

**Kyogle Council**

**Unconfirmed Minutes of the Ordinary Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday 12 August 2013.**

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**PRESENT**

Cr. Ross Brown (Mayor in the Chair), Cr Janet Wilson, Cr Chris Simpson, Cr John Burley, Cr Robert Dwyer, Cr Maggie Creedy, Cr Danielle Mulholland, Cr Lindsay Passfield and Cr Michael Reardon.

**IN ATTENDANCE**

○ The General Manager, the Executive Manager Urban and Assets, the Executive Manager Infrastructure Works, the Senior Town Planner and the Personal Assistant to Planning and Environment.

**MEETING COMMENCEMENT**

The Mayor declared the meeting open at 5.00pm.

**ITEM 1 APOLOGIES**

Nil

**ITEM 2 OPENING PRAYER**

○ The Mayor read the opening prayer.

**ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Mayor acknowledged that the meeting was being held on the Traditional Lands of the Bundjalung people.

**ITEM 4 DECLARATION OF INTERESTS**

Cr. Danielle Mulholland declared an interest in the following item/s:

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 July 2013 to 31 July 2013 – 2011/181

Reason for Declaration – neighbour of the property owner.

Cr. Chris Simpson declared an interest in the following item/s:

- Item 13B.1 Development Applications Received, Determined and Outstanding for the period 1 July 2013 to 31 July 2013 – 2012/39

Reason for Declaration – neighbour of the property owner.

Executive Manager Infrastructure Works declared an interest in the following item/s:

- Item 16.3 Tenders for Contract 1301112 – Collins Valley Bridge Replacement

Reason for Declaration – Tenderer's representative

## ITEM 5 QUESTION TIME

- Mr Phil Gome addressed the Council and posed the following questions:

- 1. Given that Council has a consistent single Policy, Procedure and formula for determining a Section 94 Contributions Plan, when assessing **ALL** Development Applications, and Plan templates are readily available on the Planning NSW website, will Council provide Councillors and ratepayers an itemised breakdown of the projected \$40,000+ cost?
2. Who is responsible for ensuring Council Policies, Plans and Procedures are current, and comply with Legislation, Regulations and Standards.. elected Council or paid Council?
3. In the light of NSW Records Report, can Council provide Councillors and ratepayers a guarantee that all other Council Policies are both current and compliant? If not, why not?
4. Is it therefore correct to conclude, that the current Council Risk Management Policy on the website is neither current nor compliant, and that Council Risk Management Plans and Procedures that are linked to the Council's Risk Management Policy are ineffectual, inefficient and possibly in breach of legislation and standards? If so, why in the 4 years since the change of standards, has failed to update its Risk Management Policy, Operational Plans and Procedures?

○ The Mayor advised that the questions would be taken on notice.

- Patricia Holt asked Councillors for an explanation as to why they voted against the erection of Gasfield Free signs at the February meeting, when a survey of local residents revealed that 91% of the respondents were opposed to CSG, with only a 2% no vote and 7% unsure.

The Mayor opened the floor to the Councillors to respond to the question if they wished to do so.

- Anne Reardon spoke about the Kyogle Seniors Centre street garden removal and said that at the last meeting it was stated: "He said the intention was to leave the area as grass". A sample of weeds from the area was provided and it was questioned when the area would be tidied up and grassed?

The Executive Manager Urban and Assets advised that the area had been seeded and that with regular mowing it would cover with grass.

- Anne Reardon asked why the main street gardens were planted out with no consultation with the Garden Club, Tidy Town or Chamber of Commerce in relation to the types of plants.

The Executive Manager Urban and Assets advised that consultation was undertaken with the Garden Club, Tidy Towns & Chamber of Commerce who had advised they didn't have the required skills to select the appropriate plants and that Council should consult with a local nursery to make the determination.

- Sue Cooper asked if Council had received a reply to repeated requests sent to Metgasco about information into the actions at Doubtful Creek.

Councillor Mulholland advised that a letter had been sent to the Premier asking what was to happen as a result of the breach of licence conditions. The General Manager advised that the matter had been followed up and would continue to be followed up. The Mayor advised that a response from a State Government department was not guaranteed.

## **ITEM 6 PUBLIC ACCESS**

Harmony Walsh addressed the Council in relation to the General Manager being part of Metgasco's industry driven committee and Councillor support for the anti CSG stance.

She advised that she was representing the many in the community who were determined to keep the Kyogle area CSG free.

Ms Walsh said that before the last Council election all candidates were systematically canvassed and all voiced their opposition to coal seam gas mining. Therefore, she said, people assumed all Councillors do not want the industry in the Kyogle Council area or were at least prepared to honour their election promises and represent the majority of the residents who were against CSG.

Ms Walsh said it was with much concern and surprise that community members noted that Council's General Manager had agreed to join Metgasco's industry driven committee. She said community members totally rejected the General Manager's involvement in the industry committee. Ms Walsh said other local Councils, Ballina, Lismore and Byron had wisely declined to be part of the industry driven committee.

She then asked the following questions:

1. Why has Kyogle Council agreed to be part of this industry committee?
2. How does Council reconcile this action with its commitment to no CSG?
3. Will Council withdraw from this industry committee?

Ms Walsh said support for the anti CSG initiative had not been reflected by all Councillors when voting on previous CSG matters so before the above questions were answered, she requested that any Councillors who had changed their minds and felt that they were unable in their role as Councillors, to support the community's anti CSG stance, declare a conflict of interest and remove themselves from the discussion.

**ITEM 7 CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF 8 JULY 2013 MINUTES OF ORDINARY COUNCIL MEETING**

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**120813/1 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor John Burley:

○ That the Minutes of the Ordinary Meeting held on 8 July, 2013 be adopted.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 8 MAYORAL MINUTE**

Nil.

**ITEM 9 NOTICES OF MOTION**

**9.1 NOTICE OF MOTION - COUNCILLOR DANIELLE MULHOLLAND COUNCIL FEES AND CHARGES**

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○ **120813/2 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor Robert Dwyer:

1. That Council withdraw the fees and charges associated with the lease/use of footpath area including alfresco footpath dining.

2. That Council provide 28 days public notice in accordance with s610F(3) of the Local Government Act 1993 .

**CARRIED**

FOR VOTE - Danielle Mulholland, Michael Reardon, Chris Simpson, Maggie Creedy, Bob Dwyer

AGAINST VOTE – Ross Brown, John Burley, Janet Wilson, Lindsay Passfield

A motion was foreshadowed by Councillor Ross Brown.

That Council continues along the path of discussions over the next six (6) months with the Kyogle Chamber of Commerce, with regards fees and charges, insurance and the Road Reserve Management Plan Policy.

Councillor Ross Brown withdrew the motion.

## **9.2 NOTICE OF MOTION -- COUNCILLOR JANET WILSON PERTUSSIS VACCINATIONS**

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### **120813/3 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield: .

That Council contact the NSW Health Minister, Ms Jillian Skinner, and the NSW Minister for the North Coast, Mr Don Page, along with Mr Thomas George, the Member for the Seat of Lismore, and the Australian Minister for Health and Medical Research, the Hon Tanya Plibersek to voice our objection to the winding back of Pertussis (whooping cough) vaccination opportunities for mothers and families, particularly in the Northern Rivers of NSW (July 11 2013), to maintain and improve on previous vaccination regimes in our region.

**CARRIED**

FOR VOTE - Unanimous vote

## **ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

### **10.1 QUESTIONS FROM LAST COUNCIL MEETING**

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### **120813/4 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

That the report on Questions from the Last Council Meeting be received and noted.

**CARRIED**

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Chris Simpson, Maggie Creedy

AGAINST VOTE - Bob Dwyer

**ITEM 11 DELEGATES REPORTS**

Nil.

**ITEM 12 INFORMATION PAPERS**

**12.1 FINANCIAL REPORT JULY 2013**

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**120813/5 RESOLVED**

Moved by Councillor Danielle Mulholland, seconded by Councillor Janet Wilson:

That the information contained in the Monthly Finance Report – July 2013 be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**12.2 RESPONSE TO QUESTIONS FROM MR PHIL GOME - ORDINARY MEETING 8 JULY 2013**

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**120813/6 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland:

That Council receive and note the response provided by the General Manager to Mr Phil Gome in regard to his questions at the 8 July 2013 Ordinary Council Meeting.

**CARRIED**

FOR VOTE - Unanimous vote

**12.3 RESPONSE TO QUESTIONS FROM MR PETER J ELLEM -- ORDINARY MEETING 8 JULY 2013**

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**120813/7 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Robert Dwyer:

That Council receive and note the response provided by the General Manager to Mr Peter J Ellem in regard to his questions at the 8 July 2013 Ordinary Council Meeting.

**CARRIED**

FOR VOTE - Unanimous vote

## 12.4 COUNCIL RESOLUTIONS REQUIRING ACTIONS

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### 120813/8 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Janet Wilson:

That the Council Resolutions Requiring Action report be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

### ITEM 13 GENERAL MANAGER 'S REPORT

#### ITEM 13A TECHNICAL SERVICES REPORT

##### 13A.1 SPEED REVIEW - KYOGLE ROAD (MR141)

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### 120813/9 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

That Council receives and notes the Speed Review – Kyogle Road report.

**CARRIED**

FOR VOTE - Unanimous vote

### 13A.2 CAMPBELLS BRIDGE REPORT

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### 120813/10 RESOLVED

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield:

That the Campbells Bridge report be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**120813/11 RESOLVED**

Moved Councillor Lindsay Passfield, seconded Councillor Janet Wilson

That a further report be brought to Council on the need for an extension on the southern upstream abutment and estimated costs.

**CARRIED**

FOR VOTE - Unanimous vote

**13A.3 QUARRIES REPORT**

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**120813/12 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Danielle Mulholland:

That the quarries report be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**13A.4 WORKS REPORT**

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**120813/13 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Danielle Mulholland:

That the Works Report be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**13A.5 NAMING OF BRIDGE ON FINDON CREEK ROAD & RAILWAY UNDERPASS OFF ETTRICK STREET**

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**120813/14 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer:

1. That the pedestrian underpass under the railway line near Anzac Drive and Ettrick Street Kyogle be named "WK (Bill) Grove Pedestrian Way".
2. That the bridge currently known as Canberra Bridge be named "Bert Rayner Bridge".

**CARRIED**



FOR VOTE - Unanimous vote

**13A.6 URBAN AND ASSETS REPORT**

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**120813/15 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Janet Wilson:

That the Urban and Assets Report be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**13A.7 TRAFFIC COMMITTEE MEETING - JULY 2013**

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**120813/16 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland:

Councillor Danielle Mulholland left the meeting at 6.21pm.

Councillor Danielle Mulholland returned to the meeting at 6.23pm.

1. That the relocation of the bus route from Gardner Lane and installation of a bus shelter at a pick up spot in Curtois Street be investigated in consultation with the school bus operator and that a report be presented to the Committee for concurrence.
2. That Council consider installation of street lighting at the pedestrian refuge in front of Barkersvale Public School on Kyogle Road.
3. That the replacement of the existing Give Way sign at the intersection of Walters Street and Anzac Drive with a Stop sign be approved.
4. That Council investigate the alignment of the intersection of Anzac Drive and Walters Street with a view to giving visual preference to Anzac Drive
5. That the proposed relocation of the Mallanganee bus stop be approved.
6. That Council in consultation with the Police, review egress from the IGA car park onto the Summerland Way with a view to removing the break in the median strip.

**CARRIED**

FOR VOTE - Unanimous vote

**120813/17 RESOLVED**

Moved by Councillor Ross Brown, seconded by Councillor Lindsay Passfield.

That Council contact the RMS advising of the way the egress from the IGA carpark on Summerland Way was allowed to develop and asking them to contribute to the resolution of the problem which has developed in the main street of Kyogle and the Summerland Way.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13B PLANNING SERVICES REPORT**

**13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED & OUTSTANDING FOR THE PERIOD 1 JULY 2013 TO 31 JULY 2013**

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**120813/18 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer.

That, with the exception of the following items in which Councillors Danielle Mulholland and Chris Simpson have declared an interest,

- Cr Danielle Mulholland 10B.1 Development Applications Received, Determined and Outstanding DA 2011/181 - Reason for Declaration – Neighbour of the property owner.
- Cr Chris Simpson 10B.1 Development Applications Received, Determined and Outstanding DA 2012/39 - Reason for Declaration – Neighbour of the property owner.

the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 July 2013 to 31 July 2013 be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

Councillors Danielle Mulholland and Chris Simpson left the meeting at 6.28 pm.

**120813/19 RESOLVED**

Moved by Councillor Robert Dwyer, seconded by Councillor Michael Reardon:

That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 July to 31 July 2013 only in relation to DA2011/181 and DA 2012/39 in which Councillors Danielle Mulholland and Chris Simpson have declared an interest be received and noted.

**CARRIED**

Councillors Danielle Mulholland and Chris Simpson returned to the meeting at 6.29 pm.

**13B.2 DRAFT PLANNING & ENVIRONMENT WORKS PROGRAM**

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○ **120813/20 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield:

1. That the Draft Planning & Environment Works Program report be received and noted.
2. That the allocation of Priorities against each of the identified projects be endorsed.
3. That the prioritised Draft Planning & Environment Works Program be endorsed.

**CARRIED**

FOR VOTE - Unanimous vote

○ **13B.3 SWIMMING POOLS AMENDMENT ACT 2012 DRAFT KYOGLE  
SWIMMING POOL INSPECTION MANAGEMENT PLAN**

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**120813/21 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor John Burley:

1. That the report on the Swimming Pool Pools Amendment Act 2012 and the Draft Kyogle Swimming Pool Inspection Management Plan be received and noted.
2. That the Draft Kyogle Swimming Pool Inspection Management Plan be placed on public exhibition for a period of 30 days and copies be distributed to the usual location throughout the local government area.

**CARRIED**

FOR VOTE - Ross Brown, Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy, Bob Dwyer  
AGAINST VOTE - Chris Simpson

## **13B.4 REVIEW OF POLICIES PLANNING & ENVIRONMENT SECTION**

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### **120813/22 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland:

1. That Council receive and note the report on the Review of Policies – Planning & Environment Section
2. That Council endorse and exhibit in accordance with section 160 of the Local Government Act the updated Draft Local Approvals Policies, Draft Local Orders Policies and Draft Local Policies for a period of not less than 28 days and receive submissions for 42 days after the date the draft local policies were placed on exhibition:
  - Draft Local Approvals Policy – Temporary Accommodation;
  - Draft Local Approvals Policy – Cemeteries and Burials;
  - Draft Local Approvals Policy – Dance Parties;
  - Draft Local Orders Policy - Animal Ownership;
  - Draft Local Policy - Enforcement Policy
  - Draft Local Policy - Development Management Panel Policy
3. That Council revoke the following Local Policies and advertise its decision to revoke them in accordance with section 166 of the Local Government Act
  - Local Approvals Policy – Amusement Devices
  - Local Orders Policy - General
4. That Council retain for comprehensive review the Local Policy - Removal or Impounding of Livestock from a Public Place.
5. That at the conclusion of the exhibition and submission period a report addressing any and all submissions received be presented to Council prior to it making its final decisions in regard to the Local Policies

**CARRIED**

FOR VOTE – Unanimous vote

**13B.5                    INSTALLATION OF TELECOMUNICATION REQUIREMENTS FOR  
NEW DEVELOPMENTS & SUBDIVISIONS**

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**120813/23    RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield:

That the report Installation of Telecommunication Requirements for New Developments & Subdivisions be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**ITEM 13C    ENVIRONMENT SERVICES REPORT**

Nil.

**ITEM 13D    CORPORATE SERVICES REPORT**

Nil.

**ITEM 13E    COMMUNITY SERVICES REPORT**

Nil.

**ITEM 13F    GENERAL MANAGER'S REPORT**

**13F.1 CODE OF CONDUCT REVIEW PANEL MEMBERSHIP**

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**120813/24    RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Lindsay Passfield: .

That the following members be appointed and added to the existing Conduct Review Panel up to and including 31 December 2016:

<b><u>Nominee</u></b>	<b><u>Organisation</u></b>	<b><u>Locality</u></b>
Michael L Enders	Michael L Enders	Woolgoolga
Peter Brown	Peter Brown	Baulkham Hills
Bruce Clarke	Allygroup Consulting	Sydney
Emma Broomfield	Locale Consulting	Woolgoolga
	Complete Community Consulting	
Sharon Lee	P/I	Toombul QLD

Mitchell Morley  
Shane White  
Belinda Nolan  
Alison Cripps  
Brent James Stephens  
Kathy Thane  
Peter Mulhall  
Gary Faulks  
Lloyd Graham  
Peta Tumpey  
Kath Roach  
Joanne Browne  
Greg Wright

In Consult  
Pinnacle Integrity  
Pinnacle Integrity  
Cripps Consulting  
Consult HR  
Train Reaction P/L  
Investigation Associations Aust  
Gary Faulks  
Lloyd Graham  
Tress Cox Lawyers  
SINC Solutions  
Joanne Browne  
Wright Associates

Sydney  
Copacabana  
Copacabana  
Lane Cove  
Mooloolaba QLD  
Balmain  
Liverpool  
Ballina  
Frenchs Forest  
  
Glebe  
Wavell Heights  
Picton

**CARRIED**

FOR VOTE - Unanimous vote



**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

**120813/25 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Chris Simpson.

That the following reports be considered and determined by Council at this Ordinary Meeting;

- Alcohol Free Zones
- Extension of Time for Financial Assistance
- Extraordinary Meeting Date

**CARRIED**

FOR VOTE - Unanimous vote



The Mayor then ruled the matter of great urgency.

## **14.1 ALCOHOL FREE ZONES**

### **120813/26 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Janet Wilson.

- 1) That the report concerning the re-establishment of Alcohol Free Zones in the Kyogle area be received and noted.
- 2) That the Alcohol Free Zones in the town of Kyogle and the villages of Woodenbong and Tabulam be re-established for the period of July 1, 2013, to June 30, 2017 in accordance with Sections 644 – 644A and 644B of the Local Government Act, 1993.

**CARRIED**

FOR VOTE - Unanimous vote



## **14.2 EXTENSION OF TIME FOR**

### **120813/27 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Robert Dwyer.

That Council approves the extension of time for the claiming of \$1000 financial assistance to the Kyogle & District Tennis Club and authorises payment.

**CARRIED**

FOR VOTE – Unanimous vote



## **14.3 EXTRAORDINARY MEETING**

### **120813/28 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland.

That an Extraordinary Council Meeting be scheduled for 26 August, 2013 at 5.00pm to deal with the June Quarter Budget Review and the review of the Strategic Plan.

**CARRIED**

FOR VOTE - Unanimous vote

## ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Councillor Passfield

1. Can management write a letter to Member for Lismore Thomas George thanking him for his help in resolving the issue of the burnt out house in Woodenbong.

## ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.01 MOVED INTO CLOSED COMMITTEE

Item 16.1 Offer of Land for Purchase by Council

Item 16.2 Kyogle Flood Modification Measures – Land Matters

Item 16.3 Tenders for Contract 1301112 – Collins Valley Bridge

These items are classified CONFIDENTIAL under Section 10A(2)(b), (c) and (d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (b) the personal hardship of any resident or ratepayer;
- (c) information that would, if disclosed, confer a commercial advantage
- (d) commercial information of a confidential nature

It is not in the public interest and would be contrary to privacy provisions to reveal these details.

Pursuant to Section 10A(4), the public were invited to make representations to the Council meeting before any part of the meeting was closed, as to whether that part of the meeting should be closed.

### 120813/29 RESOLVED

Moved by Councillor Lindsay Passfield, seconded by Councillor Janet Wilson:

1. That Council resolve to move into closed council to consider business identified, together with any late reports tabled at the meeting.
2. That pursuant to section 10A(1)-(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the Local Government Act 1993.



**CARRIED**

Council closed its meeting at 6.47pm. The public and the media left the Chamber.

**16.1 OFFER OF LAND FOR PURCHASE BY COUNCIL CONFIDENTIAL**

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**120813/30 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Janet Wilson.

1. That the report on the Offer of Land for Purchase by Council be received and noted.

**CARRIED**

FOR VOTE - Unanimous vote

**120813/31 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Janet Wilson.

1. That the capital Works Budget for Stormwater and Flood Management for the 2013/2014 financial year be reviewed as recommended in the report.
2. That Council offer to purchase the land subject of this report for \$10,000.
3. That Council authorizes the Mayor and General Manager to sign documents required for the purchase and transfer of the land described in this report.
4. That Council authorizes the Common Seal to be affixed to documents relating to the purchase and transfer of the land described in this report.

**CARRIED**

FOR VOTE - Ross Brown, Janet Wilson, Lindsay Passfield, Danielle Mulholland, Michael Reardon

AGAINST VOTE - John Burley, Chris Simpson, Maggie Creedy, Bob Dwyer

**16.2 KYOGLE FLOOD MODIFICATION MEASURES - LAND MATTERS  
CONFIDENTIAL**

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Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland:

1. That the report on the Kyogle Flood Modification Measures Land Matters be received and noted.

2. That Council authorizes the Mayor and General Manager to sign documents relating to the acquisition of easements for the construction of the Kyogle Flood Modification Works.
3. That Council authorizes the Common Seal to be affixed to documents relating to the acquisition of easements for the construction of the Kyogle Flood Modification Works.

The motion was put to the vote and was LOST.

FOR VOTE - John Burley, Lindsay Passfield, Michael Reardon, Bob Dwyer

AGAINST VOTE - Ross Brown, Maggie Creedy, Janet Wilson, Danielle Mulholland, Chris Simpson

○ **120813/32 RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Danielle Mulholland.

That a report be brought to Council to update Councillors on the Kyogle floodplain modification measures and the Kyogle water supply augmentation project.

**CARRIED**

FOR VOTE - Unanimous vote

○ **16.3 TENDERS FOR CONTRACT 1301112 - COLLINS VALLEY BRIDGE REPLACEMENT CONFIDENTIAL**

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Having declared an interest in the item, the Executive Manager Infrastructure Works left the meeting at 7.19pm.

○ **120813/33 RESOLVED**

Moved by Councillor Maggie Creedy, seconded by Councillor Michael Reardon:

1. That the tender submitted by Ozwide Bridge Rail & Civil in the amount of \$496,320 (incl GST) be accepted for Contract No 1301112 Collins Valley Bridge Replacement.
2. That the Mayor and General Manager be authorized to execute the tender documents for the above contract under seal.

**CARRIED**

FOR VOTE - Unanimous vote

The Executive Manager Infrastructure Works returned to the meeting at 7.38pm.

**120813/34 RESOLVED**

Moved by Councillor Lindsay Passfield, seconded by Councillor Maggie Creedy.

That Council move out of closed Council and into open Council.

**CARRIED**

FOR VOTE - Unanimous vote

Open Council resumed at 7.38 pm.



**MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 7.39 p.m.

