



# **MINUTES**

**Ordinary Council Meeting**

**10 October 2022**

**MINUTES OF KYOGLE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 10 OCTOBER 2022 AT 2PM**

**PRESENT:** Cr Kylie Thomas (Mayor), Cr Tom Cooper (Deputy Mayor), Cr Danielle Mulholland, Cr John Burley, Cr Hayden Doolan, Cr Robert Cullen, Cr James Murray

**IN ATTENDANCE:** The General Manager, Director Planning and Environmental Services, Director Assets and Infrastructure Services, Executive Manager Corporate Services, Executive Assistant to the General Manager,

## **1 OPEN MEETING**

The Mayor declared the meeting open at 2pm and advised those present that the meeting was being webcast. All speakers were advised to refrain from making any defamatory statements or comments. The Mayor advised the meeting that Council accepts no responsibility for any damages that may result from defamatory statements made at the meeting. All liability rests with the individuals making the comments.

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

Councillors Maggie May and Janet Wilson submitted apologies for the meeting and sought a leave of absence.

### **2.1 LEAVE OF ABSENCE**

#### **RESOLVED CO/1022/1**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

That Council accept the apologies from Councillors Maggie May and Janet Wilson and grant them a leave of absence for this meeting.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

## **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 future.

## **5 DECLARATION OF INTERESTS**

Nil

**6 PUBLIC FORUM**

Nil

**7 CONFIRMATION OF MINUTES****7.1 COUNCIL REPORT - 12 SEPTEMBER 2022****RESOLVED CO/1022/2**

Moved by Cr John Burley, seconded by Cr Tom Cooper

That Council confirms the minutes of the Council meeting of the 12 September 2022.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**8 MAYORAL MINUTE**

Nil

**9 NOTICES OF MOTION****9.1 NOTICE OF MOTION - CR KYLIE THOMAS: TAFE SERVICES****RESOLVED CO/1022/3**

Moved by Cr Kylie Thomas, seconded by Cr Danielle Mulholland

That Council write to the Minister for Skills and Training The Hon Alister Henskens MP, Minister for Education Sarah Mitchell, and Deputy Premier and Minister for Regions Paul Toole asking the following questions:

1. Within TAFE's community service obligation, will the State Government allow flexibility for reduced class sizes and increase in on campus face-to-face course offerings at rural area TAFE campuses?
2. Will the NSW Department of Education review the support and incentives for businesses to train trainees in rural areas?
3. Can TAFE breakdown figures for enrolments and completions in geographical areas, for the purposes of differentiating between metropolitan and rural centres and include this information in the TAFE Annual Report?

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil

**11 REPORTS FROM DELEGATES****11.1 DELEGATE'S REPORT - CR JANET WILSON AND CR JOHN BURLEY: KYOGLE AND DISTRICT CHAMBER OF COMMERCE****RESOLVED CO/1022/4**

Moved by Cr John Burley, seconded by Cr Danielle Mulholland

That Council receives and notes the report, *Delegates Report – Cr Janet Wilson and Cr John Burley: Kyogle and District Chamber of Commerce*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**12 INFORMATION REPORTS****12.1 MONTHLY FINANCE REPORT - SEPTEMBER 2022****RESOLVED CO/1022/5**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council receives and notes the information contained in the report, *Monthly Finance Report – September 2022*.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**12.2 WORKS PROGRAM PROGRESS REPORT - SEPTEMBER 2022****MOTION**

Moved by Cr Danielle Mulholland, seconded by Cr Hayden Doolan

That Council receives and notes the information contained in the report, *Works Program Progress Report – September 2022*.

**AMENDMENT**

Moved by Cr Tom Cooper, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the information contained in the report, *Works Program Progress Report – September 2022*.
2. Write to the Minister for Infrastructure, Transport, Regional Development and Local Government Catherine King asking for the Regional Road Upgrade Pilot Program funding agreement for Clarence Way between Urbenville and Bonalbo to be issued urgently.

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

The amendment became the motion.

**RESOLVED CO/1022/6**

Moved by Cr Tom Cooper, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the information contained in the report, *Works Program Progress Report – September 2022*.
2. Write to the Minister for Infrastructure, Transport, Regional Development and Local Government Catherine King asking for the Regional Road Upgrade Pilot Program funding agreement for Clarence Way between Urbenville and Bonalbo to be issued urgently.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13 STAFF REPORTS****13.1 DRAFT ILLEGAL DUMPING AND LITTER PREVENTION STRATEGY****RESOLVED CO/1022/7**

Moved by Cr John Burley, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Draft Illegal Dumping and Litter Prevention Strategy*;
2. Approves the release of the Draft Illegal Dumping and Litter Prevention Strategy 2023-2027 for public exhibition for a period of 42 days.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13.2 LOCAL ORDERS POLICY - KEEPING ANIMALS IN URBAN AREAS****RESOLVED CO/1022/8**

Moved by Cr Tom Cooper, seconded by Cr James Murray

That Council:

1. Receives and notes the report, *Local Orders Policy – Keeping Animals in Urban Areas*;
2. Adopts the *Local Orders Policy – Keeping Animals in Urban Areas* and issues a public notice advising the community of the adoption of the Local Orders Policy.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13.3 PECUNIARY INTEREST RETURNS**

The Executive Manager Corporate Services tabled the Register of Pecuniary Interest Returns.

**RESOLVED CO/1022/9**

Moved by Cr Hayden Doolan, seconded by Cr John Burley

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 – Crs Maggie May and Janet Wilson.

**13.4 AGENCY INFORMATION GUIDE****RESOLVED CO/1022/10**

Moved by Cr Hayden Doolan, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the report, *Agency Information Guide*;
2. Adopts the attached Agency Information Guide 2022/23.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13.5 ORGANISATIONAL STRUCTURE****RESOLVED CO/1022/11**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

That Council:

1. Receives and notes the report, *Organisational Structure*;
2. Adopts the Draft Organisational Structure included in this report.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13.6 SIX MONTHLY REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN 2021/2022****RESOLVED CO/1022/12**

Moved by Cr John Burley, seconded by Cr Robert Cullen

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 – Crs Maggie May and Janet Wilson.

**13.7 WORKFORCE MANAGEMENT STRATEGY****RESOLVED CO/1022/13**

Moved by Cr Tom Cooper, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Workforce Management Strategy*;
2. Adopts the attached Workforce Management Strategy 2022-2026.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**13.8 PLANT AND DEPOT BUDGET REVIEW****RESOLVED CO/1022/14**

Moved by Cr John Burley, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *Plant and Depot Budget Review*;
2. Approves an additional \$1,307,000 in Plant Purchases and a reduction in Plant Sales of \$225,000 in the current 2022/2023 budget.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**CARRIED**

**13.9 AMENDED QUARRY MATERIALS FEES AND CHARGES****RESOLVED CO/1022/15**

Moved by Cr Tom Cooper, seconded by Cr James Murray

That Council:

1. Receives and notes the report, *Amended Quarry Materials Fees and Charges*;
2. Adopts the revised fees and charges for Quarries as per the table included in this report.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.



**13.10 THREE VILLAGES SEWERAGE SCHEMES****RESOLVED CO/1022/16**

Moved by Cr Danielle Mulholland, seconded by Cr Tom Cooper

That Council:

1. Receives and notes the report, *Three Villages Sewerage Schemes*;
2. Endorses the STP Disposal Pathways Options Report for Three Villages in Kyogle Local Government Area;
3. Progresses with the detailed design for the three sewerage schemes under the Safe and Secure Water Program;
4. Authorises the General Manager to commence negotiations in relation to purchase of land by agreement to accommodate the needs of the future sewerage services in Wiangaree and Mallanganee, and report back to Council on the outcomes.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

**14 URGENT BUSINESS WITHOUT NOTICE**

Cr James Murray sought to raise the issue of the use of certain quarry materials as Urgent Business Without Notice.

The Mayor declared the matter to be urgent.

**14.1 MOVE INTO CONFIDENTIAL****RESOLVED CO/1022/17**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

That Council move into Confidential to discuss an issue of the use of certain quarry materials in accordance with Section 10A(2) of the Local Government Act 1993:

This matter is considered to be confidential under Section 10A(2) - di 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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Maggie May and Janet Wilson.

The Mayor asked the media and the gallery to leave the chambers and Council moved into Confidential at 2.53pm.

Open Council resumed at 3.05pm.

There were no motions in Confidential to report.

**15 CLOSE OF MEETING**

The Meeting closed 3.05pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 14 November 2022.

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**CHAIRPERSON**