weeds and Other Invasive Plants Policy (Our Ref: 12179/2011) and Plan of Management for Class 4 Noxious Weeds (Our Ref: 25062/2011).
-

ITEM 11.7 SF2329 291118 Review of Policy - Urban and Rural Road Naming

599/18 **RESOLVED:** (Reed/Ballangarry)

That the amended Urban and Rural Road Naming Policy (Our Ref: 29805/2018) be adopted as presented and be advertised for a period of 28 days to advise of the additional wording “that where practical all road naming is to incorporate dual road naming - as road, street or locality signs are replaced to include a second Gumbaynggirr name written on the sign. (The proposed name is passed by Muurrbay Language Centre)”.

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

ITEM 11.8 SF1031 291118 Review of Policy - Pesticide Use Notification Plan

600/18 **RESOLVED:** (Wilson/Finlayson)

- 1 That Council place the amended Pesticide Use Notification Plan on public exhibition and extend the statutory 28 days, through to mid-February due to the pending Christmas holiday period.
 - 2 That a further report be provided to Council following the closing of the public exhibition period in mid-February advising of any comments received from Councillors and the community detailing any potential amendments to the document and seeking formal adoption of the amended Pesticide Use Notification Plan (Our Ref: 38210/2018) which will replace the current Pesticide Use Notification Plan (Our Ref: 25060/2011).
-

ITEM 11.9 SF2154 291118 Integrated Water Cycle Management - Options Study and Scenario Analysis

601/18 **RESOLVED:** (Finlayson/Reed)

- 1 That Council adopt Scenario 1 as the preferred scenario for completion of the IWCM Plan for public exhibition.
 - 2 That Council include an additional budget item of \$32,500 to cover the NSW Public Works fee for the preparation of Development Servicing Plans to determine the Section 68 charges that should be levied in coming years. The water share of funding can be reallocated from WO1622 – Pumping Station Electrical costs with no net impact on the overall water budget and the sewerage share can be taken from reserves.
 - 3 That Council receive a further report on completion of the final IWCM document to endorse it for public exhibition.
-

ITEM 11.10 SF317 291118 Macksville Park Amenities

602/18 **RESOLVED:** (Wilson/Jenvey)

- 1 That Council receives and notes the progress report on Macksville Park Amenities.
 - 2 That Council continue to seek grant funding to carry out the proposed works.
 - 3 That Council advise the event organisers that under the “events on community land” that they are required to provide additional facilities for amenities and waste management for large events and that event organisers be forwarded to the information in relation to applications for events on Council land.
-

NAMBUCCA SHIRE COUNCIL

Ordinary Council Meeting

MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 NOVEMBER 2018

CLOSURE

There being no further business the Mayor then closed the meeting the time being 7.24 pm.

Confirmed and signed by the Mayor on 13 December 2018.

**Cr Rhonda Hoban
MAYOR
(CHAIRPERSON)**