



MINUTES

Ordinary Council Meeting

9 August 2021

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 9 AUGUST 2021 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: 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 5pm and advised those present the meeting was being webcast. As such, all speakers were advised to refrain from making any defamatory statements or comments. Council accepts no liability for any damage that may result from defamatory comments made at the meeting. All liability rests with the individuals making the comments.

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 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

Cr Maggie May arrived at the meeting at 5.03pm.

6 PUBLIC FORUM

Melissa Hallett, of Lillian Rock, addressed the Council on Item 13.5 Proposed Amendment of the Kyogle Local Environmental Plan to Address Deferred Matters and Introduce a Biodiversity Overlay. Ms Hallett spoke against the proposed changes.

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 12 JULY 2021****RESOLVED CO/0821/1**

Moved by Cr Robert Dwyer, seconded by Cr John Burley

That Council confirms the minutes of the Council meeting of 12 July 2021.

CARRIED

FOR VOTE - Unanimous vote

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/0821/2**

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

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

CARRIED

FOR VOTE - Unanimous vote

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - NRJO HOUSING WORKSHOP****RESOLVED CO/0821/3**

Moved by Cr Danielle Mulholland, seconded by Cr Maggie May

That Council receives and notes the report, Delegate's Report: Cr Danielle Mulholland – NRJO Housing Workshop.

CARRIED

FOR VOTE - Unanimous vote

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - JULY 2021****RESOLVED CO/0821/4**

Moved by Cr John Burley, seconded by Cr Kylie Thomas

That Council receives and notes the information contained in the report, *Monthly Finance Report – July 2021*.

CARRIED

FOR VOTE - Unanimous vote

13 STAFF REPORTS**13.1 MEETING DATES FOR REMAINDER OF 2021****RESOLVED CO/0821/5**

Moved by Cr Robert Dwyer, seconded by Cr Janet Wilson

That Council:

1. Receives and notes the report, *Meeting Dates for the Remainder of 2021*;
2. Adopts the following meeting dates and times:
 - a. Monday, 13 September 2021, 5pm
 - b. Monday, 11 October 2021, 5pm
 - c. Monday, 8 November 2021, 5pm

CARRIED

FOR VOTE - Unanimous vote

13.2 2021 LOCAL GOVERNMENT ELECTIONS**RESOLVED CO/0821/6**

Moved by Cr Hayden Doolan, seconded by Cr Janet Wilson

That Council

1. Reaffirms the appointment of Cr John Burley as Deputy Mayor up until the next Local Government Elections are held, or a Mayoral election is held; whichever is first.
2. Reaffirms the appointment of the following Councillors to the following Council Committees up until the next Local Government Elections are held;
 - (a) General Manager's Review Committee - Mayor, Councillors Maggie May and Earle Grundy with Cr Janet Wilson as an alternate.
 - (b) Traffic Committee - Councillor Hayden Doolan.
 - (c) Internal Audit Committee – Councillor Kylie Thomas and Cr Janet Wilson as the alternate.
3. Reaffirms the appointment of the following Councillors as delegates to Committees up until the next Local Government Elections are held;
 - (a) Kyogle Chamber of Commerce members are Councillors John Burley, Maggie May and Kylie Thomas
 - (b) NSW Rural Fire Service member is the Mayor and alternate delegate is the Deputy Mayor.
 - (c) Northern Rivers Joint Organisation Council's voting representative is the Mayor and alternative voting delegate is the Deputy Mayor.
 - (d) NSW Country Mayors' Association member is the Mayor and alternate delegate is the Deputy Mayor.
 - (e) Woodenbong to Legume Stakeholders Group are Councillors Lindsay Passfield and Earle Grundy.
 - (f) Northern Rivers Bushfire Management Committee member is Councillor Hayden Doolan.
 - (g) LGNSW Working Party for Unrateable Forestry Plantation Land and Forest Road Infrastructure Contributions in Local Government are Councillors Lindsay Passfield and Earle Grundy.
 - (h) National Timber Councils' Association members are Councillors Lindsay Passfield and Earle Grundy.
 - (i) Police Accountability Community Team member is the Mayor and alternate delegate is the Deputy Mayor.
 - (j) Reconciliation Committee member is Councillor John Burley.
 - (k) Joint Regional Planning Panel members are the Mayor and Deputy Mayor

CARRIED

FOR VOTE - Unanimous vote

13.3 JUNE 2021 QUARTERLY BUDGET REVIEW**RESOLVED CO/0821/7**

Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report, *June 2021 Quarterly Budget Review*.
2. Incorporate the funds identified as revotes in the June quarter 2021 budget review into the 2021/2022 budget.

CARRIED

FOR VOTE - Unanimous vote

13.4 BONALBO FLOOD STUDY**RESOLVED CO/0821/8**

Moved by Cr Earle Grundy, seconded by Cr Lindsay Passfield

That Council:

1. Receives and notes the report, *Bonalbo Flood Study*;
2. Places the *Bonalbo Flood Study* on public exhibition for a minimum of 28 days and seek submissions from the community on its content.

CARRIED

FOR VOTE - Unanimous vote

13.5 PROPOSED AMENDMENT OF THE KYOGLE LOCAL ENVIRONMENTAL PLAN TO ADDRESS DEFERRED MATTERS AND INTRODUCE A BIODIVERSITY OVERLAY**RESOLVED CO/0821/9**

Moved by Cr Maggie May, seconded by Cr Janet Wilson

That Council:

1. Receive and note the report *Proposed Amendment of the Kyogle Local Environmental Plan to address deferred matters and introduce a biodiversity overlay*;
2. Reiterate its support for the planning proposal to amend the Kyogle LEP 2012 to address deferred matters with a single rural zone and introduce a biodiversity overlay;
3. Subject to the confirmation of no objection by the NSW Rural Fire Service, request for the Department of Planning, Industry and Environment to draft and finalise the LEP.

CARRIED

FOR VOTE - Unanimous vote

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

FOR	AGAINST
Cr Danielle Mulholland	
Cr John Burley	

Cr Robert Dwyer	
Cr Lindsay Passfield	
Cr Kylie Thomas	
Cr Earle Grundy	
Cr Hayden Doolan	
Cr Janet Wilson	
Cr Maggie May	

13.6 EXTERNAL FUNDING OPPORTUNITIES

RESOLVED CO/0821/10

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report on External Funding Opportunities;
2. Endorses the following projects for staff to lodge applications under the Black Summer Bushfire Recovery Grants Program
 - (a) **Woodenbong main street improvements** – based on master plan currently under development – budget \$800,000
 - (b) **Woodenbong cemetery improvements** – provision of compost toilet, shade and seating – budget \$150,000
 - (c) **Tabulam Cemetery improvements** – repairs to damaged headstones, provision of compost toilet, shade and seating – budget \$150,000
 - (d) **Tabulam water supply** – construction and testing of alluvial bore field to provide water source for use by for village – budget \$50,000
 - (e) **Tabulam Racecourse** – funding to repair and replace aging buildings and amenities infrastructure across the site and ensure site is able to cater for campers and events – budget \$400,000
 - (f) **Bonalbo Cemetery improvements** – provision of shade, seating and waste facilities - \$50,000
3. Endorses the following project for staff to lodge an application for under Phase 3 of the Local Roads and Community Infrastructure Program
 - (a) **Kyogle main street landscaping improvement** – based on master plan currently under development – budget \$2,048,312

CARRIED

FOR VOTE - Unanimous vote

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Janet Wilson: Can Council write to the State Member in relation to transport delivery and supply issues arising from waiting times at the border crossing? This has been raised with me by the Chamber of Commerce because the time truck drivers can be behind the wheel runs out by the

time they get to Lismore and they can't deliver any further. It hasn't been a huge problem, but given the latest COVID-19 developments, we could be in for a sticky time.

Cr Earle Grundy: Councillors recently received an e-mail regarding the sale of Boral's timber business, including the Kyogle mill, to the Pentarch group. I worry what this will mean for the future of the Kyogle mill. Can Council, if possible, find out what the intentions are of the new owner in relation to the Kyogle mill?

Cr Earle Grundy: This question is in regard to Council's involvement in the Richmond River Coastal Management Program and the plan to clean up the river. From what I read there is a lot of reference to the bottom one third of the river, but from my experience you can't clean a river up from the bottom one third. You have to clean a river from the headwaters down. My question is does Kyogle Council have much input into what they are doing?

General Manager: Stage One of the Richmond River Coastal Management Program, which is a scoping study, is currently underway and the community has been urged to share their local knowledge about the river. I can say with some confidence that the previous approach to the Coastal Zone Management, which ignored the source (the headwaters of the river), has changed and there is definitely more of a focus on the river upstream, the upstream impacts and mitigating those impacts. That is why Council volunteered to become involved in the Coastal Management Plan. The point also being that once we have a Plan of Management that includes our LGA, there will be future opportunities for funding, If there is no plan, we are not eligible for funding and not eligible to apply. But because the plan will include our LGA we will be eligible for future funding opportunities.

Cr Lindsay Passfield: Has Council received any feedback from RFS in relation to the proposed changes to the Kyogle LEP? In the report to Council it says they have requested further information.

Director Planning and Environmental Services: Essentially, the RFS wanted to know if the changes would increase housing units in bushfire zones. We've gone back to them and said they don't and we expect to get their sign off relatively soon.

Cr Robert Dwyer: Could Council look at different locations in Smith and James Streets, Geneva, where the road verge has broken away from the gutter in driveways and perhaps take some remedial action to fix the issue?

Cr John Burley: It appears that Rous County Council is intent on moving to Ballina. Will that move, and the increased travel that will require, have an effect on the cost of our weed control which is delivered by Rous?

16 CONFIDENTIAL BUSINESS PAPER

Nil

17 CLOSE OF MEETING

The Meeting closed at 5.54pm.

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

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CHAIRPERSON