



# **MINUTES**

**Ordinary Council Meeting**

**12 July 2021**

**MINUTES OF KYOGLE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 12 JULY 2021 AT 5PM**

**PRESENT:** Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy Mayor), Cr Maggie May, Cr Hayden Doolan, Cr Earle Grundy, Cr Kylie Thomas, Cr Lindsay Passfield.

**IN ATTENDANCE:** The General Manager, Director Assets and Infrastructure 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**

Apologies were received from Cr Janet Wilson and Cr Robert Dwyer.

### **2.1 LEAVE OF ABSENCE**

#### **RESOLVED CO/0721/1**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council receives and notes the apologies received from Cr Janet Wilson and Cr Robert Dwyer and grant a leave of absence to both Councillors for the 12 July 2021 Council meeting.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE – Crs Janet Wilson, Robert Dwyer

## **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

## **6 PUBLIC FORUM**

Nil

**7 CONFIRMATION OF MINUTES****7.1 COUNCIL REPORT - 15 JUNE 2021****RESOLVED CO/0721/2**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council confirms the minutes of the Council meeting of 15 June 2021.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and 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/0721/3**

Moved by Cr Earle Grundy, seconded by Cr John Burley

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

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

**11 REPORTS FROM DELEGATES****11.1 DELEGATES REPORT: CR MAGGIE MAY - CLIMATE CHANGE WORKING GROUP****RESOLVED CO/0721/4**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Delegate's Report: Cr Maggie May – Climate Change Working Group*;
2. Calls for Expressions of Interest from interested members of the community to fill the vacancy on the Climate Change Working Group.

**CARRIED**

FOR VOTE - Crs Danielle Mulholland, John Burley, Hayden Doolan, Earle Grundy and Lindsay Passfield

AGAINST VOTE - Crs Maggie May and Kylie Thomas

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

## **12 INFORMATION REPORTS**

### **12.1 MONTHLY FINANCE REPORT - JUNE 2021**

#### **RESOLVED CO/0721/5**

Moved by Cr Hayden Doolan, seconded by Cr Kylie Thomas

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

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

### **12.2 WORKS PROGRAM PROGRESS REPORT - JUNE 2021**

#### **RESOLVED CO/0721/6**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

That Council receives and notes the information contained in the report, *Works Program Progress Report – June 2021*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

### **12.3 INTERNAL AUDIT COMMITTEE**

#### **RESOLVED CO/0721/7**

Moved by Cr Kylie Thomas, seconded by Cr John Burley

That Council receives and notes the minutes of the 24 June 2021 meeting of the Internal Audit Committee.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

**13 STAFF REPORTS****13.1 INVESTMENT POLICY REVIEW****MOTION**

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report, *Investment Policy Review*;
2. Adopt the draft amended Investment Policy.

**FORESHADOWED MOTION**

Cr Lindsay Passfield foreshadowed a motion that Council forward a copy of the Investment Policy to the Minister for Local Government for information.

**RESOLVED CO/0721/8**

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council:

1. Receives and notes the report, *Investment Policy Review*;
2. Adopt the draft amended Investment Policy.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

**RESOLVED CO/0721/9**

Moved by Cr Lindsay Passfield, seconded by Cr Danielle Mulholland

That Council forward a copy of the Investment Policy to the Minister for Local Government for information.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

**14 URGENT BUSINESS WITHOUT NOTICE**

Nil

**15 QUESTIONS FOR NEXT ORDINARY MEETING**

Cr Maggie May: In relation to Runnymede Road, Kyogle. We have had a few accidents and near misses in that area and the community has expressed concerns about the increased traffic that will be generated once building starts on the new residential development along that road. Would staff consider a recommendation to the Traffic Committee that the RMS be requested to undertake a traffic study on that intersection with the Summerland Way and could a stop sign or give way sign be installed for people exiting Runnymede Road?

Cr Maggie May: Have the white lines been painted on Anderson Road to alert people that there is a railway crossing at that point and that they need to stop and check for trains?

Director of Assets and Infrastructure Services: That has been added to Council's program of works for when we have line markers next in the town.

Cr John Burley – Have we had a reply from Minister Pavey or State MLC Ben Franklin in relation to Toonumbar Waters Retreat?

General Manager: We have had a response, but not directly from Minister Pavey or Ben Franklin. We were awarded funding of \$330,000 from the Cross Border Commissioner to go towards the improvement of the Toonumbar Waters Retreat. We are just going through the process of finalising the funding agreement with Water NSW who are putting in the other \$330,000 to complete the project. Part of that will be calling for expressions of interest for a third party to operate the facility once the improvements are carried out.

Cr Lindsay Passfield: Can Council provide some guidance in relation to the return of Council assets and what has got to be done for Councillors who will not be seeking re-election at the 4 September Local Government elections and will be finishing up?

Cr Lindsay Passfield: Is there potential within the bridge projects for Council to suggest or request an efficiency dividend when Council comes in under budget to reinvest those funds, perhaps in the causeway program?

Director of Assets and Infrastructure Services: Council has specifically asked this question in a number of different iterations, and we've been told that as this is round 1 of the Fixing Country Bridges Program, any savings will go to round 2.

General Manager: Council has been advised that there will be a formal process of applying for variations, but the main point is that we can't, at our own discretion, move funds from one bridge to another, where there are unders and overs. But we still will be able to apply for variations.

Cr Danielle Mulholland: This question comes from Cr Janet Wilson, who was asked this by a constituent. Are staff aware of the recently released report by the Department of Planning, Industry and the Environment titled *Woody and Non Woody Land Cover on Rural Regulated Land*? This is a summary report dated 2019 and published on 25 June this year. If so, how are we using this document to inform the decision making process around the proposed changes to the LEP?

## **16 CONFIDENTIAL BUSINESS PAPER**

### **RESOLVED CO/0721/10**

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

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 Outstanding Sundry Debtor Account**

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

The Council went into Closed Council at 5.22pm.

Open Council resumed at 5.26pm.

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

Item 16.1 Outstanding Sundry Debtor Account

Moved by Cr Lindsay Passfield, seconded by Cr John Burley

That Council:

1. Receives and notes the report, *Outstanding Sundry Debtor Account*,
2. Writes off the outstanding balance of \$3,473.88 on sundry debtor account 30453.11.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Janet Wilson and Robert Dwyer

## **17 CLOSE OF MEETING**

**The Meeting closed at 5.26pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 9 August 2021.**

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**CHAIRPERSON**