



MINUTES

Ordinary Council Meeting

10 August 2020

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 10 AUGUST 2020 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: The General Manager, Director Assets and Infrastructure Services, Director Planning and Environmental Services, and Executive Assistant to the General Manager.

1 OPEN MEETING

The Mayor declared the meeting open at 5pm and advised those in attendance that the proceedings were being webcast. As such, the Mayor advised those in attendance to refrain from making defamatory statements.

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 that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged Elders past, present and emerging.

5 DECLARATION OF INTERESTS

Cr Passfield declared an interest in the following item:

- Item 16.3 : Tenders Received for Contract 2020/21-002 Supply and Delivery of Ready-Mix Concrete
Reason for declaration – relationship with a potential competitor of the tenderers.

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 13 JULY 2020****RESOLVED CO/0820/1**

Moved by Cr Kylie Thomas, seconded by Cr Robert Dwyer

That Council confirms the minutes of the Council meeting of the 13 July 2020.

CARRIED

FOR VOTE - Unanimous vote

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION**9.1 NOTICE OF MOTION - CR EARLE GRUNDY: REVIEW OF REGULATION ON THE SALE OF HELIUM****RESOLVED CO/0820/2**

Moved by Cr Earle Grundy, seconded by Cr John Burley

That Council write to relevant State and Federal Ministers to request a review of regulations on the sale and use of helium and other lighter than air gasses, other than for scientific and non-environmentally detrimental commercial purposes, especially relating to balloons.

CARRIED

FOR VOTE - Unanimous vote

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0820/3**

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

11 REPORTS FROM DELEGATES

11.1 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - NORTHERN RIVERS JOINT ORGANISATION

RESOLVED CO/0820/4

Moved by Cr Hayden Doolan, seconded by Cr Kylie Thomas

That Council receives and notes the report, *Delegates Report: Cr Danielle Mulholland – Northern Rivers Joint Organisation*.

CARRIED

FOR VOTE - Unanimous vote

11.2 DELEGATE'S REPORT - CR MAGGIE MAY: KYOGLE AND DISTRICT CHAMBER OF COMMERCE

RESOLVED CO/0820/5

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council receives and notes the report, *Delegate's Report – Cr Maggie May; Kyogle and District Chamber of Commerce*.

CARRIED

FOR VOTE - Unanimous vote

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - JULY 2020

RESOLVED CO/0820/6

Moved by Cr Earle Grundy, seconded by Cr John Burley

That Council receives and notes the information contained in the report, *Monthly Finance Report – July 2020*.

CARRIED

FOR VOTE - Unanimous vote

13 STAFF REPORTS**13.1 JUNE 2020 QUARTERLY BUDGET REVIEW****RESOLVED CO/0820/7**

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

That Council:

1. Receives and notes the report, *June 2020 Quarterly Budget Review*.
2. Incorporate the funds identified as revotes in the June 2020 budget review into the 2020/2021 budget.

CARRIED

FOR VOTE - Unanimous vote

13.2 KYOGLE AND VILLAGES OPEN SPACE DESIGN GUIDE - ADOPTION**RESOLVED CO/0820/8**

Moved by Cr Janet Wilson, seconded by Cr Lindsay Passfield

That Council:

1. Receives and notes the report, *Kyogle and Villages Open Space Design Guide – Adoption*.
2. Adopts the Kyogle and Villages Open Space Design Guide ver 2.1.

CARRIED

FOR VOTE - Unanimous vote

13.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM**RESOLVED CO/0820/9**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council;

1. Receives and notes the report Local Roads and Community Infrastructure Program.
2. Includes an additional \$1,024,156 of income and expenditure into the 2020/2021 budget to account for the funding allocation under the Local Roads and Community Infrastructure Program.
3. Adopts the following projects for submission to the Australian Government for funding under the Local Roads and Community Infrastructure Program:

Village	Site	Project Description	Estimated Cost
Woodenbong	Sports Ground Reserve	Refurbish existing amenities	\$91,156
Woodenbong	Sports Ground Reserve	Pathway at rear of pool	\$20,000
Woodenbong	Sports Ground Reserve	Upgrade BMX track to Asphalt Pump Track	\$70,000
Woodenbong Total			\$181,156
Kyogle	Anzac Park	Additional barbecue at skate park shelter	\$20,000
Kyogle	Anzac Park	Additional lighting	\$40,000
Kyogle	Anzac Park	Shade sail over playground	\$18,000
Kyogle	Museum Building	Additional storage room	\$25,000
Kyogle Total			\$103,000
Bonalbo	Norman Johnston Oval	Construction of asphalt pump track	\$70,000
Bonalbo	Norman Johnston Oval	Refurbishment of existing oval lighting	\$210,000
Bonalbo Total			\$280,000
Tabulam	Tabulam Sports Ground	New disabled amenities building	\$80,000
Tabulam	Tabulam Sports Ground	Construction of asphalt pump track	\$70,000
Tabulam	Tabulam Sports Ground	Landscaping and tree planting	\$20,000
Tabulam Total			\$170,000
Mallanganee	Mallanganee Sports Ground	Upgrade to lighting	\$130,000
Mallanganee Total			\$130,000
Old Bonalbo	Old Bonalbo Recreation Reserve	Carparking at Sinclair Street frontage and access pathway to tennis courts	\$80,000
Old Bonalbo	Old Bonalbo Recreation Reserve	Resurface existing tennis court (1)	\$50,000
Old Bonalbo	Old Bonalbo Recreation Reserve	Improvements to multi-purpose court area	\$30,000
Old Bonalbo Total			\$160,000
Grand Total			\$1,024,156

CARRIED

FOR VOTE - Unanimous vote

13.4 SUBMISSIONS RECEIVED ON PROPOSED BRIDGE NAMES**MOTION**

Moved by Cr Hayden Doolan, seconded by Cr John Burley

That Council

1. Receives and notes the report "*Submissions Received on Proposed Bridge Names*".
2. Formally adopts the name "*Gray Bridge*" for the bridge on Peacock Creek Road, over Gorge Creek, 16.5km from Clarence Way.
3. Formally adopts the name "*Magil Bridge*" for the bridge on Old Dyraaba Road, 11.9km from Sextonville Road and that signage be worded "*Magil Bridge (Bundjalung for Eastern Water Dragon)*".
4. Formally adopts the name "*Matthews Bridge*" for the bridge on Walters Road, 593m from Green Pigeon Road.
5. Formally adopts the name "*Binging Bridge*" for the bridge on Hootons Road, over Clarence River, 15km from Clarence Way and that signage be worded "*Binging Bridge (Bundjalung for River Turtle)*".

AMENDMENT

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That Council

1. Receives and notes the report "*Submissions Received on Proposed Bridge Names*".
2. Formally adopts the name "*Gray Bridge*" for the bridge on Peacock Creek Road, over Gorge Creek, 16.5km from Clarence Way.
3. Formally adopts the name "*Magil Bridge*" for the bridge on Old Dyraaba Road, 11.9km from Sextonville Road and that signage be worded "*Magil Bridge (Bundjalung for Eastern Water Dragon)*".
4. Formally adopts the name "*Matthews Bridge*" for the bridge on Walters Road, 593m from Green Pigeon Road.
5. Formally adopts the name "*Hooton Bridge*" for the bridge on Hootons Road, over Clarence River.

LOST

FOR VOTE: Crs Lindsay Passfield, Robert Dwyer

AGAINST VOTE: Crs Maggie May, Janet Wilson, John Burley, Haydon Doolan, Earle Grundy, Kylie Thomas, Danielle Mulholland

RESOLVED CO/0820/10

Moved by Cr Hayden Doolan, seconded by Cr John Burley

That Council

1. Receives and notes the report "*Submissions Received on Proposed Bridge Names*".
2. Formally adopts the name "*Gray Bridge*" for the bridge on Peacock Creek Road, over Gorge Creek, 16.5km from Clarence Way.
3. Formally adopts the name "*Magil Bridge*" for the bridge on Old Dyraaba Road, 11.9km from Sextonville Road and that signage be worded "*Magil Bridge (Bundjalung for Eastern Water Dragon)*".
4. Formally adopts the name "*Matthews Bridge*" for the bridge on Walters Road, 593m from Green Pigeon Road.
5. Formally adopts the name "*Binging Bridge*" for the bridge on Hootons Road, over Clarence River, 15km from Clarence Way and that signage be worded "*Binging Bridge (Bundjalung for River Turtle)*".

CARRIED

FOR VOTE - Unanimous vote

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 QUESTIONS FOR NEXT ORDINARY MEETING

Cr John Burley: Can Council please have a follow-up on the Toonumbar Dam retreat. With Covid, tourism is going to have to be local, so we should be pushing hard for this.

General Manager: I have received feedback from the Cross Border Commissioner Fund and Council has given them some additional information. They haven't said no to the application for \$300,000 which would be matched by \$300,000 from WaterNSW. The additional information they are seeking is evidence from the other side of the border that they believe it would have a demonstrable benefit to Queensland. We have since received information from Scenic Rim Council, Destination North Coast and others. The application is still pending with the Cross Border Commissioner Fund.

Cr Earle Grundy: There are a couple of street lights that are not working. One is in Old Bonalbo on pole number 64005 and the other is in Bonalbo on pole number 61127.

Director Assets and Infrastructure Services: I have reported the Bonalbo light to Essential Energy, and I will report the other.

Cr Robert Dwyer: I see the new digital sign for the Tourist Information Centre is up and going. Has the old sign be redirected to showground?

General Manager: I will double check that, but my understanding was that it had already been dropped off at the showground.

16 CONFIDENTIAL BUSINESS PAPER**RESOLVED CO/0820/11**

Moved by Cr Kylie Thomas, seconded by Cr Lindsay Passfield

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 Tenders for Contract 2020/21-001 Supply of Steel Reinforcing Products

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.

16.2 Tenders for Contract 2020/21-005 Pile Installation

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.

16.3 Tenders received for Contract 2020/21-002 Supply and Delivery of Ready-Mixed Concrete

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

The Council went into Closed Council at 5.29pm.

RESOLVED CO/0820/15

Moved by Cr Kylie Thomas, seconded by Cr Lindsay Passfield

That Council moves out of Closed Council into Open Council.

CARRIED

FOR VOTE - Unanimous vote

Open Council resumed at 5.31pm.

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

Item 16.1 Tenders for Contract 2020/21-001 Supply of Steel Reinforcing Products

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council

1. Receives and notes the report, *Tenders for Contract 2020/21-001 Supply of Steel Reinforcing Products*
2. Accept tenders for Contract 2020/21-001 Supply of Steel Reinforcing Products from Williams Group, Neumann Steel Pty Ltd, and the Australian Reinforcing Company.

CARRIED

FOR VOTE - Unanimous vote

16.2 Tenders for Contract 2020/21-005 Pile Installation

Moved by Cr Robert Dwyer, seconded by Cr Kylie Thomas

That Council

1. Receives and notes the report, Tenders for Contract 2020/21-005 Pile Installation
2. Accepts the tenders for Contract 2020/21-005 from
 - o Civil Group Australia
 - o Civil Sydney Pty
 - o Fenwick Drilling
 - o PCA Ground Engineering
 - o Wagstaff Piling NSW

CARRIED

FOR VOTE - Unanimous vote

16.3 Tenders received for Contract 2020/21-002 Supply and Delivery of Ready-Mixed Concrete

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

That Council

1. Receives and notes the report, *Tenders For Contract 2020/21-002 Supply and Delivery Of Ready-Mixed Concrete.*
2. Accepts the tenders from Boral Resources NSW, Grahams Concrete and Holcim Australia for the contractor panel

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Lindsay Passfield

17 CLOSE OF MEETING

The Meeting closed at 5.32pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 14 September 2020.

.....
CHAIRPERSON