



**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date:** Monday, 14 October 2024  
**Time:** 2pm  
**Location:** Kyogle Council Chambers, Stratheden Street, Kyogle

# **AGENDA**

## **Ordinary Council Meeting**

**14 October 2024**

**Marcus Schintler  
Acting General Manager**



Dear Councillor,

In accordance with the provisions of the Local Government (General) Regulation 2005, you are hereby notified of the following Ordinary Council Meeting to be held at the Kyogle Council Chambers, on Monday 14 October 2024, at 2pm.

#### DECLARATION OF PECUNIARY INTEREST

Councillors and Senior Staff are reminded to consider whether a Pecuniary Interest exists in any matter on the Agenda for this Meeting or raised during the course of the Meeting. The term "Pecuniary Interest" should be extended to include possible "conflicts of interest" and immediately declared prior to discussion of the Agenda item. Where a direct or indirect pecuniary interest exists, the member must refrain from commenting on or voting on the subject matter and must leave the Chamber.

#### ETHICAL OBLIGATIONS

As per 3.23 of the Code of Meeting Practice, Councillors are reminded that on election to Council they took an Oath/Affirmation of Office in which they pledged to undertake the duties of the office of councillor in the best interests of the people of the Kyogle Local Government Area and the Kyogle Council and that they would faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

#### BUSINESS

- |         |  |
|---------|--|
| Item 1  | Open Meeting   |
| Item 2  | Apologies and applications for a leave of absence by councillors |
| Item 3  | Opening Prayer   |
| Item 4  | Acknowledgement of Country                                       |
| Item 5  | Declaration of Interests   |
| Item 6  | Public Forum   |
| Item 7  | Staff Reports  |
| Item 8  | Confirmation of Minutes  |
| Item 9  | Mayoral Minute(s)  |
| Item 10 | Notices of Motion  |
| Item 11 | Questions with Notice from Councillors                           |
| Item 12 | Reports from Delegates   |
| Item 13 | Information Reports  |
| Item 14 | Urgent Business Without Notice                                   |
| Item 15 | Confidential Business Paper                                      |
| Item 16 | Close of Meeting   |

MARCUS SCHINTLER  
ACTING GENERAL MANAGER

OPENING STATEMENT

All Kyogle Council meetings are webcast - the meetings are recorded and the recording is later uploaded to Council's website. All speakers at the meeting are advised to refrain from making any defamatory statements/comments. Council accepts no liability for any damage that may result from defamatory comments made by speaking at the meeting. All liability rests with the individual making the comments.

COUNCIL PRAYER

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.

Adopted by Council on 14 December, 2020.  
Resolution CO/1220/3

Note: Council Policy is for the Mayor or Chairperson to lead the Council Meeting in the Prayer at the start of the first meeting of the day.

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**Council acknowledges that this meeting is being held on the Traditional Lands of the Bundjalung people and we acknowledge elders, past and present and future.**

Adopted by Council on 11 December 2006.  
Resolution 111206/21

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DISCLAIMER

The advice or information contained within the Minutes enclosed with this Business Paper is given by the Council without liability or responsibility for its accuracy. Reliance cannot be placed on this advice or information until the Minutes have been duly accepted as an accurate record and confirmed by Resolution of Council.

MARCUS SCHINTLER  
ACTING GENERAL MANAGER

**Public Forum (Council Policy)**

The council may hold a public forum as part of the ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting.

To speak at a public forum, a person must first make an application to the council in writing. Applications to speak at public forum must be received two hours before the meeting, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item. Applications can be left with Customer Service staff at Council's Administration Centre, sent to PO Box 11, Kyogle, NSW, 2474, or emailed to [council@kyogle.nsw.gov.au](mailto:council@kyogle.nsw.gov.au).

A person may apply to speak on no more than two items of business on the agenda of the council meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.

Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than two working days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

The general manager or their delegate is to determine the order of speakers at the public forum.

Each speaker will be allowed five minutes to address the council. This time is to be strictly enforced by the chairperson. A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Answers by the speaker, to each question are to be limited to two minutes.

Speakers are under no obligation to answer questions put to them by councillors and cannot ask questions of the council, councillors or council staff.

Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.



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- 1 OPEN MEETING**
- 2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**
- 3 OPENING PRAYER**
- 4 ACKNOWLEDGEMENT OF COUNTRY**
- 5 DECLARATION OF INTERESTS**
- 6 PUBLIC FORUM**

## 7 STAFF REPORTS

### 7.1 OATHS AND AFFIRMATIONS

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

#### SUMMARY / PURPOSE

The Local Government Act 1993, requires Councillors to take an oath of office or make an affirmation of office at or before the first meeting of the council after the Councillor is elected. This item appears in the agenda to allow councillors to complete this requirement before any further items of business are considered.

#### RECOMMENDATION

That Council receives and notes the report Oaths and Affirmations, and that the Councillors present each take an oath or make an affirmation of office in the prescribed form.

#### REPORT

Section 233A of the Local Government Act, 1993 states:

##### **Oath and affirmation for councillors**

- (1) *A councillor must take an oath of office or make an affirmation of office at or before the first meeting of the council after the councillor is elected.*
- (2) *The oath or affirmation may be taken or made before the general manager of the council, an Australian legal practitioner or a justice of the peace and is to be in the following form:*

The Oath and Affirmation are shown below in the form prescribed by the Act, with the additional text inserted as applicable to Kyogle Council. Each Councillor is required to select one or the other and read it aloud at the meeting, inserting their own name where it says "name of councillor";

##### **Oath**

*I [name of councillor] swear that I will undertake the duties of the office of councillor in the best interests of the people of the Kyogle Local Government Area and the Kyogle Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.*

##### **Affirmation**

*I [name of councillor] solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of the Kyogle Local Government Area and the Kyogle Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.*

Section 233A of the Local Government Act, 1993 goes on to state:

- (3) *A councillor who fails, without a reasonable excuse, to take the oath of office or make an affirmation of office in accordance with this section is not entitled to attend a meeting as a*

*councillor (other than the first meeting of the council after the councillor is elected to the office or a meeting at which the councillor takes the oath or makes the affirmation) until the councillor has taken the oath or made the affirmation.*

*(4) Any absence of a councillor from an ordinary meeting of the council that the councillor is not entitled to attend because of this section is taken to be an absence without prior leave of the council.*

*(5) Failure to take an oath of office or make an affirmation of office does not affect the validity of anything done by a councillor in the exercise of the councillor's functions.*

*(6) The general manager must ensure that a record is to be kept of the taking of an oath or the making of an affirmation (whether in the minutes of the council meeting or otherwise).*

## 7.2 ELECTION OF MAYOR

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

### SUMMARY / PURPOSE

In accordance with Section 227 of the Local Government Act, 1993, (the Act) the election of Mayor is to be by the Councillors from among their numbers. The election of the Mayor must be carried out in accordance with Schedule 7 of the Local Government (General) Regulation 2021. Schedule 7 is copied below. The General Manager (or their nominee) is the Returning Officer.

Where there is only one nomination for Mayor, then that Councillor is elected Mayor. Where there is more than one Councillor nominated, then Council is to resolve how the election is to proceed.

### RECOMMENDATION

That Council proceed with the election of Mayor by open voting.

### PREVIOUS COUNCIL CONSIDERATION

It is previous practice that open voting is used to elect a Mayor.

### REPORT

#### Mayoral Term

Section 230 (1) of the Act states that,

*“A mayor elected by councillors holds the office of the mayor for two years”*

#### Election Procedure

The election procedure is to be in accordance with Schedule 7 of the Local Government (General) Regulation 2021.

#### **Schedule 7 Election of Mayor by councillors**

*(Clause 394)*

#### **Part 1 Preliminary**

##### **1 Returning officer**

*The general manager (or a person appointed by the general manager) is the returning officer.*

##### **2 Nomination**

- (1) A councillor may be nominated without notice for election as Mayor or Deputy Mayor.*
- (2) The nomination is to be made in writing by two or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.*
- (3) The nomination is to be delivered or sent to the returning officer.*

- (4) *The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.*

### **3 Election**

- (1) *If only one councillor is nominated, that councillor is elected.*
- (2) *If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.*
- (3) *The election is to be held at the council meeting at which the council resolves on the method of voting.*
- (4) *In this clause:*  
**ballot** has its normal meaning of secret ballot.  
**open voting** means voting by a show of hands or similar means

### **Part 2 Ordinary ballot or open voting**

#### **4 Application of Part**

*This Part applies if the election proceeds by ordinary ballot or by open voting.*

#### **5 Marking of ballot-papers**

- (1) *If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.*
- (2) *The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.*
- (3) *An informal ballot-paper must be rejected at the count.*

#### **6 Count—Two candidates**

- (1) *If there are only two candidates, the candidate with the higher number of votes is elected.*
- (2) *If there are only two candidates and they are tied, the one elected is to be chosen by lot.*

#### **7 Count—Three or more candidates**

- (1) *If there are three or more candidates, the one with the lowest number of votes is to be excluded.*
- (2) *If three or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.*
- (3) *If, after that, three or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only two candidates remain.*
- (4) *A further vote is to be taken of the two remaining candidates.*
- (5) *Clause 6 of this Schedule then applies to the determination of the election as if the two remaining candidates had been the only candidates.*
- (6) *If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.*

### **Part 3 Preferential ballot**

#### **8 Application of Part**

*This Part applies if the election proceeds by preferential ballot.*

#### **9 Ballot-papers and voting**

- (1) *The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.*
- (2) *The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.*
- (3) *An informal ballot-paper must be rejected at the count.*

#### **10 Count**

- (1) *If a candidate has an absolute majority of first preference votes, that candidate is elected.*
- (2) *If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.*
- (3) *A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.*
- (4) *In this clause, **absolute majority**, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.*

#### **11 Tied candidates**

- (1) *If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal — the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.*
- (2) *If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes — the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.*

#### **Part 4 General**

##### **12 Choosing by lot**

*To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.*

##### **13 Result**

*The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:*

- (a) *to be declared to the councillors at the council meeting at which the election is held by the returning officer, and*
- (b) *to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.*

Section 345 of the Local Government (General) Regulation 2021 states,

##### **345 Informal ballot-papers**

- (1) *A ballot-paper of an elector at an election is informal if—*
  - (a) *the elector has failed to record a vote on it in the manner directed on it, or*
  - (b) *it has not been initialled on the front by an election official, or*
  - (c) *it contains a mark or writing that, in the returning officer's opinion, would enable the elector to be identified.*
- (2) *However, a ballot-paper is not informal in the following circumstances—*
  - (a) *in relation to an election in which only 1 or 2 candidates are to be elected, by reason only of the elector having placed a tick or cross in one square and left the other square or squares blank, but the tick or cross is to be treated as a first preference,*
  - (b) *in relation to a ballot-paper on which the elector has recorded a vote by placing in one square the number "1"—*
    - (i) *by reason only that the elector has recorded the same preference (other than the elector's first preference) on the ballot-paper for more than 1 candidate, but the ballot-paper is to be treated as if those preferences and any subsequent preferences had not been recorded on the ballot-paper, or*
    - (ii) *by reason only of there being a break in the order of preferences recorded on the ballot-paper, but the ballot-paper is to be treated as if any subsequent preference had not been recorded on the ballot-paper,*
  - (c) *by reason only that it is not initialled on the front by an election official if it bears the mark referred to in section 305(2),*
  - (d) *by reason only of having any unnecessary mark or writing on the ballot-paper if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper,*
  - (e) *by reason only that the elector has recorded a vote by placing the number "1" or a tick in a square and placing a cross in (or a line through) all or some of the other squares on the ballot-paper, but the ballot-paper is to be treated as if the marks in those other squares did not appear on the ballot-paper and any tick were the number "1",*
  - (f) *by reason only that the elector has placed one or more numbers, a tick or one or more crosses adjacent to but outside a square or squares if, in the opinion of the returning officer, the elector's intention is clearly indicated on the ballot-paper, but each number, tick or cross is taken to have been placed within the relevant square,*
  - (g) *in relation to any ballot-paper written by hand—by reason of the inclusion only of a candidate's surname (if no other candidate with the same surname is on the ballot-paper) or by reason of any mistake in spelling, if the elector has made clear the elector's intention.*
- (3) *Nothing in subsection (2) authorises any person to encourage an elector to place a tick or cross in a square on a ballot-paper.*

**Note—**

*Section 308C of the Act makes provision concerning the formality of ballot-papers where the voter marks, crosses or ticks a group voting square, or where the ballot papers contain the name of a candidate whom a court has declared to be incapable of being elected.*

**7.3 ELECTION OF DEPUTY MAYOR**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

**SUMMARY / PURPOSE**

To determine if Council wishes to elect a Deputy Mayor and if so, to allow for the election of a Councillor to the role. The election of the Deputy Mayor must be carried out in accordance with Schedule 7 of the Local Government (General) Regulation 2021, in the same manner as that of the Mayor. The General Manager (or their nominee) is the Returning Officer for the election of Deputy Mayor.

**RECOMMENDATION**

That Council:

1. Elect a Deputy Mayor;
2. Sets the term of the Deputy Mayor as two years;
3. Proceeds with the election of Deputy Mayor by open voting.

**REPORT**

If Council determines that a Deputy Mayor is required, Section 231 Local Government Act, 1993 provides for the Deputy Mayor to be elected similarly to the Mayor. Section 231 states;

**231 Deputy mayor**

1. *The councillors may elect a person from among their number to be the deputy mayor.*
2. *The person may be elected for the mayoral term or a shorter term.*
3. *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
4. *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected.*

Previous practice is to elect a Deputy Mayor for the same term as the Mayor.



**7.4 COUNCIL DELEGATES**

**Author:** Acting General Manager  
**Authoriser:** Acting General Manager  
**Attachments:** Nil

**SUMMARY / PURPOSE**

To appoint Council delegates and membership to external organisations and committees.

**RECOMMENDATION**

That Council:

1. Receives and notes the report, *Council Delegates*.
2. Adopts the following Delegates List and Membership structure:

Organisation	Delegate(s)
Kyogle and District Chamber of Commerce	Two Councillors
NSW Rural Fire Service "Service Level Agreement"	Mayor Alternate delegate Deputy Mayor
Northern Rivers Joint Organisation (NRJO)	Mayor Alternate Voting Delegate Deputy Mayor
National Timber Councils' Association	One Councillor
NSW Country Mayors' Association	Mayor Alternate delegate Deputy Mayor
Police Accountability Community Team (PACT)	Mayor Alternate delegate Deputy Mayor
Reconciliation Committee	One Councillor
Joint Regional Planning Panel	Two Councillors* <i>see note</i>
General Manager Selection/Review	To be determined
Audit Risk and Improvement Committee	One non-voting Councillor member (cannot be the Mayor)
Climate Change Working Group	Three Councillors

*\*At least one delegate should have some expertise/experience in planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.*

3. Nominates the following delegates:

- (a) Kyogle Chamber of Commerce members are Councillors.....insert name
- (b) National Timber Councils' Association member is Councillor.....insert name.
- (c) Reconciliation Committee member is Councillor.....insert name.
- (d) Joint Regional Planning Panel members are Councillors .....insert names.
- (e) General Manager Selection/Review.....insert names
- (f) Audit Risk and Improvement Committee .... insert name
- (g) Climate Change Working Group.....insert names

## 7.5 FILLING CASUAL VACANCIES

**Author:** Executive Manager Corporate Services

**Authoriser:** Acting General Manager

**Attachments:** Nil

### SUMMARY / PURPOSE

To determine the method for filling casual vacancies.

### RECOMMENDATION

That in accordance with section 291A of the Local Government Act 2009, Council resolves to fill casual vacancies by countback.

### REPORT

In accordance with section 291A of the Local Government Act 2009, Council must at its first meeting following an ordinary election of Councillors, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election, if councils want to fill vacancies by these means.

Councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election.

Filling casual vacancies by way of countback is the most efficient process and provides a considerable saving to the ratepayer through avoiding costly by-elections.

The Electoral Commission provides the following timeline for a countback election;

1. *The Electoral Commissioner is notified of a casual vacancy, within seven days of it occurring.*
2. *A returning officer is appointed within 14 days of the notification of the vacancy.*
3. *Casual vacancy notices are issued 2 to 14 days from the appointment of the returning officer.*
4. *Where a candidate is interested, they must submit a formal application to the returning officer. The application period closes after 10 days of the notices being issued.*
5. *The countback is conducted within 14 days of the vacancy notices being issued.*
6. *It may take up to a month for the results to be declared.*

*A countback election must be completed within 49 days, and applications for candidates to participate is open for 10 days.*

*If there are no eligible candidates, an attendance by-election must be held. If there is only one eligible candidate, that candidate is elected. If there are multiple eligible candidates, a countback election is conducted. In a countback election, the returning officer*

- *uses preference data from ballot papers from the previous local government ordinary election*
- *uses the same proportional representation method used in the original election*
- *effectively re-runs the election making the vacating councillor ineligible and distributing each of their ballot papers to the next preference on the ballot paper*

- *if a non-eligible candidate would be elected, the election is re-run with that candidate's ballot papers also distributed to their next preference on the ballot paper*
- *re-runs the countback until an eligible candidate is elected.*

*Eligible candidates and the council are then notified of the result.*

*At a countback election, a sitting councillor cannot be unelected, and non-eligible candidates cannot be elected.*

**8 CONFIRMATION OF MINUTES**

**Author:** Executive Assistant  
**Authoriser:** Acting General Manager  
**Attachments:** 1. Minutes 12 August 2024

**RECOMMENDATION**

That Council confirms the minutes of the 12 August 2024 meeting of Council.

**PURPOSE / SUMMARY**

This report presents the minutes of the 12 August 2024 Ordinary Meeting to Council for confirmation.

## ORDINARY COUNCIL MEETING MINUTES

12 AUGUST 2024

**MINUTES OF KYOGLE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 12 AUGUST 2024 AT 2PM**

**PRESENT:** Cr Kylie Webster (Mayor), Cr Tom Cooper (Deputy Mayor), Cr Danielle Mulholland, Cr John Burley, Cr Janet Wilson, Cr Maggie May, Cr Hayden Doolan, Cr Robert Cullen, Cr James Murray

**IN ATTENDANCE:** Acting General Manager, Executive Manager Corporate Services, Director Assets and Infrastructure Services, Acting Director Planning and Community Services, Finance Manager, Infrastructure Works Manager, Executive Assistant to Assets and Infrastructure Services.

**1 OPEN MEETING**

The Mayor opened the meeting at 2pm and advised those present that the meeting was being webcast (meetings are recorded and the recording is then uploaded to Council's website). The Mayor cautioned anyone speaking at the meeting to refrain from making defamatory statements or comments. The Mayor advised everyone at the meeting that Council accepted no responsibility for any damages that may result from defamatory statements made by anyone speaking at the meeting. All liability rests with the individual 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

**6 PUBLIC FORUM**

Nil

**ORDINARY COUNCIL MEETING MINUTES**

**12 AUGUST 2024**

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**7 CONFIRMATION OF MINUTES**

**7.1 COUNCIL REPORT - 8 JULY 2024**

**RESOLVED CO/0824/1**

Moved by Cr Janet Wilson, seconded by Cr Robert Cullen

That Council confirms the minutes of the Council meeting of the 8 July 2024

**CARRIED**

FOR VOTE - Unanimous vote

**8 MAYORAL MINUTE**

Nil

**ORDINARY COUNCIL MEETING MINUTES**

**12 AUGUST 2024**

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**9 NOTICES OF MOTION**

**9.1 NOTICE OF MOTION - CR JAMES MURRAY: REPORT ON BULMERS ROAD**

**RESOLVED CO/0824/2**

Moved by Cr James Murray, seconded by Cr Danielle Mulholland

That Council staff provide a report into the widening of Bulmers Road.

**CARRIED**

FOR VOTE - Unanimous vote

**9.2 NOTICE OF MOTION - CR JAMES MURRAY: CAUTIONARY ROAD SIGNAGE**

**MOTION**

Moved by Cr James Murray, seconded by Cr Hayden Doolan

That Council erect appropriate cautionary signs on the southern side of the corner between Martin's quarry and MJ Smith's depot.

**AMENDMENT**

Moved by Cr Hayden Doolan, seconded by Cr Danielle Mulholland

That Council investigates the safety of the corner between Martin's quarry and MJ Smith's depot and brings a report to Council on what improvements can be made.

**CARRIED**

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Hayden Doolan and Robert Cullen

AGAINST VOTE - Cr James Murray

The amendment became the motion.

**RESOLVED CO/0824/3 4**

Moved by Cr Hayden Doolan, seconded by Cr Danielle Mulholland

That Council investigates the safety of the corner between Martin's quarry and MJ Smith's depot and brings a report to Council on what improvements can be made.

**CARRIED**

FOR VOTE - Unanimous vote

**ORDINARY COUNCIL MEETING MINUTES**

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**10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

**10.1 QUESTIONS WITH NOTICE**

**RESOLVED CO/0824/4**

Moved by Cr Janet Wilson, seconded by Cr Tom Cooper

That Council receives and notes the report, *Questions With Notice*.

**CARRIED**

FOR VOTE - Unanimous vote

**11 REPORTS FROM DELEGATES**

**11.1 DELEGATE'S REPORT - COUNCILLORS JANET WILSON AND JOHN BURLEY:  
KYOGLE AND DISTRICT CHAMBER OF COMMERCE**

**RESOLVED CO/0824/5**

Moved by Cr Janet Wilson, seconded by Cr John Burley

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

**CARRIED**

FOR VOTE - Unanimous vote

**12 INFORMATION REPORTS**

**12.1 MONTHLY FINANCE REPORT - JULY 2024**

**RESOLVED CO/0824/6**

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council receives and notes the information contained in the report, *Monthly Finance Report – July 2024*.

**CARRIED**

FOR VOTE - Unanimous vote



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**13 STAFF REPORTS**

**13.1 JUNE 2024 QUARTERLY BUDGET REVIEW**

**RESOLVED CO/0824/7**

Moved by Cr Janet Wilson, seconded by Cr Tom Cooper

That Council:

1. Receives and notes the report, *June 2024 Quarterly Budget Review*.
2. Incorporates the funds identified as revotes in the June 2024 Quarterly Budget Review into the 2024/2025 budget.

**CARRIED**

FOR VOTE - Unanimous vote

**13.2 DELEGATION TO THE GENERAL MANAGER TO CALL EXTRAORDINARY MEETING**

**RESOLVED CO/0824/8**

Moved by Cr Janet Wilson, seconded by Cr Maggie May

That Council delegate the Acting General Manager the authority to call an Extraordinary Meeting after the 2024 election result is known.

**CARRIED**

FOR VOTE - Unanimous vote

**13.3 END OF TERM REPORT**

**RESOLVED CO/0824/9**

Moved by Cr Robert Cullen, seconded by Cr Maggie May

That Council receives and notes the End of Term Report.

**CARRIED**

FOR VOTE - Unanimous vote

## ORDINARY COUNCIL MEETING MINUTES

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**13.4 NAMING OF NEW KYOGLE STREETS - DEVELOPMENT APPLICATION 2022/87****RESOLVED CO/0824/10**

Moved by Cr Janet Wilson, seconded by Cr Robert Cullen

That Council;

1. Receives and notes the report, *Naming of New Kyogle Streets – Development Application 2022/87*;
2. Formally adopts the name Windarra Place for the main thoroughfare in the subdivision, DA 2022/87, connecting with Runnymede Road;
3. Formally adopts the name Ridgeview Close for the road coming off the main thoroughfare and leading uphill along a ridgeline in subdivision DA 2022/87.

**CARRIED**

FOR VOTE - Unanimous vote

**14 URGENT BUSINESS WITHOUT NOTICE****15 CONFIDENTIAL BUSINESS PAPER****RESOLVED CO/0824/11**

Moved by Cr Maggie May, seconded by Cr Danielle Mulholland

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:

**15.1 Grieves Crossing Bridge Replacement - Fixing Country Bridges Program**

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

Section 10A(4) of the Local Government Act, 1993 provides that members of the public are allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. Prior to voting on moving the meeting into confidential, the Mayor asked the gallery if anyone would like to make representations to Council as to why the meeting should not be closed. No one made any representations.

The meeting was closed to the media and the public at 3pm

The meeting resumed at 3:07pm.

The Mayor read the following resolutions of the Confidential Meeting to the open Council meeting:

**15.1 Grieves Crossing Bridge Replacement - Fixing Country Bridges Program**

Moved by Cr James Murray, seconded by Cr Danielle Mulholland

That Council receives and notes the report, *Grieves Crossing Bridge Replacement – Fixing Country Bridges Program*.

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**CARRIED**

FOR VOTE - Unanimous vote

**16 CLOSE OF MEETING**

The Meeting closed at 3:08pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 14 October 2024.

.....  
**CHAIRPERSON**

**9 MAYORAL MINUTE**

Nil

**10 NOTICES OF MOTION**

Nil

**11 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil

**12 REPORTS FROM DELEGATES**

Nil

**13 INFORMATION REPORTS**

Nil

**14 URGENT BUSINESS WITHOUT NOTICE**

**15 CONFIDENTIAL BUSINESS PAPER**

Nil

**16 CLOSE OF MEETING**