



# **MINUTES**

**Ordinary Council Meeting**

**8 July 2019**

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

**PRESENT:** Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy 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, Executive Assistance to the General Manager.

The Mayor declared the meeting open at 5pm.

## **1 OPEN MEETING**

The Mayor advised that the meeting was being webcast (recorded) and that those in attendance should refrain from making any defamatory statements.

## **2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Nil

## **3 OPENING PRAYER**

The Mayor read the opening prayer.

## **4 ACKNOWLEDGEMENT OF COUNTRY**

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

## **5 DECLARATION OF INTERESTS**

Cr Kylie Thomas declared a non-pecuniary interest in the following item(s):

- Item 13.3 – Stronger Country Communities Fund Round 3  
Reason for declaration – Member of Kyogle Mountain Bike Club

## **6 PUBLIC FORUM**

**6.1 PERMISSION TO SPEAK AT PUBLIC FORUM**

**RESOLVED CO/0719/1**

Moved by Cr Danielle Mulholland, seconded by Cr Lindsay Passfield

That Tamar Cohen be allowed to speak at public forum, and that this permission be one-off.

**CARRIED**

FOR VOTE - Unanimous vote

Ms Tamar Cohen addressed the meeting. She spoke in support of Council adopting a Koala Plan of Management.

**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL REPORT - 11 JUNE 2019**

**RESOLVED CO/0719/2**

Moved by Cr Janet Wilson, seconded by Cr John Burley

That Council confirms the minutes of the Ordinary Council meeting of 11 June 2019.

**CARRIED**

FOR VOTE - Unanimous vote

**8 MAYORAL MINUTE**

Nil

## 9 NOTICES OF MOTION

### 9.1 NOTICE OF MOTION - CR MAGGIE MAY: KOALA PLAN OF MANAGEMENT

#### MOTION

Moved by Cr Maggie May, seconded by Cr Janet Wilson

That Council investigate the best way to implement a Koala Plan of Management which protects and supports the local koala populations.

#### FORESHADOWED MOTION

Cr Danielle Mulholland foreshadowed a motion:

That Council:

1. Explore opportunities for partnerships with State and Federal governments, peak bodies and advocacy groups to protect core koala habitat and facilitate solutions to the challenges facing koala populations;
2. Request the State Government increase investment to mitigate the negative effects of the degradation of our native forests and crown lands, particularly koala habitat, including weed control and bell minor associated die back.

#### AMENDMENT

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council:

1. Investigate the best way to implement a Koala Plan of Management which protects and supports the local koala populations.
2. Investigate a policy for koala and koala habitat protection for the Local Government Area which is underpinned by strategies for measurable improvements over time and includes community members in the development and implementation of the policy and strategies.

**CARRIED**

FOR VOTE - Unanimous vote

The amendment became the motion.

**RESOLVED CO/0719/3**

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council:

1. Investigate the best way to implement a Koala Plan of Management which protects and supports the local koala populations.
2. Investigate a policy for koala and koala habitat protection for the Local Government Area which is underpinned by strategies for measurable improvements over time and includes community members in the development and implementation of the policy and strategies.

**CARRIED**

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

AGAINST VOTE - Cr Lindsay Passfield

The foreshadowed motion lapsed.

**RESOLVED CO/0719/4**

Moved by Cr Danielle Mulholland, seconded by Cr Maggie May

That Council:

1. Explore opportunities for partnerships with State and Federal governments, peak bodies and advocacy groups to protect core koala habitat and facilitate solutions to the challenges facing koala populations;
2. Request the State Government increase investment to mitigate the negative effects of the degradation of our native forests and crown lands, particularly koala habitat, including weed control and bell minor associated die back.

**CARRIED**

FOR VOTE - Unanimous vote

**9.2 NOTICE OF MOTION - CR ROBERT DWYER; KYOGLE HISTORICAL SOCIETY STORAGE FACILITY****MOTION**

Moved by Cr Robert Dwyer, seconded by Cr Kylie Thomas

That Council staff provide a report to the August Ordinary Meeting of Council with regards to the wishes of members of the Kyogle Historical Society to build a storage facility at the rear of the new museum and that the report contain the advantages and disadvantages of this being achievable and any impediments or restrictions that may impede this from occurring should a suitable development application be lodged with Council.

**AMENDMENT**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council investigate storage options for the historical society as part of the open space and Kyogle master plan process, to ensure that Council maximises good use of these spaces in an integrated and holistic fashion.

**CARRIED**

FOR VOTE – Unanimous

The amendment became the motion.

**RESOLVED CO/0719/5**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council investigate storage options for the historical society as part of the open space and Kyogle master plan process, to ensure that Council maximises good use of these spaces in an integrated and holistic fashion.

**CARRIED**

FOR VOTE - Unanimous vote

**10 QUESTIONS WITH NOTICE FROM COUNCILLORS****10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0719/6**

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

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

**CARRIED**

FOR VOTE - Unanimous vote

**11 REPORTS FROM DELEGATES**

Nil

**12 INFORMATION REPORTS****12.1 MONTHLY FINANCE REPORT - JUNE 2019****RESOLVED CO/0719/7**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

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

**CARRIED**

FOR VOTE - Unanimous vote

**12.2 WORKS PROGRAM PROGRESS REPORT - JUNE 2019****RESOLVED CO/0719/8**

Moved by Cr John Burley, seconded by Cr Lindsay Passfield

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

**CARRIED**

FOR VOTE - Unanimous vote

**13 STAFF REPORTS****13.1 ECONOMIC DEVELOPMENT POLICY - ADOPTION****RESOLVED CO/0719/9**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council

1. Receives and notes the report, *Economic Development Policy – Adoption*.
2. Adopts the draft Economic Development Policy.

**CARRIED**

FOR VOTE - Unanimous vote

**13.2 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2019****RESOLVED CO/0719/10**

Moved by Cr Maggie May, seconded by Cr Hayden Doolan

That Council;

1. Receives and notes the report, *Local Government NSW Annual Conference 2019*.
2. Approves attendance by Councillors Maggie May, Hayden Doolan, Earle Grundy and Danielle Mulholland at the 2019 LGNSW Annual Conference.
3. Confirms the voting delegate at the LGNSW Conference to be the Mayor.
4. Adopts proposed motions for submission to the 2019 LGNSW Business Paper at the 12 August Ordinary meeting of Council.
5. Delegate authority to the Mayor to submit any further proposed motions, after consulting with Councillors, prior to the 16 September 2019 deadline.

**CARRIED**

FOR VOTE - Unanimous vote



**13.3 STRONGER COUNTRY COMMUNITIES FUND ROUND 3****MOTION**

Moved by Cr Maggie May, seconded by Cr John Burley

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*;
2. Endorses the proposed list of projects for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects;
3. Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.

**AMENDMENT**

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*;
2. Endorses the proposed list of projects, excluding project four and five, for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects;
3. Insert a project that acknowledges the ongoing community requests for more shade and green shade in public spaces including our public pools.
4. Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.

**LOST**

FOR VOTE – Crs Maggie May, Lindsay Passfield

AGAINST VOTE - Crs Janet Wilson, John Burley, Hayden Doolan, Earle Grundy, Kylie Thomas, Robert Dwyer, Danielle Mulholland

**AMENDMENT**

Moved by Cr Lindsay Passfield, seconded by Cr Maggie May

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*;
2. Endorses the proposed list of projects, excluding project five, for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects;
3. Insert a \$60,000 project to upgrade the Woodenbong Campground Amenities.
4. Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.

**LOST**

FOR VOTE - Crs Lindsay Passfield, Maggie May, Earle Grundy, Robert Dwyer

AGAINST VOTE - Crs John Burley, Janet Wilson, Hayden Doolan, Danielle Mulholland, Kylie Thomas

**AMENDMENT**

Moved by Cr Robert Dwyer, seconded by Hayden Doolan

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*;
2. Endorses the proposed list of projects for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects or any other projects suggested by the community.
3. Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.

**CARRIED**

FOR VOTE - Crs Robert Dwyer, Hayden Doolan, Janet Wilson, John Burley, Earle Grundy, Kylie Thomas, Danielle Mulholland.

AGAINST VOTE - Crs Maggie May, Lindsay Passfield

The amendment became the motion.

### **RESOLVED CO/0719/11**

Moved by Cr Robert Dwyer, seconded by Cr Hayden Doolan

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*;
2. Endorses the proposed list of projects for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects or any other projects suggested by the community.
3. Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.

**CARRIED**

FOR VOTE - Crs Danielle Mulholland, John Burley, Janet Wilson, Hayden Doolan, Earle Grundy, Kylie Thomas and Robert Dwyer

AGAINST VOTE - Crs Maggie May and Lindsay Passfield

### **13.4 ASSET MANAGEMENT POLICY REVIEW**

#### **RESOLVED CO/0719/12**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report, *Asset Management Policy Review*.
2. Adopts the attached draft Asset Management Policy

**CARRIED**

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

AGAINST VOTE - Cr Lindsay Passfield

**14 URGENT BUSINESS WITHOUT NOTICE****14.1 ESSENTIAL ENERGY JOB CUTS****RESOLVED CO/0719/13**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That the item be considered as urgent business.

**CARRIED**

FOR VOTE - Unanimous vote

The Mayor declared the matter to be of great urgency.

**RESOLVED CO/0719/14**

Moved by Cr John Burley, seconded by Cr Danielle Mulholland

That Council writes to the Deputy Premier (cc'd to Cabinet) urging him to put a stop to the proposed Essential Energy job losses in our LGA and region, to ensure consistent and comparable Essential Energy Services.

**CARRIED**

FOR VOTE - Unanimous vote

**15 QUESTIONS FOR NEXT ORDINARY MEETING**

Cr Maggie May: In regard to a letter received from Jim Morrison, can I be advised what has been done in relation to the removal of trees and road works in the Mallanganee/Deep Creek Road area and works to address environmental issues that have been raised?

Cr Janet Wilson: What further investigation is Council going to undertake in relation to alternatives to the use of glyphosate I for weed control?

Cr Janet Wilson: What are Council's options in relation to the opening prayer because the prayer we have is from the 19<sup>th</sup> century and is no longer appropriate?

Cr John Burley: Could Councillors give some recognition to NAIDOC Week by wearing an appropriate T-shirt or similar? It shows respect to our Aboriginal and Torres Strait Islander community.

Cr Kylie Thomas: What was the results from emails Council received requesting signage for wildlife and horse riding on Roseberry Creek Road?

Cr Lindsay Passfield: Can Council address the shove on Pump Station Hill, Clarence Way, and the potholes on the approach to Woodenbong?

Cr Robert Dwyer: Can Councillors have an explanation about the cost to Council of waiving development fees/contributions?

**16 CONFIDENTIAL BUSINESS PAPER****RESOLVED CO/0719/15**

Moved by Cr Kylie Thomas, seconded by Cr John Burley

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

**16.1 Late Annual Tenders - Plant Hire 2019/2020**

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**CARRIED**

FOR VOTE - Unanimous vote

The Mayor closed the meeting at time 6.46pm. The public and the media left the chamber.

**RESOLVED CO/0719/17**

Moved by Cr Hayden Doolan, seconded by Cr Robert Dwyer

That Council moves out of Closed Council into Open Council.

**CARRIED**

FOR VOTE - Unanimous vote

Open Council resumed at time 6.48pm.

The Mayor read the following resolutions of Closed Council to the meeting.

**16.1 Late Annual Tenders – Plant Hire 2019/2010**

Moved by Cr Hayden Doolan, seconded by Cr Earle Grundy

That Council:

1. Receives and note the report, *Late Annual Tenders Plant Hire 2018/2019-007*
2. Authorises the inclusion of North East Cranes on the list of suppliers for hire of plant from which contractors will be engaged, dependent on Council's requirements, service provided and availability during the 2019/20 financial year; contingent on the contractor fulfilling their obligations in regards to Council's WHS specification and compliance with relevant Council policies, up to a cumulative amount not exceeding \$150,000 inclusive of Goods and Services Tax for the period.

**CARRIED**

FOR VOTE - Unanimous vote

**17 CLOSE OF MEETING**

**The Meeting closed at 6.49pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 August 2019.**

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**CHAIRPERSON**