



# **MINUTES**

**Ordinary Council Meeting**

**13 August 2018**

**MINUTES OF KYOGLE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 13 AUGUST 2018 AT 5PM**

**PRESENT:** Cr Danielle Mulholland (Mayor), Cr Janet Wilson, Cr Maggie May, Cr Hayden Doolan, Cr Earle Grundy, Cr Kylie Thomas, Cr Lindsay Passfield, Cr Robert Dwyer

**IN ATTENDANCE:** The General Manager, Director of Planning and Environmental Services, Director of Assets and Infrastructure Services, Manager Corporate Services, the Executive Assistance to the General Manager.

The Mayor declared the meeting open at 5pm.

## **1 APOLOGIES**

Cr John Burley has formally applied for a leave of absence from this meeting.

### **1.1 LEAVE OF ABSENCE**

#### **RESOLVED CO/0818/1**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council grant Cr John Burley a leave of absence from the 13 August 2018 Ordinary Meeting.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs John Burley and Lindsay Passfield.

## **2 OPENING PRAYER**

The Mayor read the opening prayer.

## **3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Mayor acknowledged that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged Elders past and present.

## **4 DECLARATION OF INTERESTS**

The Manager Corporate Services declared a non-pecuniary interest in the following item:

- o Item 15.3 New Common Seal  
Reason for Declaration - personal association with the business which provided a quote.

## **5 QUESTION TIME**

Anne Reardon: Can I thank Council for cleaning the gutters at the Visitor Information Centre? If possible, I would also like to acknowledge Council for installing the seat/planter boxes in the main street - they are already being heavily patronised.

Debbie Johnston, Old Bonalbo: Can Council please provide an update on the new village signage.

Director Planning and Environmental Services: Council should receive the final artwork for the new signs in a matter of days, after which we will commission the new signs. There has been a slight delay in closing out the design, but it has been agreed and approved by Council. Once we receive the artwork, then a program of installing the signs will be rolled out.

Michael Reardon: Could I have it answered in writing why seven landowners in Taylors Road who pay thousands of dollars annually in rates and contribute more than \$1 million annually to the local economy receive absolutely nothing in return from the Council?

Mayor: Council will take your question on notice and provide an answer to you in writing.

Michael Reardon: I would also like an answer in writing as to why Council is doing nothing about the loaded Graham's truck and dogs crossing the Cedar Point bridge.

Mayor: Council will also take that question on notice and provide you an answer in writing.

## **6 PUBLIC ACCESS**

Mr Stephen Davies, of the Gold Coast Tweed Motorsporting Club: Mr Davies provided a short overview of the 2018 Border Ranges Rally and thanked Council for its support as well as the many groups involved in the event. He also advised that the GCTMC was currently developing a concept plan to run another major event in the Bonalbo area sometime next year.

Cr Lindsay Passfield joined the meeting at 5.11pm.

## **7 CONFIRMATION OF MINUTES**

### **7.1 COUNCIL REPORT - 9 JULY 2018**

#### **RESOLVED CO/0818/2**

Moved by Cr Janet Wilson, seconded by Cr Robert Dwyer

That Council confirms the minutes of the Council meeting of the 9 July 2018.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

## **8 MAYORAL MINUTE**

Nil

**9 NOTICES OF MOTION****9.1 NOTICE OF MOTION: CR JANET WILSON - RENEW OUR LIBRARIES****RESOLVED CO/0818/3**

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

That Council;

1. Endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, *Renew Our Libraries*.
2. Make representation to the local State Member, Thomas George MP, in relation to the need for additional funding from the NSW State Government for the provision of public library services.
3. Write to the Hon. Don Harwin, Minister for the Arts and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for the provision of a significant increase in state funding for NSW public libraries, supported by a sustainable future funding model.
4. Take a leading role in activating the campaign locally.
5. Endorse the distribution of the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative information in Council libraries, as well as involvement in any actions arising from the initiative.
6. Formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**9.2 NOTICE OF MOTION: CR HAYDEN DOOLAN - RESOURCES TO DELIVER DROUGHT RELIEF****MOTION**

Moved by Cr Hayden Doolan, seconded by Cr Earle Grundy

That Council authorises the utilisation of Council resources to assist drought affected farmers in the central west region of NSW with the cost of approximately \$2,000 to be charged to Council's plant operations budget.

**AMENDMENT**

Moved by Cr Danielle Mulholland, seconded by Cr Lindsay Passfield

That Council authorises the utilisation of Council resources to assist drought affected farmers in extreme need with the cost of approximately \$2,000 to be charged to Council's plant operations budget.

**CARRIED**

FOR VOTE - Crs Danielle Mulholland, Janet Wilson, Maggie May, Earle Grundy, Lindsay Passfield  
Robert Dwyer and Kylie Thomas

AGAINST VOTE - Crs Hayden Doolan

ABSENT. DID NOT VOTE - Cr John Burley

The amendment became the motion

**RESOLVED CO/0818/4**

Moved by Cr Danielle Mulholland, seconded by Cr Lindsay Passfield

That Council authorises the utilisation of Council resources to assist drought affected farmers in extreme need with the cost of approximately \$2,000 to be charged to Council's plant operations budget.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**10 QUESTIONS WITH NOTICE FROM COUNCILLORS****10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0818/5**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council receives and notes the report, *Questions From The Last Council Meeting*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**11 REPORTS FROM DELEGATES****11.1 DELEGATE'S REPORT: CR LINDSAY PASSFIELD - LEGUME TO WOODENBONG ROAD UPGRADE****RESOLVED CO/0818/6**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council receives and notes the report, *Delegate's Report: Cr Lindsay Passfield - Legume to Woodenbong Road Upgrade*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**11.2 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - COUNTRY MAYORS' ASSOCIATION****RESOLVED CO/0818/7**

Moved by Cr Janet Wilson, seconded by Cr Robert Dwyer

That Council receives and notes the report, *Delegate's Report: Cr Danielle Mulholland - Country Mayors' Association*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**12 INFORMATION REPORTS****12.1 MONTHLY FINANCE REPORT - JULY 2018****RESOLVED CO/0818/8**

Moved by Cr Hayden Doolan, seconded by Cr Kylie Thomas

That Council receives and notes the information contained in the report, *Monthly Finance Report - July 2018*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**13 ASSETS AND INFRASTRUCTURE REPORTS****13.1 PURCHASE OF PLANT****RESOLVED CO/0818/9**

Moved by Cr Janet Wilson, seconded by Cr Robert Dwyer

That Council ;

1. Receives and notes the report on Purchase of Plant
2. Authorises the following changes to the 2018/19 Plant Budget to allow for the purchase of two rollers and one loader;
  - a. Increase Plant Capital Purchase budget by \$690,000
  - b. Increase Plant Operating Income by \$240,800
  - c. Increase Plant Operating Expenditure by \$75,360

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**14 PLANNING AND ENVIRONMENT REPORTS****14.1 KYOGLE MOUNTAIN BIKE TRAIL DEVELOPMENT STRATEGY - ADOPTION****RESOLVED CO/0818/10**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council;

1. Receives and notes the report, *Kyogle Mountain Bike Trail Development Strategy - Adoption*
2. Adopts the Kyogle Mountain Bike Trail Development Strategy 2018, subject to formatting and graphic design, for final presentation.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**15 GENERAL MANAGER'S REPORTS****15.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2018****RESOLVED CO/0818/11**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Local Government NSW Annual Conference 2018*.
2. Adopts the following motion to be submitted to the Local Government NSW Annual Conference for inclusion in the conference business papers:

That LGNSW lobby the State Government to require Forests NSW to pay rates on native forest and plantation timber production land.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

**15.2 YOWIE COUNTRY RALLY****MOTION**

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That Council;

1. Receives and notes the report, *Yowie Country Rally*.
2. Endorses the holding of the 2018 Yowie Country Rally on 1 December 2018 subject to compliance with conditions of approvals issued by the NSW Police and Council staff.

**FORESHADOWED MOTION**

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council undertakes a planned response to the development of motorsport in the Kyogle Local Government Area.

**RESOLVED CO/0818/12**

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That Council;

1. Receives and notes the report, *Yowie Country Rally*.
2. Endorse the holding of the 2018 Yowie Country Rally on 1 December 2018 subject to compliance with conditions of approvals issued by the NSW Police and Council staff.

**CARRIED**

FOR VOTE - Crs Danielle Mulholland, Hayden Doolan, Earle Grundy, Kylie Thomas, Lindsay Passfield and Robert Dwyer

AGAINST VOTE - Crs Janet Wilson and Maggie May

ABSENT. DID NOT VOTE - Cr John Burley



**RESOLVED CO/0818/13**

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council undertakes a planned response to the development of motorsport in the Kyogle Local Government Area.

**CARRIED**

FOR VOTE - Crs Danielle Mulholland, Janet Wilson, Maggie May, Earle Grundy and Robert Dwyer

AGAINST VOTE - Crs Hayden Doolan, Kylie Thomas and Lindsay Passfield

ABSENT. DID NOT VOTE - Cr John Burley

**15.3 NEW COMMON SEAL**

Having earlier declared a non-pecuniary interest in this item, the Manager Corporate Services left the meeting at 6.04pm.

**MOTION**

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

That Council;

1. Receives and notes the report titled New Common Seal
2. Commissions a new Common Seal incorporating the Council's corporate emblem and replacing the words "Gateway to the Rainforest" with "Common Seal ABN 15726771237".

**AMENDMENT**

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

That Council;

1. Receives and notes the report titled New Common Seal
2. Commissions a new Common Seal incorporating the "Common Seal ABN 15726771237" and retain the Bush Turkey emblem.

**LOST**

FOR VOTE - Crs Maggie May and Kylie Thomas

AGAINST VOTE - Crs Danielle Mulholland, Janet Wilson, Hayden Doolan, Earle Grundy, Lindsay Passfield and Robert Dwyer

**RESOLVED CO/0818/14**

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

That Council;

1. Receives and notes the report titled New Common Seal
2. Commissions a new Common Seal incorporating the Council's corporate emblem and replacing the words "Gateway to the Rainforest" with "Common Seal ABN 15726771237".

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

The Manager Corporate Services returned to the meeting at 6.12pm.

#### 15.4 JUNE 2018 QUARTERLY BUDGET REVIEW

##### RESOLVED CO/0818/15

Moved by Cr Earle Grundy, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report, *June 2018 Quarterly Budget Review*.
2. Incorporates the funds identified as revotes in the June 2018 budget review into the 2018/2019 budget.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

#### 15.5 RELATED PARTY DISCLOSURE POLICY

##### RESOLVED CO/0818/16

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council:

1. Receives and notes the report, *Related Party Disclosure Policy*
2. Adopts the attached Related Party Disclosure Policy.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Cr John Burley

#### 16 URGENT BUSINESS WITHOUT NOTICE

Nil

#### 17 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Earle Grundy: How far away are the SCCF approvals?

General Manager: I will take that question on notice. I haven't had any information apart from being advised about a month ago that all Council's applications were considered compliant, so they are now allowed to be considered. They have now entered into the 'choice modelling' stage of the assessment process.

Cr Kylie Thomas: Can I request an update, in writing, to an email received from a resident in Taylors Road, and possibly an update or explanation at the workshop?

General Manager: Yes, my intention is to send Councillors a response to that issue as soon as possible.

Cr Lindsay Passfield: Given the deferment of the Yowie Country Rally to December, I would like an indication of when Woodenbong district gravel roads will be graded? They are in pretty bad shape, particularly Boomi Creek and Lindesay Creek Roads.

Director Assets and Infrastructure Services: They will be graded in the near future when the grader is in the area. I will get back to you with a more definite time frame.

Cr Maggie May: Has Council done the video report-speccy of Council's roads since the rally has taken place? And can you provide us with a report as to the state of the roads post rally?

Director Assets and Infrastructure Services: Absolutely.

**18 CONFIDENTIAL BUSINESS PAPER**

Nil

**The Meeting closed at 6.20pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 10 September 2018.**

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**CHAIRPERSON**

All communications to be addressed to:  
The General Manager,  
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AUSTRALIA



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CONTACT: Graham Kennett  
FOR FURTHER INFORMATION

Question Time  
PLEASE QUOTE THIS REFERENCE

27 August 2018

Michael Reardon  
353 Ettrick Road  
ETTRICK NSW 2474

Dear Michael

### **Question Time 13 August 2018 Ordinary Council Meeting**

At the 13 August 2018 Ordinary Council Meeting you asked:

*Could I have it answered in writing why seven landowners in Taylors Road who pay thousands of dollars annually in rates and contribute more than \$1 million annually to the local economy receive absolutely nothing in return from the Council?*

All ratepayers and residents benefit from a wide range of services delivered by Council. These are outlined in the various Integrated Planning and Reporting documentation adopted by Council from time to time such as;

- Community Strategic Plan
- Operational Plan and Delivery Program
- Long Term Financial Plan
- Asset Management Plans and Strategies

It is disingenuous to suggest that any one ratepayer or group of ratepayers receive absolutely nothing in return for the rates and charges that they pay. If any ratepayer or group of ratepayers has an issue or action request they would like to discuss with Council, then I would encourage you to advise them to bring their issue to Council directly through either the relevant staff or the General Managers office.

*I would also like an answer in writing as to why Council is doing nothing about the loaded Graham's truck and dogs crossing the Cedar Point bridge.*

It is untrue to state that Council is doing nothing about this issue. Council is working closely with its agents through the North East Weight of Loads Group (NEWLOG) to ensure that the load limited bridge and associated heavy vehicle traffic is closely monitored. All detected breaches are being prosecuted through the delegations of authority available to NEWLOG on behalf of Council.

Yours faithfully

Graham Kennett  
**GENERAL MANAGER**