



MINUTES

Ordinary Council Meeting

9 November 2020

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 9 NOVEMBER 2020 AT 5PM**

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

IN ATTENDANCE: The General Manager, Director Planning and Environmental Services, Director Assets and Infrastructure Services, Manager Corporate Services, Adam Bradfield of Thomas, Noble and Russell (auditors) and Executive Assistant to the General Manager.

1 OPEN MEETING

The Mayor declared the meeting open at 5pm and advised those present that the proceedings were being webcast and all those in attendance should refrain from making defamatory statements.

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

An apology was received from Cr John Burley.

2.1 LEAVE OF ABSENCE

RESOLVED CO/1120/1

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

That Council grant Cr John Burley a leave of absence for the 9 November 2020 Ordinary Council meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

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 acknowledges Elders past, present and emerging.

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 12 OCTOBER 2020****RESOLVED CO/1120/2**

Moved by Cr Robert Dwyer, seconded by Cr Maggie May

That Council confirms the minutes of the Council meeting of 12 October 2020.

CARRIED

FOR VOTE – Crs Maggie May, Janet Wilson, Earle Grundy, Kylie Thomas, Robert Dwyer, Danielle Mulholland

AGAINST VOTE (DID NOT VOTE) – Cr Lindsay Passfield (did not attend 12 October 2020 meeting)

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

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/1120/3**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - OCTOBER 2020****RESOLVED CO/1120/4**

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

12.2 WORKS PROGRAM PROGRESS REPORT - OCTOBER 2020**RESOLVED CO/1120/5**

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

13 STAFF REPORTS**13.1 PRESENTATION FROM AUDITORS 2019/2020 FINANCIAL STATEMENTS**

Mr Adam Bradfield, of Thomas Noble and Russell, presented the auditor's report to Council.

RESOLVED CO/1120/6

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council receives and notes the presentation from Council's auditors Thomas, Noble & Russell on behalf of the Audit Office of NSW in relation to the 2019/2020 Financial Reports.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

Mr Adam Bradfield left the meeting at 5.14pm.

13.2 2019/2020 FINANCIAL STATEMENTS**RESOLVED CO/1120/7**

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

That Council:

1. Receives and notes the report on the 2019/2020 Financial Statements
2. Adopts the 2019/2020 General Purpose Financial Report;
3. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the General Purpose Financial Report;
4. Adopts the 2019/2020 Special Purpose Financial Report;
5. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the Special Purpose Financial Report.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

13.3 SEPTEMBER 2020 QUARTERLY BUDGET REVIEW**RESOLVED CO/1120/8**

Moved by Cr Janet Wilson, seconded by Cr Robert Dwyer

That Council:

1. Receives and notes the September 2020 Quarterly Budget Review Statement;
2. Approves the variation of estimates contained in the table below:

STATEMENT OF SIGNIFICANT VARIANCES		
SEPTEMBER QUARTER BUDGET REVIEW		
DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Finance - Interest & Sundry Income	8,943	
Finance - Revenue Sharing Grant	(29,606)	
Other Waste Management - Improvements		74,246
Strategic, Community & Cultural Services - Community Services	3,000	
Strategic, Community & Cultural Services - Art on Bundjalung Market	100,000	
Strategic, Community & Cultural Services - Community Services		3,000
Strategic, Community & Cultural Services - Art on Bundjalung Market		100,000
Urban Roads - Grants	17,354	
Urban Roads - Construction		17,354
Rural Local Roads - Grants	(49,072)	
Rural Local Roads - S 94 Heavy Haulage Levies	31,132	
Rural Local Roads - Sealed Roads Maintenance		20,000
Bridges - Contributions	2,000	
Bridges - Capital Expenditure		60,000
Emergency Services - Income	5,530	
Quarries - Expenses		7,063
Quarries – Chadburn Sale	247,063	
Plant Operations - Plant Purchases		46,364
Totals	336,344	328,027
	Net Adjustment	8,317

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

13.4 PROPOSED AMENDMENT TO THE KYOGLE DEVELOPMENT CONTROL PLAN TO INTRODUCE DEVELOPMENT GUIDELINES APPLICABLE TO NON-RESIDENTIAL DEVELOPMENT IN ZONES B2 LOCAL CENTRE AND B4 MIXED USE

RESOLVED CO/1120/9

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report on the proposed amendment to the Kyogle Development Control Plan (DCP).
2. Places the draft DCP chapter on public exhibition in accordance with the requirements of the *Environmental Planning and Assessment Act and Regulation*.
3. Reviews the draft DCP chapter in light of any submissions received during public exhibition.
4. Be presented with a further report following the conclusion of the public exhibition and that the report outline the outcomes of the exhibition including submissions received.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan

Cr Lindsay Passfield called for a division under Section 375A of the Local Government Act 1993.

For	Against
Cr Danielle Mulholland	
Cr Robert Dwyer	
Cr Lindsay Passfield	
Cr Kylie Thomas	
Cr Earle Grundy	
Cr Janet Wilson	
Cr Maggie May	
ABSENT. DID NOT VOTE – Crs John Burley, Hayden Doolan	

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Maggie May: I would like to ask a question about the closure of Montgomerys Bridge on Iron Pot Creek Road. I note that it is not on the current schedule of works, but some residents will no longer have a direct access and will be required to take a long detour in order to get to town. Is there any way of bringing the replacement of the bridge forward in the schedule given that the bridge is now actually closed?

Director Assets and Infrastructure Services: Anything is possible, however that is a very expensive bridge. Unless we have funding coming from an external source, the only other option available is not to build a heap of other bridges and just build that one bridge. It will cost big money to fix Montgomerys Bridge, it is not in our four year forward plan and residents do have an alternate

route with no load limits. Most of the people in that area have already been driving that alternate route because Montgomerys Bridge had a two tonne load limit, which meant you could not take bigger four-wheel drives over it.

Cr Kylie Thomas: Have staff responded to, or reported on, complaints from a resident in relation to Ferndale Bridge.

Director Assets and Infrastructure Services: Council had already addressed the complaints. The resident didn't like the answer he received and he has now taken his complaints to Councillors.

Cr Lindsay Passfield: My question is in relation to residents' concerns regarding those gravel roads including Eight Day Creek Road and Iversons Road, which have been heavily impacted by forestry operations. Those forestry operations have scaled right down now and the roads are in a fairly bad way. What is the likelihood of those roads being graded soon.

Director Assets and Infrastructure Services: Needhams Road is also in that mix of roads that have been heavily impacted by Forestry operations. I contacted Forestry Corp today and have left a message for them to ring back. I will be requesting that they grade the roads and make good now that their operations have finished and once that's been done we will continue on maintaining them.

Cr Robert Dwyer: Can we have a rough estimate as to what Montgomerys Bridge is going to cost to replace?

General Manager: The information provided to Councillors last week was the there is some investigation needed in the next 12 months so we can provide some detailed designs and costings for it. I would not like to give out numbers at this time which could be incorrect.

Director Assets and Infrastructure Services: Perhaps the most accurate thing we can say at the moment is that the final number will have seven figures.

16 CONFIDENTIAL BUSINESS PAPER

Nil

17 CLOSE OF MEETING

The Meeting closed at 5.26pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 14 December 2020.

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CHAIRPERSON