



KEMPSEY
Shire Council

MINUTES OF THE EXTRAORDINARY MEETING OF KEMPSEY SHIRE COUNCIL

Friday 15th May 2009 commencing at 10.40am.

PRESENT:

Councillors J H Bowell (Mayor and Chairman), E A Campbell, D F Saul, A D Snowsill and J A Sproule.

Councillor E R Walker entered the chambers at 10.48am.

General Manager, A V Burgess; Director Shire Services, B J Morris; Director Sustainable Development Services, R B Pitt; Acting Director Corporate & Community Services, K E Oliver; Manager Administration, P J Hanrahan; and Minute Taker Hayley Scott.

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OPENING PRAYER

"Dear Lord, help us in our deliberations today so that our decisions will be for the greater good for the whole of Kempsey Shire - Amen".

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APOLOGY:

2009. 373 RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Saul*

That the apology submitted by Councillors Hayes, Gribbin and Green for non-attendance at the meeting be accepted and leave of absence granted.

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DECLARATIONS OF INTEREST

Councillor Campbell declared an interest in item DCCS1 Confidential (Auction Sale of Surplus Council Land) for the reason that she was under bidder for properties referred to in the report.

CONSIDERATION OF CONFIDENTIAL REPORTS

2009. 374 RESOLVED:

Moved: Cl. Sproule

Seconded: Cl. Saul

That the confidential reports be considered in the confidential section of the meeting.

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CONSIDERATION OF LATE REPORTS

2009. 375 RESOLVED:

*Moved: Saul
Seconded: Snowsill*

That the late reports be considered in conjunction with the relevant Director's reports.

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ADOPTION OF AGENDA ORDER OF BUSINESS

2009. 376 RESOLVED:

*Moved: Cl. Sproule
Seconded: Cl. Snowsill*

That the Agenda Order of Business be adopted.

MAYORAL REPORT

MM1	APPOINTMENT OF GENERAL MANAGER –AFFIXING COUNCIL'S SEAL TO CONTRACT FILE: 1252 MAYOR (NRN) {Folio No. 398680}
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SUMMARY:

Reporting on the need to authorise the affixing of Council's seal to the General Manager's contract

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2009. 377 RESOLVED:

*Moved: Cl. Howell
Seconded: Cl. Campbell*

That Council authorise the affixing of its seal to the contract employment documents of the new General Manager, Mr David Rawlings.

DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

DSDS1	NOMINATIONS FOR JOINT REGIONAL PLANNING PANEL FILE: 579 RBP {Folio No. 398682}
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SUMMARY:

Reporting that Council has been requested to nominate representatives to serve on the Northern Region Joint Regional Planning Panel

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2009. 378 RESOLVED:

*Moved: Cl. Saul
Seconded: Cl. Campbell*

- A** That Council make a submission to the Department requesting an extension of time to explore resource sharing options to address concerns relating to potential conflicts of interest by Council nominated representation and to seek clarification in relation to matters raised in the above report.
- B** That the Department be advised that in the event an extension is not granted, that Council declines to nominate any members for the JRPP until clarification of the matters raised in the above report has been received.

Councillor Walker entered the chambers at 10.48am.

DSDS2	BYPASS STRATEGY
FILE: 118 CC: 447 RBP	{Folio No. 398681}

SUMMARY:

Reporting on proposed actions for a strategy to adapt to the pending bypass of Kempsey and Frederickton.

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Director Sustainable Development Services Recommendation:

That Council give consideration to allocating \$150,000 towards the development of a Bypass Strategy and revised Kempsey Town Centre Masterplan in the 2009/10 and 20010/11 budgets.

2009. 379 RESOLVED:

*Moved: Cl. Campbell
Seconded: Cl. Sproule*

- 1.** That Council allocate \$150,000 from proceeds of the auction sale of land held on 14th May 2009, towards the development of a Bypass Strategy and revised Kempsey Town Centre Masterplan in the 2009/10 and 2010/11 budgets.
- 2.** That Council identify funding options including loans, grants and special rate levies.

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QUESTIONS WITHOUT NOTICE

COUNCILLOR J H BOWELL

Q1

FILE: T6-06-313 {Folio No. 398857}

The Mayor Councillor Bowell advised the meeting that he had held discussions with Mr Doug Thompson, developer, regarding the proposed nursing home in Frederickton and Council's resolution of 12th May 2009.

Responsible Officer

RBP

The Director Sustainable Development Services advised that he is preparing a letter to Mr Thompson on this matter.

Q2

FILE: 1259 {Folio No. 398858}

The Mayor Councillor Bowell advised the meeting that Council's grant application under the community infrastructure program for Boyters Lane Sports fields development was not successful.

Responsible Officer

BJM (NRN)

COUNCILLOR J SPROULE

Q1

FILE: LA6198 {Folio No. 398859}

Has the Director determined whether there is a 7B rezoning application being processed for the Beranghi Co-operative?

Responsible Officer

RBP

The Director Sustainable Development Services has not been able to determine this yet and will advise.

GENERAL MANAGER

Q1

FILE: 1287 {Folio No. 398860}

The General Manager advised the meeting that as a result of the auction sale of surplus council land held on 14th May 2009 proceeds so far totalled \$402,000 of which \$37,000 is to be allocated to section 94 funds with the balance available to council to allocate.

Responsible Officer

AVB (NRN)

CC: APC

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MOTION FOR CONFIDENTIAL COMMITTEE

In accordance with the *Local Government Act 1993* and the Local Government (General) Regulation 2005, in the opinion of the General Manager, the following business is of a kind as referred to in section 10A(2) of the Act, and should be dealt with in a part of the meeting closed to the media and public.

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial

Reporting on the outcomes of the Auction of Surplus Council Lands held on 14th May 2009

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MOVED

*Moved: Cl. Saul
Seconded: Cl. Snowsill*

1. That Council accept the after auction offer of \$50,000 for 73 – 77 Tabrett Street, West Kempsey.
2. That Council accept the after auction offer \$18,000 for the sale of 33 Main Street, Bellbrook.
3. That Council further investigate the subdivision of 70 Cyrus Saul Circuit, Frederickton, and the subdivision and consequent offering for sale of potential allotments.
4. That Council consent to the affixing of the common seal of Council to documents relating to all sales where required.

An AMENDMENT was MOVED:

*Moved: Cl. Bowell
Seconded: Cl. Snowsill*

1. That Council accept the after auction offer of \$50,000 for 73 – 77 Tabrett Street, West Kempsey.
2. That Council accept the after auction offer \$18,000 for the sale of 33 Main Street, Bellbrook.
3. That Council accept the offer of \$72,500 for 70 Cyrus Saul Circuit, Frederickton.
4. That Council consent to the affixing of the common seal of Council to documents relating to all sales where required.

2009. 381 The AMENDMENT was PUT to the MEETING and was CARRIED and became the MOTION.

An AMENDMENT was MOVED:

*Moved: Cl. Saul
Seconded: Cl. Sproule*

That this report be deferred to the 9th June 2009 Council meeting.

At this stage the motion was WITHDRAWN by Councillors Bowell and Snowsill and the AMENDMENT became the MOTION.

The MOTION that this report be deferred to the 9th June 2009 Council meeting was PUT to the meeting and was CARRIED.

Councillor Campbell returned to the Chambers.

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OPEN COUNCIL

*Moved: Cl. Sproule
Seconded: Cl. Walker*

That the Open Council Meeting be resumed.

REPORT OF THE MEETING OF THE COMMITTEE OF THE WHOLE

Upon resumption of Open Council, the following Report of the Committee of the Whole was submitted by the General Manager.

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ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

2009. 382 RESOLVED:

*Moved: Cl. Saul
Seconded: Cl. Walker*

That the foregoing recommendations of the Committee of the Whole, as reported by the General Manager, be adopted.

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CONCLUSION:

There being no further business, the Meeting terminated at 11.40 a.m.

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