



# **MINUTES**

**Ordinary Council Meeting**

**14 December 2020**

**MINUTES OF KYOGLE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 14 DECEMBER 2020 AT 5PM**

**PRESENT:** Cr John Burley (Deputy Mayor in the Chair), 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 Assets and Infrastructure Services, Director Planning and Environmental Services, Manager Corporate Services, Executive Assistant to the General Manager.

## **1 OPEN MEETING**

The Deputy Mayor declared the meeting open at 5pm and advised those present that the meeting was being podcast and those in attendance should refrain from making defamatory comments.

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

Cr Danielle Mulholland was an apology.

### **2.1 LEAVE OF ABSENCE**

#### **RESOLVED CO/1220/1**

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

That Council note Cr Mulholland's apology and grant her a leave of absence for the 14 December 2020 Council meeting.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

## **3 OPENING PRAYER**

The Deputy Mayor read the opening prayer.

## **4 ACKNOWLEDGEMENT OF COUNTRY**

The Deputy 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 NOVEMBER 2020****RESOLVED CO/1220/2**

Moved by Cr Janet Wilson, seconded by Cr Lindsay Passfield

That Council confirms the minutes of the meeting of 9 November 2020

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**8 MAYORAL MINUTE**

Nil

**9 NOTICES OF MOTION****9.1 NOTICE OF MOTION - CR JANET WILSON: UPDATE COUNCIL PRAYER****RESOLVED CO/1220/3**

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council update the Council prayer so that it respects and supports our secular democracy. The updated prayer to read as follows:

*We seek guidance as we come together to make decisions in the best interest of our communities which support the development of a peaceful and just environment to encourage our people to thrive and live purposeful lives to reflect a modern, inclusive and diverse community.*

**CARRIED**

FOR VOTE - Crs John Burley, Janet Wilson, Maggie May, Hayden Doolan, Earle Grundy, Kylie Thomas and Lindsay Passfield

AGAINST VOTE - Cr Robert Dwyer

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**9.2 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: ABORIGINAL FLAG****RESOLVED CO/1220/4**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council write to the Federal Minister for Aboriginal Affairs, Ken Wyatt, and the Prime Minister, Scott Morrison, to request that the decision not to display the Aboriginal and Torres Strait Islander flags inside Parliament alongside the Australian flag be reconsidered as all three flags are recognised as being official flags of Australia.

**CARRIED**

FOR VOTE - Crs John Burley, Janet Wilson, Maggie May, Hayden Doolan, Earle Grundy, Kylie

Thomas and Lindsay Passfield

AGAINST VOTE - Cr Robert Dwyer

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

## **10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

### **10.1 QUESTIONS FROM THE LAST COUNCIL MEETING**

#### **RESOLVED CO/1220/5**

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 – Cr Danielle Mulholland

## **11 REPORTS FROM DELEGATES**

Nil

## **12 INFORMATION REPORTS**

### **12.1 MONTHLY FINANCE REPORT - NOVEMBER 2020**

#### **RESOLVED CO/1220/6**

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

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

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

### **12.2 WORKS PROGRAM PROGRESS REPORT - NOVEMBER 2020**

#### **RESOLVED CO/1220/7**

Moved by Cr Earle Grundy, seconded by Cr Kylie Thomas

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

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**12.3 INTERNAL AUDIT COMMITTEE - NOVEMBER 2020****RESOLVED CO/1220/8**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council receives and notes the minutes of the Internal Audit Committee meeting of 9 November 2020.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**13 STAFF REPORTS****13.1 PRESENTATION OF 2019/2020 FINANCIAL STATEMENTS****RESOLVED CO/1220/9**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council:

1. Receives and notes the report, *Presentation of the 2019/20 Financial Statements*.
2. Presents to the public the Audited Financial Reports and Independent Audit Reports for the year ended 30 June 2020 in accordance with the Local Government Act 1993.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**13.2 2019-2020 ANNUAL REPORT****RESOLVED CO/1220/10**

Moved by Cr Kylie Thomas, seconded by Cr Maggie May

That Council:

1. Receives and notes the report, *2019-2020 Annual Report*.
2. In accordance with s.428 of the Local Government Act, 1993, posts the finalised Annual Report on Council's website and provide a copy to the Minister.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**13.3 PROPOSAL TO WAIVE DEVELOPMENT PROCESS FEES FOR COMMUNITY PROJECTS FUNDER UNDER GOVERNMENT GRANT PROGRAMS**

**RESOLVED CO/1220/11**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council:

1. Receives and notes the report on the proposal to waive development process fees for community projects funded under Government grant programs
2. Authorises the waiver of Council development application, assessment and inspection fees and charges for projects submitted on land managed by a community trust or Crown Land manager where the project is funded from a state or federal government funding program for any applications lodged before December 31, 2021.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

**13.4 ADOPTION OF PLANS OF MANAGEMENT FOR COUNCIL-MANAGED CROWN LAND AND ENDORSEMENT OF ASSOCIATED MASTERPLANS****RESOLVED CO/1220/12**

Moved by Cr Earle Grundy, seconded by Cr Janet Wilson

That Council:

1. Receives and notes the report on the adoption of Plans of Management for Council managed Crown Land and endorsement of Associated Master Plans.
2. Adopt the Generic Plan of Management, and the individual Plans of Management for the following reserves, without amendment from what was placed on public display:
  - Norman Johnston Oval, Bonalbo
  - Mallanganee Lookout
  - Wiangaree Rodeo Grounds
  - Woodenbong Sports Ground
  - Kyogle Recreation Reserve (translation of existing POM into new format)
  - Old Bonalbo Tennis Courts
  - Tabulam Sports Oval
  - Mallanganee Sports Grounds
3. Endorse site-specific Masterplans for the following key spaces/reserves, without amendment from what was placed on public display:
  - Norman Johnston Oval, Bonalbo
  - Mallanganee Lookout
  - Wiangaree Rodeo Grounds
  - Woodenbong Sports Ground
  - Kyogle Recreation Reserve (translate existing POM into new format)
  - Old Bonalbo Tennis Courts
  - Tabulam Sports Oval
  - Mallanganee Sports Grounds
  - Aboody Park, Wiangaree
  - Anzac Park, Kyogle

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Danielle Mulholland

Cr Kylie Thomas declared an interest in Item 13.5 Naming of New Kyogle Roads - Development Application 2011/07 and left the meeting at 5.25pm.

**13.5 NAMING OF NEW KYOGLE ROADS - DEVELOPMENT APPLICATION 2011/07****RESOLVED CO/1220/13**

Moved by Cr Maggie May, seconded by Cr Hayden Doolan

That Council

1. Receives and notes the report *Naming of New Kyogle Roads – Development Application 2011/07*,
2. Formally adopts the name Yarraman Drive for the main thoroughfare in the subdivision (DA 2011/07), connecting with Runnymede Road,
3. Formally adopts the name Nalawa Court for the road in the subdivision (DA 2011/07) which comes off the main thoroughfare, heading downhill to the west,
4. Formally adopts the name Wandie Court for the road in the subdivision (DA 2011/07) which comes off the main thoroughfare, heading uphill to the east.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Kylie Thomas

Cr Thomas returned to the meeting at 5.27pm

**14 URGENT BUSINESS WITHOUT NOTICE**

Nil

**15 QUESTIONS FOR NEXT ORDINARY MEETING**

Cr Janet Wilson: Each of the Councillors, it would appear, has received a copy of a petition. I would like to know what to do with it.

Cr Wilson was advised that the question would be taken on notice.

Cr Wilson: The State Government has developed a Connecting With Country Framework and I am wondering what we are going to do about that, if anything. It's about the planning and design of the built environment and engaging Aboriginal communities in the process. I don't require an answer today.

Cr Wilson was advised that the question would be taken on notice.

Cr Wilson: I have also been advised about the prevention toolkit for Local Government in relation to domestic violence. I was also wondering what, if anything, we are going to do about that? Again, I don't require an answer today.

Cr Wilson was advised that the question would be taken on notice.

Cr Earle Grundy: I was asked by Mallanganee residents Greg and Lyn Baker to thank the Director Planning and Environmental Services for his help recently. They commented on what an excellent job he did.

Cr Kylie Thomas: What more can be done regarding a submission to RMS in relation to the Summerland Way on the southern approach to Kyogle where roadside plants and shrubs have sucked the moisture out of the ground, causing two dips in the road? Can something be done to fix the issue?



Cr Thomas was advised that the question would be taken on notice.

Cr Lindsay Passfield: The recent spate of rain has wreaked havoc on potholes. Can we have some immediate maintenance on the potholes so it carries us over the Christmas break?

The Director Assets and Infrastructure Service took the question on notice.

**16 CONFIDENTIAL BUSINESS PAPER**

Nil

**17 CLOSE OF MEETING**

**The Meeting closed at 5.31pm**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 February 2021.**

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**CHAIRPERSON**