



MINUTES

Ordinary Council Meeting

8 March 2021

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 8 MARCH 2021 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, Manager Corporate Services, Executive Assistant to the General Manager.

1 OPEN MEETING

The Mayor declared the meeting open at 5pm and advised all those present that the proceedings were being webcast and anyone speaking at the meeting should refrain from making defamatory 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 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 Lindsay Passfield declared an interest in the following item:

- Item 16.4 (Confidential) Tenders for Contract 2020/21-003 Concrete Works
Reason for declaration – Business relationship with one of the tenderers

Later in the meeting, Cr Kylie Thomas declared an interest in the following item:

- Item 16.4 (Confidential) Tenders for Contract 2020/21-003 Concrete Works
Reason for declaration – Previous association with one of the tenderers

5.1 ORDER OF BUSINESS

RESOLVED CO/0321/1

Moved by Cr Danielle Mulholland, seconded by Cr Maggie May

That Council defer Items 6 and 9.2 until after Item 11.2.

CARRIED

FOR VOTE - Unanimous vote

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 8 FEBRUARY 2021****RESOLVED CO/0321/2**

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council confirms the minutes of the Council meeting of 8 February 2021.

CARRIED

FOR VOTE - Unanimous vote

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION**9.1 NOTICE OF MOTION - CR EARLE GRUNDY: ESSENTIAL ENERGY TRANSFERRING ELECTRICITY ASSETS TO LANDHOLDERS****RESOLVED CO/0321/3**

Moved by Cr Earle Grundy, seconded by Cr Lindsay Passfield

That Council write to Board Chairman of Essential Energy Mr Douglas Halley, Deputy Premier of NSW Mr John Barilaro MP, NSW Minister for Energy and Environment Matt Kean MP, NSW Parliamentary Secretary for Energy and the Arts Ben Franklin, and Member for Lismore Janelle Saffin strongly objecting to Essential Energy's plans to transfer to private landholders the responsibility for maintaining power poles, power lines and other electricity assets on private property which connect landholders.

CARRIED

FOR VOTE - Unanimous vote

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING****RESOLVED CO/0321/4**

Moved by Cr Maggie May, seconded by Cr Robert Dwyer

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 EARLE GRUNDY - WEST OF THE RANGE AUSTRALIA DAY CELEBRATIONS****RESOLVED CO/0321/5**

Moved by Cr Earle Grundy, seconded by Cr Lindsay Passfield

That Council receives and notes the report, Delegate's Report: Cr Earle Grundy – West of the Range Australia Day Celebrations.

CARRIED

FOR VOTE - Unanimous vote

11.2 DELEGATES REPORT: CR MAGGIE MAY - CLIMATE CHANGE WORKING GROUP**RESOLVED CO/0321/6**

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council receives and notes the report, Delegate's Report: Cr Maggie May – Climate Change Working Group.

CARRIED

FOR VOTE - Unanimous vote

6 PUBLIC FORUM

Denise Hunter, Founding Director of Safe Haven Community, addressed the meeting on Item 9.2 Notice of Motion: Cr Maggie May – Social Housing. Ms Hunter briefed the meeting about the operations of the Safe Haven Community Service and sought Council support in raising public awareness about the service and perhaps providing a grant to establish a base for the service on the Northern Rivers.

9.2 NOTICE OF MOTION - CR MAGGIE MAY: SOCIAL HOUSING**RESOLVED CO/0321/7**

Moved by Cr Maggie May, seconded by Cr Earle Grundy

That Council schedule a workshop to discuss the opportunities and options for addressing homelessness, emergency accommodation and encouraging investment in social house needs in the LGA.

CARRIED

FOR VOTE - Unanimous vote

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - FEBRUARY 2021

RESOLVED CO/0321/8

Moved by Cr Earle Grundy, seconded by Cr Hayden Doolan

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

CARRIED

FOR VOTE - Unanimous vote

12.2 WORKS PROGRAM PROGRESS REPORT - FEBRUARY 2021

RESOLVED CO/0321/9

Moved by Cr John Burley, seconded by Cr Lindsay Passfield

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

CARRIED

FOR VOTE - Unanimous vote

6 STAFF REPORTS

13.1 EXTERNAL FUNDING OPPORTUNITIES AND APPLICATIONS

RESOLVED CO/0321/10

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

That Council;

1. Receives and notes the report, External Funding Opportunities and Applications.
2. Submits the following scope of works for the Local Roads and Community Infrastructure Program Round 2;

| Location | Description | Estimate |
|--------------------------------|--|------------------|
| Tabulam Sports Ground | Internal renovation of existing kiosk and club house | \$140,000 |
| | Supply and install electric BBQ, shelter and seating | \$70,000 |
| | Supply and install shade structure for playground | \$75,000 |
| Woodenbong Sports Ground | Replace pool fencing and paint mural | \$50,000 |
| Bonalbo Norman Johnston Oval | Supply and install aerator fountain | \$10,000 |
| | construct viewing platform on stormwater dam | \$40,000 |
| | Clean and dredge stormwater dam | \$10,000 |
| | Supply and install shade structure for playground | \$75,000 |
| | Replace pool fencing and paint mural | \$50,000 |
| Bonalbo pre school | White ant damage repairs and painting | \$70,000 |
| Information Centre | Repair cracks, paint, gutter guard, replace and upgrade air con, remove old office wall and relocate counter to expand available space | \$60,000 |
| Bonalbo Norman Johnston Oval | Renew shade and seating structures | \$30,000 |
| Bonalbo Caravan park amenities | White ant damage repair, paint inside common room. | \$30,000 |
| Kyogle pre school | Paint inside and out, repairs and drainage improvement work, new fence to meet required height | \$100,000 |
| Kyogle Memorial Institute Hall | Improve Supper Room acoustics and audio visual systems to allow for meetings, and paint interior of Supper Room | \$103,990 |
| | Total | \$913,990 |

CARRIED

FOR VOTE - Crs Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Hayden Doolan, Earle Grundy, Kylie Thomas and Robert Dwyer

AGAINST VOTE - Cr Lindsay Passfield

7 URGENT BUSINESS WITHOUT NOTICE

Nil

8 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Kylie Thomas: Can Council have an update on how Dyraaba Road is going to be maintained after the weather we have had?

Cr Kylie Thomas: Can Council have an update on the progress of the application for sealing of Dyraaba Road?

Cr Lindsay Passfield: When the Woodenbong Main Street Redevelopment project comes up, can Council make sure it addresses the parking requirements and that we consult with the business community, the residents and the Woodenbong Progress Association?

Cr Lindsay Passfield: Can we invite Border Mountains Tourism to address our next workshop on initiatives in relation to tourism in our local government area.

Cr Robert Dwyer: I have received several calls on the condition of Pines Road, in particular the approaches to the bridges. Can we have an update on that?

9 CONFIDENTIAL BUSINESS PAPER**RESOLVED CO/0321/11**

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 Regional Procurement Tender for Road Safety Barriers Systems

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 Regional Procurement Tender for Bulk Fuels, Lubricants and Fuel Cards

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 Regional Procurement Tender for Supply of Traffic Control Services

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.

16.4 Tenders for Contract 2020/21-003 Concrete Works

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.

16.5 Tenders Received for Contract 2020/21-009 Supply and Delivery Of Structural Steel 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.

CARRIED

FOR VOTE - Unanimous vote

Council closed the meeting at 5.40pm and the media and public left the chamber.

Open Council resumed at 5.43pm.

Cr Lindsay Passfield left the meeting at 5.43pm.

The Mayor read the following resolutions of Closed Committee to the meeting:

Item 16.1 Regional Procurement Tender for Road Safety Barrier Systems

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council:

1. Receives and notes the report, *Regional Procurement Tender for Road Safety Barrier Systems*

2. Accept tenders from the following companies for Category 1: Supply and Installation of Road Safety Barrier Systems:
 - (a) A1 Highways
 - (b) Irwin Fencing Pty Ltd
 - (c) Guardrail Systems Pty Ltd
 - (d) GRI
 - (e) Schramm Group Pty Ltd
3. Accept tenders from the following companies for Category 2: Supply only of Road Safety Barrier Systems:
 - (a) A1 Highways
 - (b) Ingal Civil Products
 - (c) Schramm Group Pty Ltd

CARRIED

FOR VOTE - Unanimous vote

Item 16.2 Regional Procurement Tender for Bulk Fuels, Lubricants, and Fuel Cards

Moved by Cr Lindsay Passfield, seconded by Cr John Burley

That Council:

1. Receives and notes the report, *Regional Procurement Tender for Bulk Fuels, Lubricants and Fuel Cards*
2. Accept the tender from North Coast Petroleum Ltd for Category 1 Bulk Fuels
3. Not accept any tenders for both Categories 2 and 3.

CARRIED

FOR VOTE - Unanimous vote

Cr Lindsay Passfield returned to the meeting at 5.44pm.

Item 16.3 Regional Procurement Tender for Supply of Traffic Control Services

Moved by Cr Lindsay Passfield, seconded by Cr John Burley

That Council:

1. Receives and notes the report, *Regional Procurement Tender for Supply of Traffic Control Services*
2. Not accept any tenders from the Regional Procurement Tender REGPRO382021.
3. Authorise the General Manager to enter into negotiations to form a panel of contractors for the Supply of Traffic Control Services consisting of any of the following contractors;
 - (a) DOB Enterprises t/a Watchout Traffic Control
 - (b) Altus Traffic
 - (c) Ahoy Traffic Control
 - (d) Lack Group
 - (e) Workforce Road Services

- (f) The Control Group

CARRIED

FOR VOTE - Unanimous vote

Item 16.4 Tenders for Contract 2020/21-003 Concrete Works

Moved by Cr Earle Grundy, seconded by Cr Robert Dwyer

That Council

1. Receives and notes the report, Tender for Contract 2020/21-003 Concrete Works
2. Accepts the tenders from:
 - AGS Commercial Pty Ltd
 - Country 2 Coast Concreting Pty Ltd
 - Durack Civil
 - Eden Creek Construction
 - MJ Smith Ground Preparation Pty Ltd
 - Pearce Family Trust
 - The Concreters Northern Rivers
 - TT Construction Pty Ltd

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Kylie Thomas, Lindsay Passfield

Item 16.5 Tenders Received for Contract 2020/21-009 Supply and Delivery of Structural Steel Products

Moved by Cr Kylie Thomas, seconded by Cr Maggie May

That Council

1. Receives and notes the report, Tenders For Contract 2020/21-003 Supply and Delivery of Structural Steel Products
2. Accepts the tenders from
 - Denton Engineering & Hydraulics
 - Infrabuild Steel Centre
 - Southern Queensland Steel
 - Wagners CFT Manufacturing Pty Ltd

CARRIED

FOR VOTE - Unanimous vote

10 CLOSE OF MEETING

The Meeting closed at 5.45pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 12 April 2021.

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CHAIRPERSON