



MINUTES

Ordinary Council Meeting

8 April 2019

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 8 APRIL 2019 AT 5PM**

PRESENT: Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy Mayor), Cr Maggie May, Cr Hayden Doolan, Cr Earle Grundy, Cr Lindsay Passfield, Cr Robert Dwyer

IN ATTENDANCE: General Manager, Director Planning and Environmental Services, Director Assets and Infrastructure Services, Manager Corporate Services, Executive Assistant to the General Manager.

The Mayor declared the meeting open at 5pm.

1 APOLOGIES

Cr Janet Wilson and Cr Kylie Thomas.

1.1 LEAVE OF ABSENCE

RESOLVED CO/0419/1

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That Council grant a leave of absence to Cr Janet Wilson and Cr Kylie Thomas.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

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

Nil

5 QUESTION TIME

Nil

6 PUBLIC ACCESS

Nil

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 11 MARCH 2019****RESOLVED CO/0419/2**

Moved by Cr Robert Dwyer, seconded by Cr Maggie May

That Council confirms the minutes of the Council meeting of the 11 March 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION**9.1 NOTICE OF MOTION - CLIMATE CHANGE****RESOLVED CO/0419/3**

Moved by Cr Maggie May, seconded by Cr John Burley

That Council:

1. Seeks inclusion in the climate change report to be presented to Council in May 2019 of strategies to address impacts of identified climate change risks on the LGA and sets achievable and aspirational targets around net carbon emissions and renewables;
2. Forms a working group of interested Councillors, relevant Council staff and organisational stakeholders to provide ongoing advice and recommendations around climate change and how we are progressing identified targets.

CARRIED

FOR VOTE - Crs Danielle Mulholland, John Burley, Maggie May, Hayden Doolan, Earle Grundy and Robert Dwyer

AGAINST VOTE - Cr Lindsay Passfield

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

9.2 NOTICE OF MOTION - GENERAL ACCESS VEHICLES ON KYOGLE ROAD**MOTION**

Moved by Cr Maggie May, seconded by Cr John Burley

That Council approach RMS to review the General Access Vehicle designation on Kyogle Road between the village of Cawongla and Homeleigh Road to restrict vehicles longer than 12.5 metres from accessing this section of the road.

FORESHADOWED MOTION

Moved by Cr Lindsay Passfield

That Council investigate signage and alignment improvements on Kyogle Road to mitigate traffic hazards resulting from the use of general access vehicles.

FORESHADOWED MOTION

Moved by Cr Maggie May

That Council write to the RMS requesting that they undertake a traffic audit of Kyogle Road to determine its suitability for large heavy vehicles, in response to concerns raised by the community and identify an action plan to address these concerns.

MOTION

Moved by Cr Maggie May, seconded by Cr John Burley

That Council approach RMS to review the General Access Vehicle designation on Kyogle Road between the village of Cawongla and Homeleigh Road to restrict vehicles longer than 12.5 metres from accessing this section of the road

LOST

FOR VOTE - Cr Maggie May

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

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

RESOLVED CO/0419/4

Moved by Cr Lindsay Passfield, seconded by Cr Maggie May

That Council investigate signage and alignment improvements on Kyogle Road to mitigate traffic hazards resulting from the use of general access vehicles

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

RESOLVED CO/0419/5

Moved by Cr Maggie May, seconded by Cr Earle Grundy

That Council write to the RMS requesting that they undertake a traffic audit of Kyogle Road to determine its suitability for large heavy vehicles, in response to concerns raised by the community and identify an action plan to address these concerns.

CARRIED

FOR VOTE - Crs Danielle Mulholland, John Burley, Maggie May and Earle Grundy

AGAINST VOTE - Crs Hayden Doolan, Lindsay Passfield and Robert Dwyer

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

9.3 NOTICE OF MOTION - ALGA FEDERAL ELECTION INITIATIVES**RESOLVED CO/0419/6**

Moved by Cr Danielle Mulholland, seconded by Cr Lindsay Passfield

That Council support ALGA's Federal election initiatives for 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

9.4 NOTICE OF MOTION - RETENTION OF DOCTORS AND HEALTH PROFESSIONALS**RESOLVED CO/0419/7**

Moved by Cr Danielle Mulholland, seconded by Cr Maggie May

That Council support strategies by Federal and State government, universities, philanthropic organisations and other stakeholders to attract and retain doctors and other health professionals to rural communities.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0419/8**

Moved by Cr Robert Dwyer, seconded by Cr Earle Grundy

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

CARRIED

FOR VOTE - Crs Danielle Mulholland, John Burley, Maggie May, Hayden Doolan, Earle Grundy and Robert Dwyer

AGAINST VOTE - Cr Lindsay Passfield

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - MARCH 2019

RESOLVED CO/0419/9

Moved by Cr John Burley, seconded by Cr Hayden Doolan

That Council receives and notes the information contained in the Monthly Finance Report – March 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

12.2 WORKS PROGRAM PROGRESS REPORT - MARCH 2019

RESOLVED CO/0419/10

Moved by Cr Robert Dwyer, seconded by Cr Earle Grundy

That Council receives and notes the information contained in the report, *Works Program Progress Report – March 2019*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

13 ASSETS AND INFRASTRUCTURE REPORTS**13.1 LOCAL TRAFFIC COMMITTEE REPORT - 26 FEBRUARY 2019****MOTION**

Moved by Cr Hayden Doolan, seconded by Cr Robert Dwyer

That Council

1. Receives and notes the minutes of the Local Traffic Committee meeting held 26 February 2019
2. Endorses the following recommendations of the committee;
 - a) That approval be given for temporary closure of Summerland Way on 25 April between the hours of 5am and 1pm to allow for ANZAC Day commemoration activities.
 - b) That parking in front of the Tabulam SES building at 8603-8605 Bruxner Highway, Tabulam be restricted to emergency vehicles only and that the appropriate signage be erected.
 - c) That a No Parking zone be created on the eastern side of Etrick Street across from the Kyogle Rural Fire Service building and appropriate signage be erected.
 - d) That Kindergarten Lane become a one-way lane from Fawcett Street to Kyogle Road and that Council monitor driver behaviour.
 - e) That a request be made to RMS for a speed zone review to be carried out regarding the request for the 80km/h speed zone on Summerland Way north of Kyogle to be extended to include the intersection with Collins Creek Road.
 - f) That Council change current parking restrictions to remove regulated parking from the Summerland Way centre parking rank in the Kyogle central business district.
 - g) That a common bus pick-up/drop-off location be established in Etrick Street at the Kyogle railway station.
 - h) That in principle approval be given for the road closures associated with the Working Dog Rally 2019 subject to formal submission to and approval of traffic control plans (TCP) and road closure applications by NSW Police and RMS.

FORESHADOWED MOTION

Moved by Cr Lindsay Passfield

That Council take the following issues to the next traffic committee:

1. Restrict parking to 15 minutes on the southern side of Unumgar Street between the pedestrian crossing and the intersection with Lindesay Street.
2. That the traffic committee investigate ways of putting a speed zone adjacent to the Muli Muli community.

RESOLVED CO/0419/11

Moved by Cr Hayden Doolan, seconded by Cr Robert Dwyer

That Council

1. Receives and notes the minutes of the Local Traffic Committee meeting held 26 February 2019
2. Endorses the following recommendations of the committee;

- a) That approval be given for temporary closure of Summerland Way on 25 April between the hours of 5am and 1pm to allow for ANZAC Day commemoration activities.
- b) That parking in front of the Tabulam SES building at 8603-8605 Bruxner Highway, Tabulam be restricted to emergency vehicles only and that the appropriate signage be erected.
- c) That a No Parking zone be created on the eastern side of Etrick Street across from the Kyogle Rural Fire Service building and appropriate signage be erected.
- d) That Kindergarten Lane become a one-way lane from Fawcett Street to Kyogle Road and that Council monitor driver behaviour.
- e) That a request be made to RMS for a speed zone review to be carried out regarding the request for the 80km/h speed zone on Summerland Way north of Kyogle to be extended to include the intersection with Collins Creek Road.
- f) That Council change current parking restrictions to remove regulated parking from the Summerland Way centre parking rank in the Kyogle central business district.
- g) That a common bus pick-up/drop-off location be established in Etrick Street at the Kyogle railway station.
- h) That in principle approval be given for the road closures associated with the Working Dog Rally 2019 subject to formal submission to and approval of traffic control plans (TCP) and road closure applications by NSW Police and RMS.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

RESOLVED CO/0419/12

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council take the following issues to the next Traffic Committee:

1. Restrict parking to 15 minutes on the southern side of Unumgar Street between the pedestrian crossing and the intersection with Lindesay Street.
2. That the traffic committee investigate ways of putting a speed zone adjacent to the Muli Muli community

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

13.2 TABULAM FLOOD STUDY

MOTION

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council

1. Receives and notes the report, Tabulam Flood Study
2. Adopts the Tabulam Floodplain Risk Management Study and Plan Final Flood Study Report Rev C 29 March 2019.

FORESHADOWED MOTION

Moved by Cr Lindsay Passfield

That Council receive and note the document titled Edna Jean Winterton and refer this to the Flood Study consultant for inclusion of its technical and heritage values.

RESOLVED CO/0419/13

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council

1. Receives and notes the report, Tabulam Flood Study
2. Adopts the Tabulam Floodplain Risk Management Study and Plan Final Flood Study Report Rev C 29 March 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

RESOLVED CO/0419/14

Moved by Cr Lindsay Passfield, seconded by Cr John Burley

That Council receive and note the document titled Edna Jean Winterton and refer this to the Flood Study consultant for inclusion of its technical and heritage values.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

14 PLANNING AND ENVIRONMENT REPORTS

Nil

15 GENERAL MANAGER'S REPORTS**15.1 SIX MONTHLY REVIEW DELIVERY PROGRAM AND OPERATIONAL PLAN****RESOLVED CO/0419/15**

Moved by Cr Robert Dwyer, seconded by Cr Maggie May

That Council receives and notes the attached Six Monthly Review of the Delivery Program and Operational Plan.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

15.2 DRAFT OPERATIONAL PLAN 2019/2020 AND DELIEVERY PROGRAM 2019/2023**RESOLVED CO/0419/16**

Moved by Cr John Burley, seconded by Cr Earle Grundy

That Council

1. Receives and notes the report, *Draft Operational Plan 2019/2020 and Delivery Program 2019/2023*.
2. Places the *Draft Operational Plan 2019/2020 and Delivery Program 2019/2023* on public exhibition for a minimum of 28 days and seek submissions from the community on its content.
3. Places the *Draft Fees and Charges 2019/2020* on public exhibition for a minimum of 28 days and seek submissions from the community on its content.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

15.3 CODE OF MEETING PRACTICE**RESOLVED CO/0419/17**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

That Council

1. Receives and notes the report on the Code of Meeting Practice
2. Approves the attached Code of Meeting Practice to go on public display closing 4pm Tuesday, 21 May 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

15.4 INTERNAL AUDIT COMMITTEE REPORT - 19 MARCH 2019**RESOLVED CO/0419/18**

Moved by Cr Maggie May, seconded by Cr Earle Grundy

That Council receives and notes the minutes of the Internal Audit Committee meeting of the 19 March 2019.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

15.5 PROCUREMENT POLICY**RESOLVED CO/0419/19**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Procurement Policy*.
2. Adopts the attached Procurement Policy.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

15.6 STATEMENT OF BUSINESS ETHICS POLICY**RESOLVED CO/0419/20**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Statement of Business Ethics Policy*.
2. Adopts the attached Statement of Business Ethics Policy.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and Kylie Thomas

16 URGENT BUSINESS WITHOUT NOTICE

Nil

17 QUESTIONS FOR NEXT ORDINARY MEETING

Cr John Burley: Would it be possible to get a follow up on what's happening at Toonumbar Dam as I have had a number of people asking.

Cr Lindsay Passfield: Local Government Weekly on 5 April advised that councils will be required to take over the inspection of underground petroleum storage. This is another cost shifting exercise. Do we have the expertise or the manpower to do this? Is this going to happen?

Cr Robert Dwyer: Of the seven trees planted in front of the around the outdoor gymnasium on Anzac Drive just one remains. Are the trees going to be replanted?

Cr Danielle Mulholland: The intersection of road leading up to the Bonalbo MPS and the Clarence Way is very rough road, does Council have any capacity to address that?

General Manager: I will follow that up because the assurance we were given by NSW Health was that the contractor was going to repair any damage done to that road.

18 CONFIDENTIAL BUSINESS PAPER

Nil

The Meeting closed at 6.12pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 May 2019.

.....CHAIRPERSON