



MINUTES

Ordinary Council Meeting

11 October 2021

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 11 OCTOBER 2021 AT 5PM**

PRESENT: Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy Mayor), 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, Executive 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 Maggie May and Cr Janet Wilson.

2.1 LEAVE OF ABSENCE

RESOLVED CO/1021/1

Moved by Cr Lindsay Passfield, seconded by Cr John Burley

That Council grant Cr Maggie May and Cr Janet Wilson a leave of absence for the 11 October 2021 Ordinary Meeting.

CARRIED

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

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

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 future.

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES

7.1 COUNCIL REPORT - 13 SEPTEMBER 2021

RESOLVED CO/1021/2

Moved by Cr Robert Dwyer, seconded by Cr Kylie Thomas

That Council confirms the minutes of the Council meeting of the 13 September 2021.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: INFRASTRUCTURE CONTRIBUTIONS REFORMS

RESOLVED CO/1021/3

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council:

1. Calls on the NSW Government to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (the Bill) from the NSW Parliament;
2. Calls on the NSW Government to undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions scheme.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/1021/4**

Moved by Cr John Burley, seconded by Cr Lindsay Passfield

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - SEPTEMBER 2021****RESOLVED CO/1021/5**

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

12.2 WORKS PROGRAM PROGRESS REPORT - SEPTEMBER 2021**RESOLVED CO/1021/6**

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 – September 2021*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

13 STAFF REPORTS**13.1 PECUNIARY INTEREST RETURNS****RESOLVED CO/1021/7**

Moved by Cr John Burley, seconded by Cr Earle Grundy

That Council:

1. Receives and notes the report, *Pecuniary Interest Returns*;
2. Notes the tabling of the Register of Returns.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

13.2 SIX MONTHLY REVIEW DELIEVERY PROGRAM AND OPERATIONAL PLAN**RESOLVED CO/1021/8**

Moved by Cr Kylie Thomas, seconded by Cr Earle Grundy

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 Janet Wilson, Cr Maggie May.

13.3 BONALBO FLOOD STUDY**RESOLVED CO/1021/9**

Moved by Cr Earle Grundy, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the report, *Bonalbo Flood Study*
2. Adopts the Bonalbo Flood Study final report 27 September 2021

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Lindsay Passfield: Through Council, I have attempted, a number of times, to get a reduced speed zone on the Clarence Way adjacent to the Muli community. The RTA and now Transport for

NSW has said we can't do that. I note that management has put up a sign there saying Slow Zone and I really appreciate that. I wonder is that just a road safety sign or is it a legally enforceable sign?

Director Assets and Infrastructure Services: That is a road safety sign, it is not a legally enforceable sign. The speed limit out there is still the same.

Cr John Burley: Is it possible to give the community an update on the Toonumbar Dam Retreat and what's going on out there?

16 CONFIDENTIAL BUSINESS PAPER

RESOLVED CO/1021/10

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

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 Climate Change Working Group Membership

This matter is considered to be confidential under Section 10A(2) - a 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 personnel matters concerning particular individuals (other than councillors).

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May.

The Council went into Closed Council at 5.11pm.

Open Council resumed at 5.14pm.

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

Item 16.1 Climate Change Working Group Membership

RESOLVED CO/1021/11

Moved by Cr Lindsay Passfield, seconded by Cr Kylie Thomas

That Council:

- 1 Receives and notes the report;
2. Endorses the following appointments to the Climate Change Working Group:
 1. Terry De Lacy
 2. Christopher Hoare
 3. Kieran Somerville
3. Amends the Terms of Reference of the Climate Change Working Group as required to accommodate these appointments;
4. Writes to all unsuccessful applicants thanking them for their Expressions of Interest.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Cr Janet Wilson, Cr Maggie May

17 CLOSE OF MEETING

The Meeting closed at 5.15pm.

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

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CHAIRPERSON