



MINUTES

Ordinary Council Meeting

14 April 2020

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 13 APRIL 2020 AT 5PM**

PRESENT: Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy Mayor), Cr Janet Wilson, Cr Maggie May (remote attendance via video conferencing), Cr Hayden Doolan, Cr Earle Grundy, Cr Kylie Thomas, Cr Lindsay Passfield.

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

1 OPEN MEETING

The Mayor declared the meeting open at 5.02pm and advised those in attendance that the proceedings were being webcast. As such, the Mayor advised in those in attendance to refrain from making defamatory comments.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

An apology was received from Cr Robert Dwyer.

2.1 LEAVE OF ABSENCE - CR ROBERT DWYER

RESOLVED CO/0420/1

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council grant Cr Robert Dwyer a leave of absence for the 14 April 2020 Ordinary meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

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 emerging.

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 9 MARCH 2020****RESOLVED CO/0420/2**

Moved by Cr John Burley, seconded by Cr Janet Wilson

That Council confirms the minutes of the Council meeting of the 9 March 2020.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Robert Dwyer

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

Nil

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0420/3**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - NORTHERN RIVERS JOINT ORGANISATION****RESOLVED CO/0420/4**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council receives and notes the report, *Delegate's Report: Cr Danielle Mulholland – Northern Rivers Joint Organisation*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

11.2 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - JOINT ORGANISATION CHAIRS' FORUM**RESOLVED CO/0420/5**

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council receives and notes the report, *Delegate's Report: Cr Danielle Mulholland – Joint Organisation Chairs' Forum*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

11.3 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - COUNTRY MAYORS' ASSOCIATION**RESOLVED CO/0420/6**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

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 Robert Dwyer

11.4 DELEGATE'S REPORT: CR LINDSAY PASSFIELD - BLAZE Aid WOODENBONG CAMP**RESOLVED CO/0420/7**

Moved by Cr Lindsay Passfield, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the Delegate's Report on BlazeAid Woodenbong Camp,
2. Writes to the BlazeAid CEO Kevin Butler and Woodenbong BlazeAid coordinators Kevin and Shirley Jones expressing its appreciation for their contribution to the bushfire recovery.
3. Issue a media release in relation to BlazeAid at Woodenbong and include an article in the Council newsletter.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - MARCH 2020****RESOLVED CO/0420/8**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council receives and notes the information contained in the report, *Monthly Finance Report – March 2020*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

12.2 WORKS PROGRAM PROGRESS REPORT - MARCH 2020**RESOLVED CO/0420/9**

Moved by Cr Earle Grundy, seconded by Cr Lindsay Passfield

That Council receives and notes the information contained in the report, *Works Program Progress Report – March 2020*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13 STAFF REPORTS**13.1 FEDERAL BUSHFIRE RECOVERY GRANT****RESOLVED CO/0420/10**

Moved by Cr Hayden Doolan, seconded by Cr Kylie Thomas

That Council:

1. Receive and note the report, *Federal Bushfire Recovery Grant*
2. Acknowledge the additional funding from the NSW Government of \$100,000 and the Australian Government of \$300,000 to bring the total funding for Bushfire Recovery to \$1,400,000 and incorporate these additional funds into the current year budget.
3. Approves all applications received under the;
 - (i) Bushfire Round Community Assistance Grants, and
 - (ii) Visit our Villages Fund

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13.2 COVID-19 - PROPOSED BUSINESS SUPPORT MEASURES**RESOLVED CO/0420/11**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

That Council:

1. Notes the report, *COVID-19 – Proposed Business Support Measures*;
2. Adopts the following package of support measures;
 - (a) Suspend commercial rents for a period of three months from 1 March 2020
 - (b) Suspend debt recovery activity until the end of the December 2020
 - (c) Waive interest on outstanding debts from 1 April 2020 until December 2020
 - (d) Waive the fees and charges associated with routine food premises inspections until such time as the Food Authority mandates their continuation.
 - (e) Training for local businesses in the development of online digital marketing capacity.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13.3 SIX MONTHLY REVIEW DELIVERY PROGRAM AND OPERATIONAL PLAN**RESOLVED CO/0420/12**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

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 – Cr Robert Dwyer

13.4 INTERNAL AUDIT COMMITTEE REPORT - 10 MARCH 2020**RESOLVED CO/0420/13**

Moved by Cr John Burley, seconded by Cr Hayden Doolan

That Council receives and notes the minutes of the 10 March 2020 Internal Audit Committee meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13.5 SEPTEMBER MEETING DATE**RESOLVED CO/0420/14**

Moved by Cr Janet Wilson, seconded by Cr Lindsay Passfield

That Council:

1. Receives and notes the report, *September Meeting Date*;
2. Hold its September 2020 Ordinary Meeting on Monday, 14 September 2020, with the meeting to start at 5pm.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13.6 COUNCILLOR SUPERANNUATION DISCUSSION PAPER**MOTION**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report on the *Councillor Superannuation Discussion Paper*;
2. Authorises the General Manager to lodge a submission identifying the option to
amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.
as its preferred option.

AMENDMENT

Moved by Cr Lindsay Passfield

That Council:

1. Receives and notes the report on the *Councillor Superannuation Discussion Paper*;
2. Authorises the General Manager to lodge a submission identifying the option to
amend the Act to allow councils to voluntarily pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees – this means that the payment of councillor superannuation in addition to their fee would be at each council's discretion, allowing the council to take into account the council's resources and the local community's views
as its preferred option.

The amendment lapsed for want of a seconder.

RESOLVED CO/0420/15

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report on the *Councillor Superannuation Discussion Paper*;
2. Authorises the General Manager to lodge a submission identifying the option to
amend the Act to make it compulsory for councils to pay an amount equivalent to the superannuation guarantee into a complying superannuation fund nominated by the mayor and councillors in addition to the mayor's and councillors' fees.
as its preferred option.

CARRIED

FOR VOTE - Unanimous vote

ABSENT, DID NOT VOTE – Cr Robert Dwyer

13.7 REVIEW OF THE LONG TERM FINANCIAL PLAN**RESOLVED CO/0420/16**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Review of the Long Term Financial Plan*.
2. Places the *draft Long Term Financial Plan 2021/2034* 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 – Cr Robert Dwyer

13.8 DRAFT OPERATIONAL PLAN 2020/2021 AND DELIVERY PROGRAM 2020/2024**RESOLVED CO/0420/17**

Moved by Cr John Burley, seconded by Cr Earle Grundy

That Council

1. Receives and notes the report, *Draft Operational Plan 2020/2021 and Delivery Program 2020/2024*.
2. Places the *Draft Operational Plan 2020/2021 and Delivery Program 2020/2024* 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 2020/2021* 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 – Cr Robert Dwyer

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Maggie May: A ratepayer has informed me that trucks doing earth works on the Runnymede Road land development operated all day Easter Monday in contravention of consent conditions which say they can't run on Sundays and public holidays. What is Council going to do about that.

General Manager: The NSW Government has issued a dispensation, due to the coronavirus pandemic, where construction can occur outside the hours of normal restrictions. The Office of Local Government circular advising this was circulated to all Councillors. So, there is no problem with those earth works occurring on a Sunday or a public holiday.

Cr Maggie May: How do people find out what the consent conditions are for Development Applications? Are they on Council's website?

General Manager: In relation to a development consent, the conditions of consent will generally be available on the public register. Anyone who asks can see a copy.

Cr John Burley: Did Council receive a reply to our request to raise the Toonumbar Dam wall?

General Manager: No, Council has not received a formal reply as such. However, Council has received a commitment to have a conversation about the future of the dam and a meeting between WaterNSW, Rous Water, Richmond Valley Council and ourselves is being organised by the Water Users' Group Chair.

Cr Earle Grundy: When is Council planning on sealing over the gravel section of the newish culvert in Yabra?

Director of Assets and Infrastructure Services: It is on Council's list of jobs to do next.

Cr Earle Grundy: At the same time, can Council also repair the rough section coming out of the northern end of Yabra Forest on the corner?

Director of Assets and Infrastructure Services: I am not familiar with the section you are talking about, but Council's crew will be going through that area patching and resealing sections of the road.

16 CONFIDENTIAL BUSINESS PAPER

Nil

17 CLOSE OF MEETING

The Meeting closed at 6.16pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 11 May 2020.

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CHAIRPERSON