



MINUTES

Ordinary Council Meeting

11 June 2024

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON TUESDAY, 11 JUNE 2024 AT 2PM**

PRESENT: Cr Tom Cooper (Deputy Mayor), Cr Danielle Mulholland, Cr John Burley, Cr Janet Wilson, Cr Maggie May (via audio/video conferencing), Cr Robert Cullen, Cr James Murray

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

1 OPEN MEETING

The Deputy Mayor declared the meeting open 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 Deputy Mayor cautioned anyone speaking at the meeting to refrain from making defamatory statements or comments. The Deputy 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

Cr Kylie Webster submitted an apology for the meeting. Cr Maggie May submitted a request to attend the meeting via audio/video conferencing due to illness.

2.1 LEAVE OF ABSENCE

RESOLVED CO/0624/1

Moved by Cr Robert Cullen, seconded by Cr Danielle Mulholland

That Council accept the apology from Cr Kylie Webster and grant her a leave of absence for this meeting.

CARRIED

FOR VOTE - Crs Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

RESOLVED CO/0624/2

Moved by Cr Danielle Mulholland, seconded by Cr James Murray

That Council Permit Councillor Maggie May (illness) to attend this meeting via audio-video conferencing.

CARRIED

FOR VOTE - Crs Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

3 OPENING PRAYER

The Deputy Mayor read the opening prayer.

4 ACKNOWLEDGEMENT OF COUNTRY

The Deputy 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

Nil

6 PUBLIC FORUM

Nil

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 13 MAY 2024****RESOLVED CO/0624/3**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

That Council confirms the minutes of the Council meeting of the 13 May 2024.

CARRIED

FOR VOTE - Crs Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION**9.1 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: KYOGLE FAMILY SUPPORT SERVICES SIGN****RESOLVED CO/0624/4**

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council receive and note the staff report and in consultation with Kyogle Family Support Services, review the wording of the current signage to provide sufficient direction to KFSS for service users and the broader community.

CARRIED

FOR VOTE - Crs Tom Cooper, Danielle Mulholland, John Burley, Janet Wilson, Maggie May, Robert Cullen and James Murray

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

9.2 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: CABINS FOR BONALBO CARAVAN PARK**MOTION**

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council:

1. Investigate the cost of installing cabins in the Bonalbo caravan park as per the Bonalbo master plan (p6);
2. Identify potential funding sources for the cabins.

AMENDMENT

Moved by Cr James Murray, seconded by Cr Robert Cullen

That Council:

1. Investigate the cost of installing mobile cabins in the Bonalbo caravan park as per the Bonalbo master plan (p6);
2. Identify potential funding sources for the cabins;
3. Undertake a risk assessment of the caravan park area;
4. Undertake a business study taking into account existing accommodation providers in the area.

CARRIED

FOR VOTE - Crs Tom Cooper, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Crs Danielle Mulholland, John Burley and Janet Wilson

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

The amendment became the motion.

RESOLVED CO/0624/5

Moved by Cr James Murray, seconded by Cr Robert Cullen

That Council:

1. Investigate the cost of installing mobile cabins in the Bonalbo caravan park as per the Bonalbo master plan (p6);
2. Identify potential funding sources for the cabins;
3. Undertake a risk assessment of the caravan park area;
4. Undertake a business study taking into account existing accommodation providers in the area.

CARRIED

FOR VOTE - Crs Tom Cooper, Danielle Mulholland, John Burley, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Cr Janet Wilson

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

9.3 NOTICE OF MOTION - CR DANIELLE MULHOLLAND: SPEED LIMIT SUMMERLAND WAY-RUNNYMEDE ROAD**MOTION**

Moved by Cr Danielle Mulholland, seconded by Cr James Murray

That Council:

1. Liaise through the Traffic Committee with the State Government about reducing the speed on the Summerland Way from 100kms per/hr at both approaches to Runnymede Road and reduce the speed on either side of Runnymede Road to 50kms per/hr or otherwise lower speed limit through this area;
2. Provide timely advice to Council (via report) regarding discussions around this issue and what risks arise from a "do nothing" position.

AMENDMENT

Moved by Cr Maggie May, seconded by Cr James Murray

That Council liaise through the Traffic Committee with the State Government about addressing the serious safety issues at the intersection of Summerland Way and Runnymede Road as a matter of priority.

LOST

FOR VOTE - Crs Tom Cooper, Maggie May and James Murray

AGAINST VOTE - Crs Danielle Mulholland, John Burley, Janet Wilson and Robert Cullen

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

RESOLVED CO/0624/6

Moved by Cr Danielle Mulholland, seconded by Cr James Murray

That Council:

1. Liaise through the Traffic Committee with the State Government about reducing the speed on the Summerland Way from 100kms per/hr at both approaches to Runnymede Road and reduce the speed on either side of Runnymede Road to 50kms per/hr or otherwise lower speed limit through this area;
2. Provide timely advice to Council (via report) regarding discussions around this issue and what risks arise from a "do nothing" position.
3. Identify serious safety issues as a matter of priority.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS WITH NOTICE****RESOLVED CO/0624/7**

Moved by Cr Danielle Mulholland, seconded by Cr Rob Cullen

That Council receives and notes the response to the questions with notice.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - MAY 2024****RESOLVED CO/0624/8**

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

12.2 WORKS PROGRAM PROGRESS REPORT - MAY 2024**RESOLVED CO/0624/9**

Moved by Cr Janet Wilson, seconded by Cr John Burley

That Council receives and notes the information contained in the report, *Works Program Progress Report – May 2024*.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

13 STAFF REPORTS**13.1 ADOPTION OF OPERATIONAL PLAN 2024/2025, DELIVERY PROGRAM 2024/2028 AND FEES CHARGES 2024/2025****RESOLVED CO/0624/10**

Moved by Cr Janet Wilson, seconded by Cr Danielle Mulholland

That Council:

1. Receives and notes the report, *Adoption of Operational Plan 2024/2025, Delivery Program 2024/2028 and Fees and Charges 2024/2025*;
2. Adopts the attached Operational Plan 2024/2025 and Delivery Program 2024/2028 including the proposed rating structure, Waste Management, Storm Water, Water Supply, Sewerage and Trade Waste charges contained within the plan;
3. Adopts the attached Fees and Charges 2024/2025.
4. Authorises officers to provide written responses to those parties that made written submissions during the public exhibition period.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

13.2 LOCAL GOVERNMENT REMUNERATION TRIBUNAL DETERMINATION - COUNCILLOR FEES**RESOLVED CO/0624/11**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

That Council:

1. Receives and notes the report, *Local Government Remuneration Tribunal Determination - Councillor Fees*;
2. Adopts the following Councillor and Mayoral fees for 2024/2025,

Councillor Fee: \$13,520

Mayoral Fee: \$29,500

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

14 URGENT BUSINESS WITHOUT NOTICE

Nil

15 CONFIDENTIAL BUSINESS PAPER**RESOLVED CO/0624/12**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

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 Clarence Way Woodenbong To Urbenville Legal Matter Update

This matter is considered to be confidential under Section 10A(2) - g 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 advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

15.2 Tender for Urban Services and Urban Capital Works - 2024/25-012

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 Kylie Webster and Hayden Doolan

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 Deputy 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 3.18pm

The meeting resumed at 3.39pm.

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

15.1 Clarence Way Woodenbong To Urbenville Legal Matter Update

Moved by Cr Danielle Mulholland, seconded by Cr John Burley

That Council obtain a confidential written report from Parker and Kissane in relation to the Clarence Way Woodenbong to Urbenville Legal Matter update.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

15.2 Tender for Urban Services and Urban Capital Works - 2024/25-012

Moved by Cr Janet Wilson, seconded by Cr James Murray

That Council:

1. Receives and notes the report, Tender for Urban Services and Urban Capital Works – 2024/25-012;
2. Accepts the 95 tenders below and appoints the listed tenderers to a panel for Contract 2024/25-012;
 - Richard Stone Design
 - Collard Maxwell Architects
 - Terrior Pty Ltd
 - La Collective Pty Ltd
 - The Trustee for Barr Trading Trust
 - Sala4d Pty Ltd
 - VTAS Architecture
 - Damien Jon Keys
 - James Atkinson
 - Country 2 Coast Concreting Pty Ltd
 - MNH Coastal Concreting Pty Ltd
 - Fjs All Builds Pty Ltd
 - Roseberry Creek Developments Pty Ltd
 - Tf Construction Pty Ltd
 - Durack Civil Pty Ltd
 - Highland Construction

- Rhombus Contracting
- Zardozy Pty Limited
- Sirrom Projects
- Dalski Pty Ltd
- Green Civil Services Pty Ltd
- Maxcim Pty Ltd
- NSW Building and Civil Pty Ltd
- Skerman Civil City Pty Ltd
- O'Brien Electrical & Plumbing Lismore
- Anthony Haggart
- C Adern & A.S Ibbertson
- Curtis Electrical Aust
- Distro Power Services Pty Ltd
- Neal Nugent Electrical Pty Ltd
- Aae Industries
- Rob Ward Electrical Services Pty Ltd
- Stralis Energy Pty Ltd
- The Trustee for the J & J Thearle Family Trust
- R.A Harley & R.W Harley
- Alex Martin Plumbing
- Dawson Plumbing and Septic Services
- TJM Plumbing
- Master Blasta Plumbing Services
- Pipe Vision Australia Pty Ltd
- Complete Urban Pty Ltd
- The Trustee for Clarence Consultants Discretionary Unit Trust
- Concept Engineering Services Pty Ltd
- Barker Ryan Stewart Pty Limited
- Ardill Payne & Partners
- Blair and Sons Engineering Contractors Pty Ltd
- Lucena Engineers Pty Ltd
- Manage-Design-Engineer Pty Ltd
- McGloin Baker
- Peter Brown Consulting Pty Ltd
- The Trustee for Terania Consulting Unit Trust
- Planit Consulting Pty. Ltd.
- Coote Burchills Engineering Pty Ltd

- Crucible Engineering
- Stageone Solutions Pty Ltd
- Built Environment Management Group Pty Ltd
- Engeny Australia Pty Ltd
- JHK and Associates Pty Ltd
- Northrop Consulting Engineers Pty Limited
- RPEQ Consulting
- Stantec Australia Pty Ltd
- Harc Services Pty Ltd
- Orion Spatial Group Pty Ltd
- Wilde – Engineering Consulting Pty Ltd
- O'donohue Hanna & Associates
- Gps Onsite
- Env Services Pty Ltd
- Cmw Geosciences Pty Ltd
- Regional Geotechnical Solutions Pty Limited
- The Trustee for D Loosemore Family Trust
- Angus Campbell
- Griffin Graham
- Craig Alan Ferguson
- Heltra Pty Ltd
- Projence Pty Ltd
- Engineered Project Solutions
- Hemsworth Consultants
- Latsyrc Project Management
- Marcon Consultancy Pty Ltd
- Moli Projects
- Saville Engineering Group Pty Ltd
- The Trustee for Jacm Family Trust
- Uminex Pty Ltd
- CPM Advisory & Project Management
- Enginuity Civil
- The Trustee for Keane Family Trust
- The Trustee for Tcubed Consulting Unit Trust
- CAV Security
- Civilcsl Pty Ltd
- Pro Drill Australia Pty Ltd

- Vectorial International Pty. Ltd
- Ww & Ma Field Pty Ltd
- Fitt Resources Pty Limited
- Pensar
- Trazlbat Pty. Ltd.

CARRIED

FOR VOTE - Unanimous vote

ABSENT DID NOT VOTE - Crs Kylie Webster and Hayden Doolan

16 CLOSE OF MEETING

The Meeting closed at 3.41pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 8 July 2024.

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CHAIRPERSON

NOTE: Cr Hayden Doolan submitted a formal apology prior to the meeting, however the apology was not seen by staff until after the meeting had concluded.