KYOGLE COUNCIL

ORDINARY COUNCIL MEETING

HELD AT TABULAM PUBLIC HALL, TABULAM

ON MONDAY 19 MARCH 2007

Commencing at 2.00 p.m.

GENERAL MANAGER: ARTHUR PIGGOTT

Dear Councillor,

In accordance with the provisions of the Local Government (Meetings) Regulation 1993, you are hereby notified of the following Ordinary Meeting to be held at the **TABULAM PUBLIC HALL, ON Monday 19 MARCH 2007, AT 2.00 P.M.**

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.

BUSINESS

Item 1	Apologies
Item 2	Opening Prayer
Item 3	Declaration of Interests by Councillors/Staff
Item 4	Public Forum
Item 5	Confirmation of Minutes
Item 6	Public Access
Item 7	Deputations
Item 8	Questions from Councillors
Item 9	Mayoral [report and Minute(s)]
Item 10	Reports from General Manager
	A Technical Services Section
	B Planning Services Section
	C Environmental Services Section
	D Community Services Section
	E Corporate Services Section
	F General Manager's Section
Item 11	Notices of Motion
Item 12	Reports from Delegates
Item 13	Correspondence
Item 14	Urgent Business Without Notice
Item 15	Confidential Business Paper

ARTHUR PIGGOTT
GENERAL MANAGER

COUNCIL PRAYER

"Almighty God, Ruler of all the Nations, we ask for your blessing upon this Meeting of Council.

Give us your wisdom to work in harmony and direct and prosper all that we do to the advancement of your glory and the true welfare of the People of the Council Area.

AMEN

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Adopted by Council on October 21, 1991.
Resolution 91 /G 1159

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.

Council acknowledges that this meeting is being held on the Traditional Lands of the Bundjalung people.

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.

(ARTHUR PIGGOTT),
GENERAL MANAGER.

PUBLIC FORUM GUIDELINES

Section 8.8 of Council's Code of Meeting Practice states:

A Public Forum session is scheduled as the first item of business, following the Opening Prayer, as part of the Ordinary Meeting. The Public Forum session allows residents to question Councillors or Management on any issue without prior notice. The session is reasonably informal. The maximum duration is 30 minutes.

Members of the public have the valuable opportunity to participate in Council matters during the Public Forum session of Council. Council supports and welcomes public contribution in this way. However, members of the public need to be aware that things said in Council meetings may be heard by, or spread to, a wider audience then the speaker may expect. Members of the public who speak at Council meetings also need to be aware that they are not exempt from the laws of defamation in relation to statements made at Council meetings.

PUBLIC ACCESS GUIDELINES

Section 8.9 of Council's Code of Meeting Practice states:

8.9.1 That Public Access be scheduled for all Ordinary Meetings of Council.

8.9.2 Public Access be scheduled as the first item of business at each Ordinary Meeting of Council following the Confirmation of Minutes item. A maximum of 30 minutes is allowed for the Public Access segment.

8.9.3 Individual residents concerned about a particular issue may make application for public access and are required to register with the General Manager by phone or in writing by the close of business on the working day preceding the meeting day, and include the subject matter of the matter proposed for discussion.

8.9.4 If granted Public Access by the General Manager, the individual resident will be allowed five (5) minutes to address Council. Five (5) minutes is allocated for Council's response.

DEPUTATION GUIDELINES

Section 8.11 of Council's Code of Meeting Practice states:

Applications in writing, stating the subject matter to be discussed for Deputations to address Council on a particular subject may be made to the General Manager at least seven (7) days prior to the meeting.

Details of scheduled deputations are to be included in the Business Paper. Deputations are allowed twenty (20) minutes to address Council and twenty (20) minutes for questions and answers.

RESPONSE TO THE PUBLIC

Section 8.10 of Council's Code of Meeting Practice states:

That a response acknowledging questions raised in Public Access or Deputations be provided within five (5) days of discussions with Council.

ORDINARY COUNCIL MEETING

Monday 19 March 2007

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ITEM 1 APOLOGIES

ITEM 2 OPENING PRAYER

ITEM 3 DECLARATION OF INTERESTS BY COUNCILLORS/STAFF

ITEM 4 PUBLIC FORUM

Nil.

ITEM 5 CONFIRMATION OF MINUTES

5.1 CONFIRMATION OF ORDINARY MINUTES

Summary/Purpose

A copy of the Minutes for the Ordinary Meeting held on 19 February 2007 is included in the attachments to the business paper.

Recommendation

That the Minutes of the Ordinary Meeting held 19 February 2007 be adopted.

Attachments

1. Minutes of the Ordinary meeting held 19 February 2007.

Attachments

1. Minutes of the Ordinary Meeting held 19 February 2007.

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 DEPUTATIONS

Nil.

ITEM 8 QUESTIONS WITHOUT NOTICE FROM COUNCILLORS

Nil.

ITEM 9 MAYORAL

9.1 MAYORAL ATTENDANCES

Summary/Purpose

The following summarises the Mayoral Activities for the month of February 2007.

Report

Date	Attendance
01.02.07	Meetings with developers & constituents
06.02.07	Grid inspection
07.02.07	"A" Division Shires Conference - Casino
08.02.07	Area Consultative Committee meeting - Ballina
09.02.07	Meetings with General Manager & constituents
10.02.07	RFS Medal Presentation (Lismore)
10.02.07	Climate Change - information night (Kyogle)
12.02.07	Citizenship
12.02.07	Works Committee
12.02.07	Workshop
12.02.07	Public Meeting KMI - Mainstreet redevelopment
13.02.07	Local Government Forum - Coffs Harbour with GM
14.02.07	NSW North Coast Weeds Advisory Committee (Grafton)
16.02.07	B-double Trial Kyogle
19.02.07	Resumed Works Committee Meeting
19.02.07	Council Meeting
21.02.07	Inspection Rabbit Farm, Green Pigeon
21.02.07	Meeting with constituents at Chambers
23.02.07	Sydney - leaders forum
26.02.07	Meeting with developers
26.02.07	Meeting with National Parks Wildlife Service
27.02.07	Meeting with Trevor Close re ILUA - Woodenbong
28.02.07	Official Ceremony re ILUA Woodenbong

Recommendation

That the information contained in the Mayoral Interviews, Attendances, Activities and Deputations for the month of February 2007 be received and noted.

ITEM 10 GENERAL MANAGER 'S REPORT

ITEM 10A TECHNICAL SERVICES REPORT

10A.1 MINUTES OF THE WORKS COMMITTEE HELD MONDAY MARCH 12, 2007

Summary/Purpose

The purpose of this report is to provide Council with a copy of the Minutes of the Works Committee meeting held Monday March 12, 2007.

Report

A copy of the minutes from the Works Committee are presented below;

Kyogle Council

Unconfirmed Minutes of the Works Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Monday March 12, 2007.

PRESENT
Cr. E. Bennett, (Mayor in the Chair), Cr. J. O'Neill, Cr. D. Liska and Cr. B. Hannigan

IN ATTENDANCE
The General Manager, the Director of Technical Services, the Acting Director of Corporate Services and the Personal Assistant to Technical Services

MEETING COMMENCEMENT
The Mayor declared the meeting open at 2.04pm

ITEM 1 APOLOGIES
Nil

ITEM 2 OPENING PRAYER
The Mayor read the opening prayer and acknowledged the meeting being held on Traditional Lands of the Bundjalung people..

ITEM 3 DECLARATION OF INTERESTS BY COUNCILLORS/STAFF
Nil

ITEM 4 REPORTS

Item-4.1 RURAL AND URBAN WORKS
Recommendation

Moved Councillor David Liska, seconded Councillor Jim O'Neill.

That the Rural and Urban Works report be received and noted.

Discussions in relation to:

Kyogle Council Dam Storage Site: The Director of Technical Services advised that a flood study has been untaken and there is no real impact on the areas during times of flood and both sites are suitable for the proposed storage site and at present Council is in the process of negotiations with land owners for purchase of the land.

Relocation of Forest Road through Lloyds Gravel Pit: Sealing of sections of the road will be carried out within the next few months.

Drain on Campbell Road: As discussed at February Works Committee Meeting. The Director of Technical Services advised that the matter is being looked into.

Collins Creek Road: Request that overgrown vegetation be cleared along Collins Creek Road Councillor Liska to confirm details along which section of Collins Creek Road.

Lower Eden Creek Bridge: The Director of Technical Services advised that this bridge has been inspected by a Council officer due to a complaint and the bridge is in working order for cars and further repairs to the decking will be carried out.

Item-4.2 STATE ROAD WORKS REPORT
Recommendation

Moved Councillor David Liska, seconded Councillor Bryan Hannigan.

That the State Road Works report be received and noted.

Item-4.3 REGIONAL ROAD WORKS
Recommendation

Moved Councillor Bryan Hannigan, seconded Councillor Jim O'Neill.

That the Regional Road Works report be received and noted.

Discussions in relation to:

Entrance to Lions Park on Summerland Way: The Director of Technical Services advised that the outcome from discussions with the RTA is that the RTA does not list Lions Park as a rest area and is not likely to fund any repairs/ changes to the entrance way.

The Director of Technical Services advised that funding for Bean Creek Bridge No1 has been approved and applications for further funding for the remaining timber bridges on Regional Roads are being prepared.

Item-4.4 PLANT BUDGET REPORT - FEBRUARY
Recommendation

Moved Councillor David Liska, seconded Councillor Bryan Hannigan.

That the Plant Budget Report be received and noted.

Discussions in relation to:

It was requested that the Mobile Crusher be reported on in the plant budget report. The Acting Director of Corporate Services advised this will be noted and included in the report from the April 2007 meeting.

Item-4.5 QUARRIES BUDGET REPORT
Recommendation

Moved Councillor David Liska, seconded Councillor Jim O'Neill.

That the Quarries Budget Report be received and noted.

Item-4.6 FINANCIAL PERFORMANCE MAJOR WORKS - FEBRUARY
Recommendation

Moved Councillor Bryan Hannigan, seconded Councillor Jim O'Neill.

That the Financial Performance Major Works Report be received and noted.

Discussion in relation to:

Over expenditure on Roads to Recovery jobs (Rehab on Back Road, initial seal on Williams Road and initial seal on Yabbra Road) The Director of Technical Services advised that the over expenditure is correct as stated in the report and this is due to the cost of the works being underestimated.

The Director of Technical Services advised that tenders for replacement of the larger Council bridges in the budget are scheduled to be advertised for within the next month.

Item-4.7 ROAD CLOSURE AT WYNEDEN
Recommendation

Moved Councillor Bryan Hannigan, seconded Councillor David Liska.

1. That Council seek formal agreement with the applicant that all costs associated with the closure, including purchase of land, are to be borne by the applicant.
2. That Council proceeds to lodge a Road Closure Application once agreement has been obtained for the costs associated with the application to be borne by the applicant.
3. That, subject to the above, Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the closing of the portion of Public Road through Lot 7 DP 8126, Wyneden.
4. That Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the transfer of the portion of Public Road through to Lot 7 DP 8126, Wyneden.

MEETING CLOSURE
There being no further business the Mayor declared the meeting closed at 2.53p.m.

Recommendation

That the minutes of the Works Committee Meeting be received and noted and that the recommendations herein be endorsed.

Attachments

1. Agenda of Works Committee Meeting Held Monday March 12, 2007.

10A.2 MINUTES OF THE TRAFFIC COMMITTEE HELD TUESDAY MARCH 13, 2007

Summary/Purpose

The purpose of this report is to provide the Council with a copy of the minutes of the Traffic Committee held Tuesday March 13, 2007.

Report

A copy of the Minutes from the Traffic Committee meeting held Tuesday March 13, 2007 will be provided as a separate attachment prior to the Council Meeting.

Recommendation

That the minutes of the Traffic Committee be received and noted and the recommendations therein be endorsed.

Attachments

1. The minutes of the Traffic Committee Meeting held Tuesday March 13, 2007

10A.3 PUBLIC GATE PERMITS TABULAM ROAD

Summary/Purpose

This report is to provide Council with information in respect to the removal of the grids associated with Public Gate Permits 89, 90, 192, 219 and 369.

Background Information

Council has received a letter from the owner of Lot 113 DP 751062, on Tabulam Road Jacksons Flat in relation to the required removal of five (5) grid structures. The owner has requested that Public Gate Permits 89, 90, and 369 be reinstated.

Previous Council Consideration

At its Ordinary Meeting of October 17, 2005 a report was presented to Council confirming the intention to Revoke Public Gate Permits 89, 90, 192, 219, and 369. The owner of the abovementioned land was advised of the Revocation of these Public Gate Permits on

November 10, 2005 and issued with a Direction under the Roads Act 1993 to remove the associated structures by July 28, 2006.

Report

Following an incident on February 23, 2006 Council again wrote to the land owner on March 3, 2006 to express concern over the lack of action taken to remove the abovementioned structures, and their deteriorating condition.

An inspection of Tabulam Road on September 8, 2006 confirmed the removal of the structures associated with Public Gate Permits 192 and 219 and fencing of the road reserve boundaries had been completed.

Council again wrote to the owner and acknowledged the removal of the abovementioned structures and advising that an extension of time had been granted to February 2, 2007 for the removal of the remaining structures associated with Public Gate Permits 89, 90, and 369. A reply was received from the owner on January 24, 2007. (copy attached)

The owner has requested that Public Gate Permits 89, 90, and 369 be reinstated. The main reason for requesting this is for access to stock water as the section of Lot 113 DP 751062 on the western side of Tabulam Road would not have direct access to the creek frontage of the subject land.

Whilst Council cannot re-instate a Public Gate Permit once it has been Revoked, it would be possible to consider an application for a new Public Gate Permit at the existing locations. However, Tabulam Road is classified as an Arterial Road under Councils Road Network Classification System and in accordance with Section 4 of Councils Public Gates and Bypasses (Cattle Grids) Management Plan, Public Gate Permits cannot be issued on Arterial Roads. As such a Public Gate Permit application could not be considered at the location of the existing Public Gate Permits 89 and 369 on Tabulam Road.

The remaining Public Gate Permit 89 lies on Jacksons Flat Road which is classified as a Residential Access Road. Council could consider an application for a Public Gate Permit at this location, but such an application would need to be accompanied by an application for a second Public Gate Permit at or near the intersection of Jacksons Flat Road and Tabulam Road to provide a stock proof “grided” section of road. If an application were to be made and approved for Public Gate Permits at these locations the subsequent structure would need to meet Councils standards as outlined in Section 7 of Councils Public Gates and Bypasses (Cattle Grids) Management Plan, ie in this case a 6m wide trafficable width grid, and all associated rail structure and signage.

Alternatively the owner could install a pipe crossing conduit under Tabulam Road and/or Jacksons Flat Road in accordance with Section 10.3 of Councils Road Reserve Management Plan to allow water to be pumped from one of the creek frontages to the section of Lot 113 DP 751062 without creek frontage.

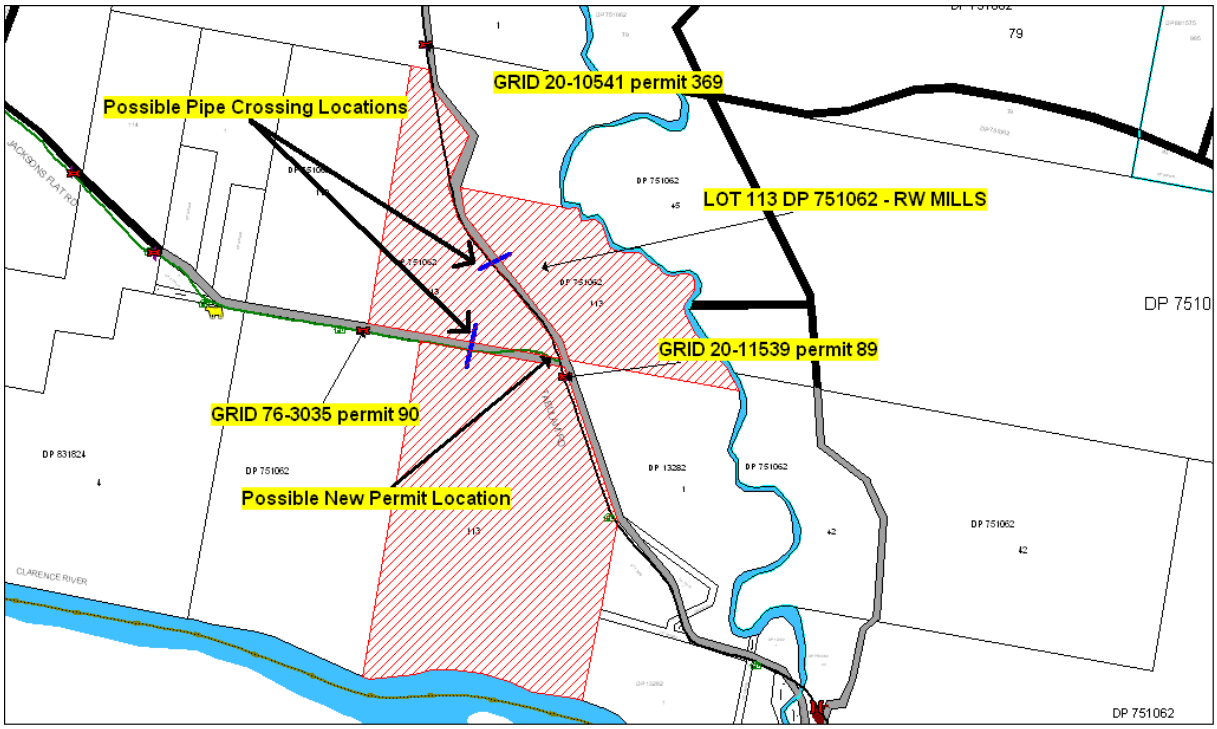

Figure 1 : Overview showing existing grid locations and possible grid and pipe crossing locations

Recommendation

1. That Council advise the owner of Lot 113 DP 751062 of the options available as outlined in this report.

2. That Council grant a further extension of time for the removal of the structures associated with Public Gate Permits 89, 90, and 369 to an additional 28 days from date of written advice.

Attachments

1. Letter from the owner of Lot 113 DP 751062 received by Council on January 24, 2007

10A.4 PUBLIC GATE PERMIT HORSESHOE CREEK ROAD

Summary/Purpose

This report is to provide Council with information in relation to an application for a Public Gate Permit on Horseshoe Creek Road received from the owner of Lot 1 DP 598292.

Background Information

Council has received an application for a Public Gate Permit at the same location as Public Gate Permit 379 which was Revoked on November 3, 2006. The structure

associated with Public Gate Permit 379 is still present on Horseshoe Creek Road, despite the issue of a notice by Council on November 3, 2006 to the adjoining landowner Revoking Public Gate Permits 287 and 379 and issuing a Direction under the Roads Act 1993, requiring the structures to be removed by December 1, 2006.

Following concerns over the condition of the two grid structures present on Horseshoe Creek Road in March 2006, a review of Councils records revealed that Public Gate Permit 287 had been issued in August 1979 for structures on the boundaries of Lots 1 & 2 DP 598292. The original applicant was DW and M Witcombe. The records showed that both existing structures had been approved by the issue of one Public Gate Permit (No 287). For administrative reasons Council allocated an additional Public Gate Permit number of 379 to cover the northern most structure which is the subject of this report, whilst the original Permit number 287 was allocated to the southernmost structure, now removed.

This review also revealed that the two abovementioned structures where the only two remaining on Horseshoe Creek Road, and as such, only a single property was effectively "grided", that being Lot 2 DP 598292. Councils records revealed that the original Permit holder, DW and M Witcombe had been sent information regarding the substandard condition of the grid in question in 1987 and this correspondence was returned with a "not known at this address" notification from Australia Post. Records also revealed that following complaints in relation to the condition of the structures in 1994 Council issued notices to all adjoining land owners to establish maintenance responsibility for the structures, and that no reply was received from any of the adjoining land owners. With this in mind it was determined that the two Permits would be officially listed as being the responsibility of the one remaining property benefiting from the structures, being Lot 2 DP 598292.

Council then wrote to the owner of Lot 2 DP 598292 on March 10, 2006 advising them of the need to bring these structures up to standard, or have them removed. A series of correspondence and discussions was then initiated by the owner of Lot 1 DP 598292, D & M Witcombe, in relation to Councils actions in the transfer of the Permit to the adjoining land owner. The matters discussed above in this report and Councils requirements for Public Gates and Bypasses (Cattle Grids), and Councils services in control of straying stock were all communicated to the owners of Lot 1 DP 598292. A summary of actions and communications since the issue of the notice to the owners of Lot 2 DP 598292 is provided below.

April 12, 2006 – Mr Witcombe purchased grid signage to the value of $300.50 from Council

April 17, 2006 – Letter from D & M Witcombe to Council outlining reasons for current substandard condition of structure and noting previous removal due to dangerous condition and confusion in relation to transfer of Permit to adjoining land owners (copy attached)

May 23, 2006 – Council response to the April 17, 2006 letter outlining Councils position (copy attached)

June 30, 2006 – Letter from McKenzie Cox solicitors to Council advising that the Witcombes wished to keep the structure to "avoid neighbouring cattle wandering onto

their property" and raising concerns about the transfer of the Permit to the adjoining land owner.

July 7, 2006 – Council reply to McKenzie Cox letter of June 30, 2006

July 21, 2006 – Letter from McKenzie Cox requesting transfer of Permit back to Witcombe

August 7, 2006 – Council reply to McKenzie Cox advising that Council was seeking the upgrade or removal of the structure in question and that could consider a transfer of the Permit if the structure was brought to standard and the adjoining land owner did not object.

September 4, 2006 – Owner of Lot 2 DP 598292 issued with a Direction under the Roads Act 1993, to bring the structures up to standard or facilitate their removal

October 31, 2006 – Letter from D & M Witcombe requesting information on the transfer of the Permit to the adjoining land owner.

November 3, 2006 – Council issued notice of Revocation of Public Gate Permits 287 and 379 to the owner of Lot 2 DP 598292 and issued a Direction under the Roads Act 1993 for the removal of the structures and restoration of the roadway. (copy attached)

November 7, 2006 – In response to the October 31, 2006 letter from D & M Wicombe a phone call between Mr Witcombe and Councils Manager Asset Services was made. The following record of this phone call was recorded in Councils record management system;

"Discussed matter with Mr Witcombe on the phone 7-11-06, advised him that the Permit had been revoked and the grids were to be removed. He requested that the grid on his boundary be dropped off on his property near his house once removed, and I advised him this would be done if Council did the work on behalf of the neighbours. Advised him that an application to keep one grid at this location would not be supported, but if he was to lodge one it would be referred to Council with a recommendation to not grant permit and he would then have an opportunity to put his case to Council. ie grid for keeping out other peoples cattle was not in keeping with the principles of Councils policy. No written reply required, will wait for any further correspondence on the mater. Also advised him of the procedure for contacting Councils ranger if cattle were present on the road, and impounding them himself if they came on his property.
GAK"

Note that Mr Witcombe was also advised that such an application could be submitted without payment of fees as the structure could be considered to be "existing."

November 11, 2006 – Letter from D & M Witcombe requesting a hold on the Revocation of the Permits and a letter from one of the adjoining land owners who had been absent from the property, supporting the transfer of the Permit back to Witcombe. A letter was also enclosed from the operator of the school bus along Horseshoe Creek Road Bus Route, Mr Ken Smith. The letter provided support for Mr and Mrs Witcombes assistance with reporting conditions of the road to the Kyogle BusCo, as well as maintaining the grid in a serviceable condition. The letter does not specify support for the presence of the structure in general. (copy attached)

November 20, 2006 – Letter from owner of Lot 2 DP 598292 in response to Councils letter of November 3, 2006 requesting quotation from Council to remove the two grid structures

November 22, 2006 – Council reply to owner Lot 2 DP 598292 providing quotation for the removal of the two structures as requested.

November 22, 2006 – Council reply to D& M Witcombes letter of November 11, 2006 addressing issued raised (copy attached)

November 30, 2006 – Application received from D & M Witcombe for a single Public Gate Permit at the location of the existing structure associated with Public Gate Permit 379. Letter also received from D & M Witcombe in response to Councils letter of November 22, 2006.

December 12, 2006 – Letter received from D & M Witcombe with accompanying letters of support from three (3) of the fourteen (14) land owners north of the structure in question. (copy attached)

December 21, 2006 – Council wrote to the D & M Witcombe and the owners of Lot 2 DP 598292 to advise both parties that Council intended to take action to make effect to the Direction issued on November 3, 2006 for the removal of the two grid structures. In addition D & M Witcombe were advised that whilst the application for a Public Gate Permit would be reported to Council with a recommendation for refusal, that this did not alter the Direction issued on November 3, 2006 and the structures were still required to be removed.

December 28, 2006 – Letter from D & M Witcombe requesting delay in the removal of the structure associated with Public Gate Permit 379 and a full and impartial review of the matter.

January 10, 2007 – A phone call was made by the General Manager to Meg Witcombe. The following record of this phone call was recorded in Councils record management system;

> "Rang Meg Witcombe today and advised that the grid will not be removed before this matter is to be considered by Council at its Feb Meeting. Also advised that Public Access has been granted."

January 22, 2007 – Letter from D & M Witcombe again requesting a review of Councils actions, and enclosing photos of the structure in question and other grid structures within the Kyogle Local Government Area which are in "poor condition". It is worth noting at this point that the photos supplied of other structures are an accurate representation of the appearance of the grid structure associated with Public Gate Permit 379 at the time that Council revoked that permit. Also the works undertaken to bring this structure up to the standards shown in the photos where undertaken after the Revocation of Public Gate Permit 379.

January 22, 2007 – Letter from D & M Witcombe to Clr Bennett outlining concerns over Councils actions. (copy attached)

Whilst only a selection of the abovementioned correspondence have been attached to this report copies of all abovementioned correspondence will be made available to Councillors during the meeting.

Report

The structure the subject of this report is located on Horseshoe Creek Road at a distance of 10.25 km from the intersection with Fawcetts Plain Road. There are 41 Rural Addresses located on Horseshoe Creek Road before this grid structure and a further 11 Rural Addresses on Horseshoe Creek Road past this grid structure and 2 more on Sugar Glider Road. There are 3 more properties with dwelling entitlements but no dwelling, and an additional 3 concessional allotments approved. This gives a total of 19 properties where access requires passing this grid structure. The road in question is a school bus route, which extends past the grid structure in question.

At the time of this report this grid structure is the only remaining one present on Horseshoe Creek Road. The structure is a single lane (3.66m) wide trafficable width, and prior to the Revocation of Public Gate Permit 379, the structure did not meet Councils standards, particularly with respect to signage, barrier rails, bypass and visibility requirements. It is important to note that the works undertaken to bring the structure to its present condition were undertaken post the date of Revocation of the Public Gate Permit and subsequent Direction for the removal of the structure. It is also of worth to note that previous neglect in the maintenance of the structure led to it being filled in by Council in the late 1980's and it was subsequently re-instated by the then and still current owner of Lot 1 DP 598292, D & M Witcombe.

During the course of events following the transfer of Public Gate Permit 287 to the adjoining owner of Lot 2 DP 598292 the options available to D & M Witcombe for controlling access to their property by stray stock were made clear. The role of Councils Animal Control services was also explained, including the procedures for the impounding of stock trespassing or entering of private land, and fencing standards for road reserve frontages. It is important to note that in the past six years since the introduction of Councils Corporate Customer Request System, only one (1) Customer Request has been made in relation to animal control on Horseshoe Creek Road. This related to an incident 8km before the structure in question and was in relation to stock being grazed on the side of the road under supervision, but without appropriate warning signage to motorists. This was confirmed to be the case by Councils Animal Control officers.

With this in mind it is difficult to justify the presence of a structure on the public road such as a single lane grid for the purpose of excluding stray stock from a property, particularly where alternate options such as fencing or impounding yards could be utilised for this purpose without posing a risk to the safety of road users.

A review of the handling of this matter has shown that Council should have consulted Messers D & M Witcombe prior to transfer of permit to the adjoining land owner. However, Council would still be in the position of having to make a decision in relation to this structure. Councils intention was to get the grid structures up to standard or have them removed from the roadway where they were not serving to contain stock. As only Lot 2 DP 598292 was "grided" and thereby benefiting from the structures it is clear why Council chose to resolve the matter with the owners of this property. If the Witcombes' property was "grided" then they would definitely have been consulted as there would be

a direct impact on the control of stock within their property. Due to the actions of the adjoining owner of Lot 2 DP 598292 it is now clear that the southern most structure would not have remained in place. This would then have left a single structure on the road which Council would have sought to remove as a matter of priority.

Whilst Council cannot re-instate a Public Gate Permit once it has been revoked, it would be possible to consider an application for a new Public Gate Permit at the existing location. However, the current application is for one Public Gate Permit only, and would not provide a stock proof or "grided" property. The issuing of a Public Gate Permit at this location alone would not serve to provide any stock containment capacity to the abovementioned property.

Councils Public Gates and Bypasses (Cattle Grid) Policy states as its objectives;

1. *To provide a managed level of public safety for users of the road network*
2. *To minimise the number of impediments to the free flow of traffic.*
3. *To reduce the risk presented by Public Gates and Bypasses to road users, Council and landowners*
4. *To support procedures for the issuing of permits, inspection, evaluation and maintenance of Public Gates and Bypasses.*

The current application before Council is not seen as appropriate as it is in direct conflict with the objectives of Councils policy. The provision of Public Gate Permits is a privilege reserved for property owners who require such structures for the management of stock within their properties, where other alternatives such as fencing are not economically viable.

Council could consider an application for a Public Gate Permit at this location, but such an application would need to be accompanied by an application for a second Public Gate Permit on Horseshoe Creek Road at the northern end of Lot 1 DP 598292, and a third on Sugar Glider Road at the western boundary of Lot 1 DP 598292 before the timber bridge. This would then provide a stock proof "grided" property. If an application were to be made and approved for Public Gate Permits at these locations the subsequent structures would need to meet Councils standards as outlined in Section 7 of Councils Public Gates and Bypasses (Cattle Grids) Management Plan, i.e. in this case a 6m wide trafficable width grid, and all associated rail structure and signage.

As the existing structure associated with Public Gate Permit number 379 is not serving to contain stock and is only a single lane trafficable width it is seen as an obstruction and a hazard to road users.

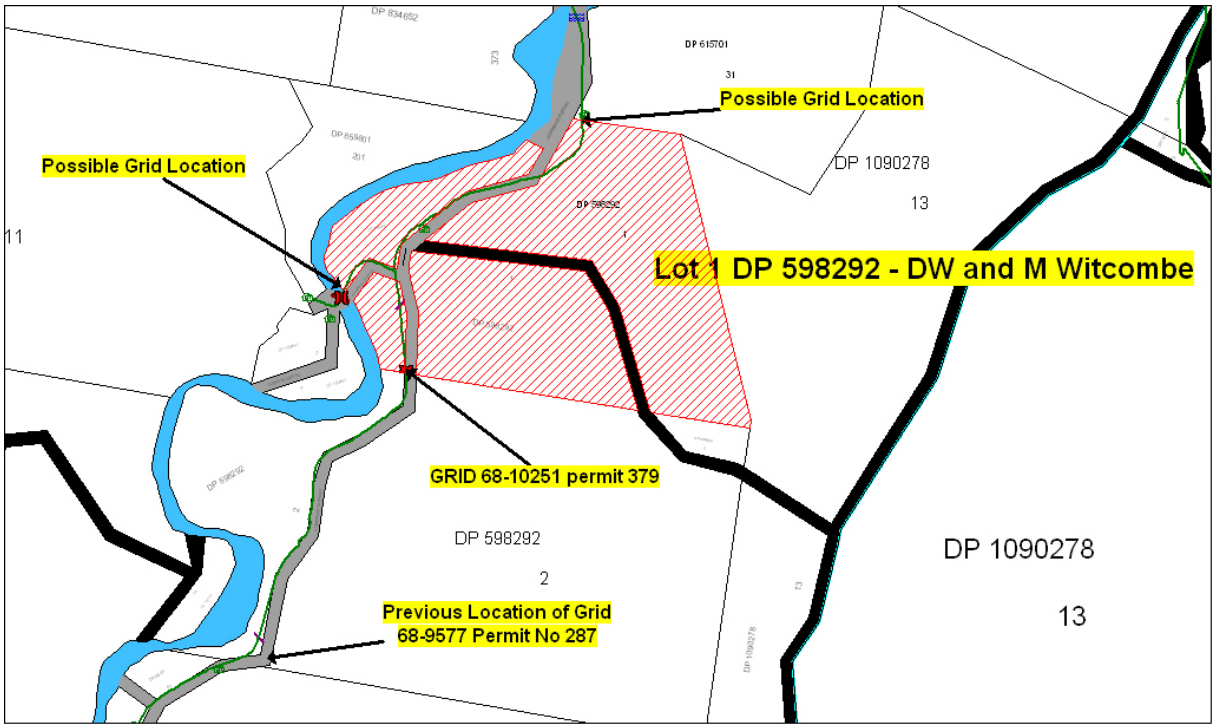

Figure 1 : Overview showing existing grid locations and possible Public Gate Permit locations

Recommendation

1. That Council advise that owner of Lot 1 DP 598292 in writing of the options available for control of stock on private property as discussed in this report.

2. That Council allow a period of 28 days for the owner of Lot 1 DP 598292 to advise Council which option for stock control would be preferable.

3. That Council withdraw the Direction issued to the owner of Lot 2 DP 598292 on November 3, 2006 requiring removal of the structure associated with the Public Gate Permit 379.

Attachments

1. April 17, 2006 Letter from D & M Witcombe
2. May 23, 2006 Council response to April 17, 2006 letter
3. November 3, 2006 Notice of Revocation of Public Gate Permits 287 and 379
4. November 11, 2006 Letter from D & M Witcombe
5. November 22, 2006 Council reply to letter of November 11, 2006
6. December 12, 2006 Letter from D & M Witcombe
7. January 23, 2007 Letter from D & M Witcombe to Clr Bennett

10A.5 APPLICATION FOR B DOUBLE ROUTE - KYOGLE ROAD

Summary/Purpose

This report is to assist Council to assess an application for a B Double Route on Kyogle Road from Summerland way to Kyogle Grain Supplies.

Background Information

On August 16, 2006 an application from Kyogle Grain Supplies requesting access for their three 25 metre B Doubles to their workshop and service department on Kyogle Road was forwarded to Council from Hon Thomas George. The application was referred to the Traffic Committee for initial consideration at its meeting on December 15, 2006, and the Committee recommended that the proposal be advertised for public comment and be considered at a further meeting of the Committee.

Council advertised the Kyogle Road portion of the route in the Express Examiner on January 24, 2007 with submissions or comments requested by March 2, 2007.

The route also includes the section of the Summerland Way from the Boral Mill site, south of Kyogle to the Kyogle Road intersection. This proposal was advertised by the RTA with submissions on that section closing on February 23, 2007.

A report was presented to Council at its ordinary meeting on February 19 for the purpose of making a submission to the RTA on the Summerland Way section of the route. Council was provided with copies of all submissions received to that time on both routes and resolved to advise RTA that Council supports the approval of the Summerland Way portion of the route subject to a 40km / hr speed limit being applied to B Doubles within the Kyogle urban area, and travel not be permitted during the morning and afternoon school zone restriction times.
The conditions requested by Council were in response to the public submissions, most of which expressed concern at possible conflict with vehicles and pedestrians in the CBD area where there is centre parking, and in the vicinity of the three schools which abut the Summerland Way.

Council deferred consideration of the Kyogle Road section of the route until the March meeting so that all submissions received by the closing date of March 2, and the recommendation of the Traffic Committee could be considered.

Report

Copies of all submissions received on the proposed route to date are attached for information. A total of 13 submissions were received and comments specifically related to the Kyogle Road section of the route are:

Summerland way / Kyogle Road intersection unsafe for B Doubles	4
Kyogle Road / Fawcetts Plain intersection unsafe for B Doubles	1
Crests and curves in the Bundock st/ Campbell Road area unsafe	6
Additional hazards at the preschool at Kindergarten Lane	3
Additional noise in residential area	2
Additional damage to roads	1
Concern that this approval is only the beginning of many more	4
Supports industrial development / good for economy	2

Many of the submissions called for a Summerland Way bypass of Kyogle and, whilst this was also supported by Council, a bypass would not necessarily address the use of Kyogle Road by B Doubles.

The trial run undertaken on February 16 did not reveal any road geometry problems which would restrict the use of Kyogle Road by B Doubles.

The winding nature of Kyogle Road between Fawcett Street and Anderson Street does create problems for pedestrians crossing the road but the greater height of the B Double increases its visibility, and the field of view of the driver, and it is not considered the presence of a B Double would present more hazards to pedestrians than the present traffic. Restriction of the maximum speed limit for B Doubles to 40km / hr in the urban area will also reduce stopping distance and noise from these vehicles.
An assessment of the route carried out in accordance with the guidelines produced by the Roads and Traffic Authority does not indicate any reason why the proposed route on Kyogle Road should not be approved.

The application is to be considered by the Traffic Committee at its meeting on Tuesday March 13, and the following recommendation has been proposed to the Traffic Meeting.

“That the Traffic Committee supports the application form Kyogle Grain Supplies for approval of a B Double Route on Kyogle Road from Summerland Way to Kyogle Grain Supplies Workshop subject to the following conditions:
A speed limit of 40km / hr being imposed on B Doubles operating within the Kyogle town limits.

Access to and egress from the terminal area be in a forward direction.”

Note: An update on the Traffic Committee's consideration of this item will be provided verbally at Council's Ordinary Meeting.

Recommendation

That the application form Kyogle Grain Supplies for approval of a B Double Route on Kyogle Road from Summerland Way to Kyogle Grain Supplies Workshop be approved subject to the following conditions:

1. A speed limit of 40km / hr being imposed on B Doubles operating within the Kyogle town limits.
2. Access to and egress from the terminal area be in a forward direction.

Attachments

1. Various submissions
2. Assessment of route

10A.6 WORKS PROGRAM REPORT

Summary/Purpose

This report is to advise Council of the activities of the Works section since the last report was presented to Council on February 19, 2007.

Report

Maintenance Works
Maintenance grading has been carried out on Dam Access Road, Blackhorse Road, Afterlee Road, Vidlers Road, Bulmers Road, Theresa Creek Road and Simpkins Creek Road and in the next month will continue in the Afterlee – Ironpot Creek and Dyraaba areas.

Other routine maintenance works have been carried out on State, Regional and Local roads as required

Construction Works
Realignment of Forest Road at Lloyds Gravel pit has been completed and work is in progress on rehabilitation of a sealed section of Sextonville Road near Knights Road.
Work is programmed to commence on realignment of sections of Anzac Drive and Afterlee Roa, which have been funded from the Federal Blackspot program immediately on completion of the Sextonville Road rehabilitation.

Construction and sealing of Kindergarten Lane and Hogans Lane in Kyogle and rehabilitation of sections of Highfield Road and Roseberry Street have been completed.

Gravel resheeting of approximately 3km of Smiths Creek Road, using crushed gravel from Millers Quarry has been completed and work is in progress on resheeting on Roseberry Creek Road using material being excavated and crushed from a section of that road which is being realigned.

A 50 metre section of the concrete footpath in Stratheden Street between Bloore Street and Roxy Lane has been replaced and work is in progress on replacement of a section of concrete footpath in Wyndham Street and other minor concrete works in Kyogle. Concrete footpath in Koreelah Street, Bonalbo has also been replaced in the past month.

Action Requests
A total of 57 road related action requests were received between February 1 and February 28, 2007, summarised as follows:
Requests for sealed road maintenance:

Cawongla Road, Doohans Road, Highfield Road, Kyogle Road, Ettrick Road and Theresa Creek Road.

Requests for unsealed roads maintenance:
Old Tweed Road, Bulmers Road, Theresa Creek Road, Hootens Road, Smiths Creek Road, Dam Access Road, Gorge Creek Road, Knights Road, Terrace Road, Creegans Road, Blackhorse Road, Sextonville Road, Williams Road, Homestead Road, Dunns Road and Eden Creek Road.

Requests for attention to trees and vegetation:
Anzac Drive, Collins Creek Road, Caddie Ave, Clarence St, Bonalbo, Wyndham Street, Lillian Rock Road, Bingeebeebra Creek Road, Anzac Drive and Bruxner Highway, Mallanganee.

Requests for attention to signs:
Clarence Street, Tabulam, Bolziccos Road, Tabulam Road and Collins Creek Road.

Requests for attention to urban streets and drainage:
Geneva St (Railway Underpass), Bloore Street, Geneva Street, Gastons Lane, Mountain View Place, MacPherson St, Woodenbong and Campbell Street.

Recommendation

That the Works Program Report be received and noted.

10A.7 WATER SERVICES REPORT

Summary/Purpose

This report deals with general operation, maintenance, capital works and investigations carried out by the water and sewerage section since the last report to Council on February 19, 2007.

Strategic Planning
Council is now in the initial data collection stages of the production of Developer Service Plans. Developer Service Plans are required in order to review and recalculate developer contributions towards water, sewerage and stormwater in the serviced villages. The formal process is expected to commence in the 2006/2007 financial year with a view to completion by December 2007.

Demand Management Plan
Following on from the recommendations of the Kyogle Integrated Water Cycle Management Strategy Study, the Kyogle Water Services Drought Management Plan and the Bonalbo Long Term Water Supply and Drought Strategy, Council is currently developing a Demand Management Plan for its water supplies. This plan will complement the existing strategies and cover matters such as;

- A customer rebate scheme
- Water loss and leakage detection
- Water harvesting and recycling on private property
- Community education and awareness programs
- Water pricing and customer billing information
- Residential and non-residential water efficiency audits
- Other relevant government programs such as BASIX and WELS

At its Ordinary Meeting of November 20, 2006 Council resolved to adopt the Water Services Customer Rebate Scheme. The scheme has been advertised in Councils December newsletter, and the application forms and guidelines for home owners and plumbers are now available at Councils offices and on Councils website. Council has received two (5) applications for rebates under this scheme to date.

The other components of the Demand Management Plan are expected to be developed during the 2007 calendar year.

Kyogle Water
Level 1 Water Restrictions remain in place. Routine maintenance of the filtration works and reticulation system continue without significant issues.

Investigation work for the replacement of the water mains in Bloore Street Kyogle, are underway with a view to works commencing this financial year.

Council has engaged the services of MWH to complete the Kyogle Water Supply Concept Development, based on the outcomes of the Kyogle IWCMS. To date the initial flood modelling, geotechnical investigations and the preliminary environmental assessment have all been completed for the potential off-stream storage sites. Both sites are suited to the proposed off-stream storage dam, and Council is now commissioning valuations on the sites with a view to determining the preferred site in the next two months. An initial technical assessment of the water treatment plant has commenced, and a backwash water treatment/disposal technical memo has been completed and is to forwarded to the Department of Environment and Conservation for comment. Based on the initial concept for treatment of the backwash waters from the water treatment plant, an application was made for a Community Water Grant under the Australian Governments Water Fund to utilise the recycled water for sub-surface irrigation of the nearby Don Gully Oval. The successful projects have been announced for the latest round of funding and Council have been granted funding of $45,000 to assist with the implementation of this project. Utilisation of this grant is dependant on the outcomes of the investigation of the WTP currently being undertaken.

Exploratory groundwater drilling has been undertaken in Kyogle as outlined in Councils Drought Management Plan, utilising Emergency Drought Relief funding through DEUS. The initial results appear to be promising, with one bore being constructed adjacent to the Geneva Bridge approach in Anzac Drive. The detailed assessment of the constructed bore has not yet been initiated, and is expected to commence in the next month.

Kyogle Sewerage
Regular testing for compliance with licensing requirements and routine maintenance of treatment works and reticulation continue without significant issues.

The Kyogle Sewage Treatment Plant (STP) augmentation project has been developed to ensure the requirements of the Department of Environment and Conservation (DEC) can be met. The DEC have given their concurrence and amended Councils Licence to reflect the implementation of this project. Based on the Project Development Plan for the augmentation of the sewage treatment plant, an application was made for a Community Water Grant under the Australian Governments Water Fund to assist with the implementation of the project, particularly due to the lack of State Government subsidy. The successful projects have been announced for the latest round of funding and Council was again successful and have been granted funding of $227,000 to assist with the implementation of this project.

Council is now finalising the detailed design for the proposed augmentation, including a septage treatment facility. An application to DEUS for approval under Section 60 of the Local Government Act is expected to be lodged in the next month for the overall project. A Project Specific Reference Group Meeting is to be held at the end of March 2007 to discuss issues and ongoing management of the hydroponic wetland facility.

Woodenbong and Bonalbo Water

Routine maintenance of the bulk water transfer reticulation continue without significant issues.

The dam at Bonalbo is currently at 90% and water restrictions are still at Level 2 in Bonalbo, with Level 1 restrictions continuing at Woodenbong.

An application for Stage 3 Approval under the CTWSSP for the Bonalbo WTP construction was forwarded to the Minister for Energy Utilities and Sustainability on January 19, 2007. A request for additional information was made by the officers at DEUS and the contractor and Councils Project Manager have forwarded on the required information. No formal reply from DEUS has been received to date.

Testing of the groundwater bore is still to be undertaken in order to establish a sustainable yield and allow the bore to be fully commissioned. From the exploratory drilling undertaken recently, and the historical data on groundwater in the Bonalbo area, it does not appear as though any further exploratory drilling is worthwhile. Council will now be progressing with the investigation of the possible upgrading of the existing pump station on Peacock Creek with a view to increasing the capacity to extract water from the creek from 3L/s to 20L/s. Subject to the testing of the bore discussed above, the Drought Management Plan may also need to be reviewed for the village of Bonalbo, with mandatory rainwater tanks which allow for top up by tankers looking to be the most practical option at this stage.

In relation to the UMMWWS Council has been advised that draft tender documents for the Water Treatment Plant Design and Construct contract have been sent to the Minister for Energy Utilities and Sustainability with a request to call tenders as soon as possible. No reply has been received to date.

Woodenbong and Bonalbo Sewerage

Regular testing for compliance with licensing requirements and routine maintenance of treatment plants and reticulation continue without significant issues.

Council has formal agreement with the Australian Government Community Water Grant Fund for the effluent reuse expansion projects in the villages of Bonalbo and Woodenbong. The grants are for $39,620 at Woodenbong and $48,880 at Bonalbo. Councils design section has commenced detailed survey and design work and plans have been sent to the Woodenbong Golf Club for comment. The Bonalbo survey work has been completed and Council are to meet with representatives of the Golf Club and Sport and Rec Club to finalise designs for the irrigation system upgrades.

Stormwater and Flood Mitigation

Council has completed stormwater improvements in the Kyogle village including piping of open drains around Kindergarten Lane to allow the construction of the lane through to Kyogle Road, and improvements to the stormwater drainage at the back of the Kyogle High School associated with frequent damage during heavy rain. Some other works have been completed with flood damage funding received for the storm event in January 2006, including cleaning the open drain at the back of the showground on the Summerland Way, Kyogle.

Other projects identified for priorities in the 2006/2007 financial year include;

- Installation of gross pollutant trap at Ettrick/Geneva Street intersection and piping of the open drains on either side of the railway viaduct in the same area
- Piping on a 100m section of the open drain from the Summerland Way running past Andersons Engineering
- Piping of the open drain from the Highfield area where it adjoins premises in Merrigan Street

Council is now planning to identify priority projects in the other villages where properties are subject to the new Stormwater and Flood Mitigation charge in order to prioritise future allocations of revenue raised through this charge.

An application has been lodged with the State and Federal Agencies responsible for the Natural Disaster Mitigation Program and the Floodplain Management Program for flood mitigation works for the village of Kyogle. This application was based on the Discussion papers produced in January 2007 by WBM Oceanics on the Kyogle Flood Damages Assessment and Flood Modification Measures.

Recommendation

That the Water Services Report be received and noted.

ITEM 10B PLANNING SERVICES REPORT

10B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD FEBRUARY 9, 2007 TO MARCH 9, 2007

Summary/Purpose

This item presents to Council a summary of the Development Applications Received, Determined and Outstanding for the period February 9, 2007 to March 9, 2007.

Report

04/212
Property: L 57 DP 755719 Loadstone Parish, Rous County
Address: Gradys Creek Road Loadstone
Applicant/Owner: Newton Denny & Chapelle / Ms S Lamond
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2005/52
Property: L 263 DP 755732 Queebun Parish, Rous County
Address: Dyraaba Road Dyraaba
Applicant/Owner: Jennifer Eileen Yates / Ms J Yates
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2005/122
Property: L 24 DP 21237 Fairy Mount Parish, Rous County
Address: May Street Kyogle
Applicant/Owner: Aspect North / Mr C Viel & Miss R Endres
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2005/131
Property: L 784 DP 845464 Queebun Parish, Rous County
Address: Dyraaba Road Dyraaba
Applicant/Owner: Mark Stewart / Mr M & Mrs H Stewart
Proposal: Dwelling In Principle
Received: Referred To DMP For Comment
Status: Owner to advise

2006/81
Property: L 97 DP 755751 Warrazambil Parish, Rous County
Address: Lynches Creek Road Lynchs Creek
Applicant/Owner: Shane McDaniel Hickey / Mr S & Mr J Hickey
Proposal: Piggery Shed

Received: Referred To DMP For Comment
Status: Applicant to advise

2006/159
Property: Lot 2 DP 123265 Boorabee Parish, Rous County
Address: Roseberry Creek Rd Roseberry Creek
Applicant/Owner: Tony Michael Boyd / Comdox No. 203 Pty Ltd
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2006/178
Property: Lot 11 DP 1050123 Fairy Mount Parish, Rous County
Address: 94 Homeleigh Rd Homeleigh
Applicant/Owner: Marek Gold / Mr M Gold
Proposal: Health Retreat, Cabins And Primitive Camping
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2006/187
Property: Lot 612 DP 1043412 Boorabee Parish, Rous County
Address: Boorabee Creek Road Boorabee Park
Applicant/Owner: Simon Peter Van Oorde / Mr SP Van Oorde
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Applicant to advise

2006/195
Property: Lot 11 DP 881873 Cougal Parish, Rous County
Address: 165 Lions Rd Cougal
Applicant/Owner: Bill Simonds / Classical Plus
Proposal: Farmstay
Received: Referred To DMP For Comment
Status: Applicant to advise

2006/224
Property: Lot 61 DP 751074 Peacock Parish, Buller County
Address: 94 Station Rd Gorge Creek
Applicant/Owner: Faulks Holdings Pty Ltd / Faulks Holdings Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2007/18
Property: Lot 248 DP 4517 Fairy Mount Parish, Rous County
Address: 8 Geneva St Kyogle
Applicant/Owner: Kyogle Council/ Health Administration Corporation
Proposal: Change Of Use. Offices
Received: Referred To DMP For Comment
Status: Approved by Council

2007/22
Property: Lot 7008 DP 1075469 Donaldson Parish, Buller County
Address: Unumgar Road Woodenbong
Applicant/Owner: Woodenbong Progress Association / NSW Department of Lands
Proposal: Sawmill Building Display
Received: Referred To DMP For Comment
Status: Draft conditions forwarded to applicant for concurrence

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2007/36
Property: Lot DP Toonumbar Parish, Rous County
Address: Green Pigeon Road
Applicant/Owner: Newton Denny Chapelle / BJ & BJ Kuhnell
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2007/39
Property: Lot 1 DP 122884 Fairy Mount Parish, Rous County
Address: Bolziccos Rd Cawongla
Applicant/Owner: Newton Denny Chapelle / SJ & WJ Sibley
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/48
Property: Lot 4 DP 773068 Jiggi Parish, Rous County
Address: Stony Chute Rd Wadeville
Applicant/Owner: G Waldron / Staron Pty Ltd
Proposal: As Built Dwelling Additions
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/61
Property: Lot 82 DP 826324 Ettrick Parish, Rous County
Address: Eden Creek Rd Wyneden
Applicant/Owner: GM Project Development & Management / C & E Warburton
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2007/68
Property: Lot 2 DP 810065 Toonumbar Parish, Rous County
Address: Dam Access Rd Ghinni Ghi
Applicant/Owner: State Water Corporation / State Water Corporation
Proposal: Change Of Use Office Space
Received: Referred To DMP For Comment
Status: Draft conditions referred to applicant for concurrence

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2007/69
Property: Lot 2 DP 810065 Toonumbar Parish, Rous County
Address: Dam Access Rd Ghinni Ghi
Applicant/Owner: State Water Corporation / State Water Corporation
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Draft conditions referred to applicant for concurrence

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2007/73
Property: Lot 1 DP 456543 Dyraaba Parish, Rous County
Address: Faulkners Rd Simpkins Creek
Applicant/Owner: Newton Denny Chapelle / R & J Botfield
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/77
Property: Lot 1 DP 108238 Fairy Mount Parish, Rous County
Address: Summerland Way Kyogle
Applicant/Owner: Commerical Hotel / Richards, Facey & Others
Proposal: Renovation Of Hotel
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/84
Property: Lot 1 DP 220877 Unumgar Parish, Rous County
Address: Summerland Way Unumgar
Applicant/Owner: T Riordan / WG & ME Pethers
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/85
Property: Lot 38 DP 751062 Evans Parish, Buller County
Address: Clarence Way Bottle Creek
Applicant/Owner: Newton Denny Chapelle / I & R Munn
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/91
Property: Lot 12 DP 1099076 Geneva Parish, Rous County
Address: Ettrick Rd Horse Station Creek
Applicant/Owner: Newton Denny Chapelle / AJ & MI Loxley
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/92
Property: Lot 12 DP 626627 Hanging Rock Parish, Rous County
Address: Lofts Pinnacle Rd Lillian Rock
Applicant/Owner: Talitha Mackie / Mr TJ & Mrs T Mackie
Proposal: Pool
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/100
Property: Lot 79 DP 6029 Stratheden Parish, Rous County
Address: Ellems Rd Edenville
Applicant/Owner: Newton Denny Chapelle / FR & JA Ellem
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/101
Property: Lot 2 DP 623075 Langwell Parish, Rous County
Address: Knights Rd Ettrick
Applicant/Owner: Enviro Link Consulting / JD & LM Rollings
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/107
Property: Lot 80 DP 755753 Wiangarie Parish, Rous County
Address: Collins Creek Rd Fawcetts Plain
Applicant/Owner: Newton Denny Chapelle / J Fried & PA Holt
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/108
Property: Lot 1 DP 626048 Queebun Parish, Rous County
Address: Knights Road Ettrick
Applicant/Owner: Newton Denny Chapelle / GM & GF Bebb
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/109
Property: Lot 1 DP 376507 Runnymede Parish, Rous County
Address: Durhams Rd Cedar Point
Applicant/Owner: Newton Denny Chapelle / CL McLaughlin & KJ Jones
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/110
Property: Lot 11 DP 1001690 Hanging Rock Parish, Rous County
Address: Lillian Rock Rd Lillian Rock
Applicant/Owner: Rainbow Ridge School / Rainbow Ridge School
Proposal: School Additions And Workshop
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/111
Property: Lot 48 DP 6798 Runnymede Parish, Rous County
Address: Merrigan St Kyogle
Applicant/Owner: Aaron Anderson Reid / Mr AA & Mrs MJ Reid
Proposal: Carport
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/112
Property: Lot 1 DP 720439 Ettrick Parish, Rous County
Address: Lamberton Road Ettrick
Applicant/Owner: Newton Denny Chapelle / GF Bebb
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/113
Property: Lot 128 DP 810152 Tabulam Parish, Drake County
Address: Bruxner Hwy Tabulam
Applicant/Owner: Newton Denny Chapelle / W Hewetson
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/116
Property: Lot 61 DP 755723 Mummulgum Parish, Rous County
Address: Bruxner Hwy Mummulgum
Applicant/Owner: Darron Leonard Ward / Mr DL & Mrs MA Ward
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/117
Property: Lot 230 DP 755732 Queebun Parish, Rous County
Address: Trentys Lane Dyraaba
Applicant/Owner: Newton Denny Chapelle /Great Southern Property
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/118
Property: Lot 16 DP 7628 Geneva Parish, Rous County
Address: William St Geneva
Applicant/Owner: Gregory Hugh O'Reilly / Mr GH & Mrs RY O'Reilly
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/119
Property: Lot 1 DP 706079 Wyndham Parish, Rous County
Address: Wiangaree Back Rd West Wiangaree
Applicant/Owner: R W Newman / Mr RW & Mrs KE Newman
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/120
Property: Lot 11 DP 1071122 Warrazambil Parish, Rous County
Address: Collins Valley Rd Collins Creek
Applicant/Owner: Newton Denny Chapelle / GR & JV White
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/122
Property: Lot 19 DP 783828 Fairy Mount Parish, Rous County
Address: Summerland Way Kyogle
Applicant/Owner: Kyogle Council / Tidy Town Committee
Proposal: Markets KMI Footpath
Received: Referred To DMP For Comment
Status: Approved by Council

2007/123
Property: Lot 3 DP 841541 Geneva Parish, Rous County
Address: Old Cob-O-Corn Rd Horse Station Creek
Applicant/Owner: Newton Denny Chapelle / RJ & RS Cowley
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/124
Property: Lot 104 DP 755751 Warrazambil Parish, Rous County
Address: Killaloe Rd Green Pigeon
Applicant/Owner: Newton Denny Chapelle / PWB MacLean & RM Sullivan
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/125
Property: Lot 112 DP 669044 Stratheden Parish, Rous County
Address: Omagh Rd Cedar Point
Applicant/Owner: Newton Denny Chapelle / WJT & BJ Canty
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/126
Property: Lot 26 DP 264076 Cougal Parish, Rous County
Address: Brindle Creek Rd Loadstone
Applicant/Owner: Enviro Link Consulting / RJ Vine
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/127
Property: Lot 56 DP 772100 Hanging Rock Parish, Rous County
Address: Tallowood Rd Lillian Rock
Applicant/Owner: Donna Lesley Steller / Mr DW & Mrs DL Steller
Proposal: 3 Patios
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/128
Property: Lot 3 DP 586067 Hanging Rock Parish, Rous County
Address: Lofts Pinnacle Rd Lillian Rock
Applicant/Owner: Enviro Link Consulting / SP & SL Lansdown
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/129
Property: Lot B DP 931031 Fairy Mount Parish, Rous County
Address: Homeleigh Rd Homeleigh
Applicant/Owner: Mark Stephen Boyd / Mr MS Boyd & Mrs KM Boyd
Proposal: Carport And Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/130
Property: Lot 621 DP 787517 Warrazambil Parish, Rous County
Address: Warrazambil Creek Road Warrazambil
Applicant/Owner: John Taylor Carson / Mr JT & Mrs EA Carson
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/131
Property: Lot 12 DP 1034889 Queebun Parish, Rous County
Address: Knights Rd Doubtful Creek
Applicant/Owner: Leonard William Allan / Mr LW & Mrs DM Allan
Proposal: Shed & Dwelling Additions
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/132
Property: Lot 1 DP 961527 Warrazambil Parish, Rous County
Address: Lynches Creek Rd Wiangaree
Applicant/Owner: Michael Laurence Thomson / Mr ML & Mrs AL Thomson
Proposal: Pool & Rural Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/134
Property: Lot 2 DP 858153 Fairy Mount Parish, Rous County
Address: Walters Rd Horseshoe Creek
Applicant/Owner: Newton Denny Chapelle / TG Matthews
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/135
Property: Lot 53 DP 755751 Warrazambil Parish, Rous County
Address: Green Pigeon Rd Green Pigeon
Applicant/Owner: Newton Denny Chapelle / WR Williams
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/136
Property: Lot 92 DP 755706 Ettrick Parish, Rous County
Address: Newtons Road Eden Creek
Applicant/Owner: Newton Denny Chapelle / RJ & JJ Hibbens
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/137
Property: Lot 32 DP 740555 Warrazambil Parish, Rous County
Address: Collins Valley Road Lynches Creek
Applicant/Owner: Newton Denny Chapelle / RF & JE Overgaard
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/139
Property: Lot 110 DP 1004972 Dyraaba Parish, Rous County
Address: Dyraaba Road Piora
Applicant/Owner: Newton Denny Chapelle / NJ & JF Frances
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/140
Property: Lot 11 DP 1091119 Fairy Mount Parish, Rous County
Address: Fawcetts Plain Rd Fawcetts Plain
Applicant/Owner: Newton Denny Chapelle / MJ Brown
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/141
Property: Lot 67 DP 755706 Ettrick Parish, Rous County
Address: Brays Rd Ghinni Ghi
Applicant/Owner: Newton Denny Chapelle / NH Roatz
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/142
Property: Lot 411 DP 825157 Warrazambil Parish, Rous County
Address: Collins Creek Rd Collins Creek
Applicant/Owner: Newton Denny Chapelle / Madara Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/143
Property: Lot 23 DP 1013355 Geneva Parish, Rous County
Address: Wiangaree Back Rd Geneva
Applicant/Owner: Newton Denny Chapelle / LW Murphy
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/144
Property: Lot 12 DP 748266 Fairy Mount Parish, Rous County
Address: Homeleigh Rd Homeleigh
Applicant/Owner: Newton Denny Chapelle / NM Duley
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/146
Property: Lot 8 DP 836191 Hanging Rock Parish, Rous County
Address: Williams Road Barkers Vale
Applicant/Owner: Robyn Lee Waller / Ms MM Dutton
Proposal: Rural Shed
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2007/147
Property: Lot 771 DP 849884 Ettrick Parish, Rous County
Address: Ghinni Ghi Rd Iron Pot Creek
Applicant/Owner: Newton Denny Chapelle / JM Connolly
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/148
Property: Lot 112 DP 755707 Fairy Mount Parish, Rous County
Address: Fawcetts Plain Rd Fawcetts Plain
Applicant/Owner: Michael Andrew Sneath / Mr AG & Mr MA Sneath
Proposal: Rural Workers Dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/149
Property: Lot 3 DP 14516 Fairy Mount Parish, Rous County
Address: Killaloe Rd Green Pigeon
Applicant/Owner: Newton Denny Chapelle / KW & VR Phelps
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/150
Property: Lot 4 DP 802132 Warrazambil Parish, Rous County
Address: Green Pigeon Rd Green Pigeon
Applicant/Owner: Newton Denny Chapelle / LB & DE Condon
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/151
Property: Lot 213 DP 752397 Tabulam Parish, Drake County
Address: Bruxner Highway Tabulam
Applicant/Owner: Enviro Link Consulting / Conspec Trading Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/152
Property: Lot 2 DP 587784 Warrazambil Parish, Rous County
Address: Elliotts Rd Green Pigeon
Applicant/Owner: Kyogle Drafting Service / SG & LJ Brown
Proposal: Dwelling & Conversion
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/153
Property: Lot 1 DP 527983 Sandilands Parish, Drake County
Address: Bruxner Hwy Sandilands
Applicant/Owner: Enviro Link Consulting / DL & MA Ward
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/154
Property: Lot 2 DP 709493 Capeen Parish, Buller County
Address: Duck Creek Rd Duck Creek
Applicant/Owner: Enviro Link Consulting / JS Allen, SA Allen & NE Young
Proposal: Subdivision & Boundary Adjustment
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/155
Property: Lot 22 DP 826414 Fairy Mount Parish, Rous County
Address: Green Pigeon Rd Horseshoe Creek
Applicant/Owner: T De Re / WJ & BM Jarrett Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/156
Property: Lot 19 DP 783828 Fairy Mount Parish, Rous County
Address: Summerland Way Kyogle
Applicant/Owner: Ann Ensoll / Kyogle Shire Council
Proposal: Change Of Use - Florist
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2007/157
Property: Lot 12 DP 7628 Geneva Parish, Rous County
Address: Pratt St Geneva
Applicant/Owner: Brian John Gamble / Ms NL Moore & Mr DA Aberdeen
Proposal: Carport
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2007/158
Property: Lot 290 DP 755732 Queebun Parish, Rous County
Address: Eggins Rd Doubtful Creek
Applicant/Owner: Newton Denny Chapelle / RF & JE Overgaard & MW & LJ Chrystal
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/159
Property: Lot 11 DP 846968 Roseberry Parish, Rous County
Address: Roseberry Creek Rd Roseberry Creek
Applicant/Owner: Newton Denny Chapelle / J Friend & PA Holt
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/160
Property: Lot 22 DP 1027181 Peacock Parish, Buller County
Address: Clarence Way Bonalbo
Applicant/Owner: Newton Denny Chapelle / DT & RL Amos
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/161
Property: Lot 1 DP 529272 Fairy Mount Parish, Rous County
Address: Kyogle Rd Kyogle
Applicant/Owner: Newton Denny Chapelle / GF & CJ Rogers
Proposal: Subdivision
Received: Referred To RFS For Comment
Status: Awaiting DMP Comments

2007/162
Property: Lot 238 DP 729452 Tabulam Parish, Drake County
Address: Rodgers Road Tabulam
Applicant/Owner: Newton Denny Chapelle / JD & EM Cousins
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/163
Property: Lot 351 DP 717852 Robertson Parish, Buller County
Address: Main Road Bonalbo
Applicant/Owner: Enviro Link Consulting / RJ & EM Amos
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/164
Property: Lot 986 DP 881575 Evans Parish, Buller County
Address: Tabulam Rd Lower Bottle Creek
Applicant/Owner: Enviro Link Consulting / DB Robertson
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/165
Property: Lot 1 DP 865896 Black Camp Parish, Drake County
Address: Tunglebung Creek Rd Tunglebung
Applicant/Owner: Enviro Link Consulting / RJ & EL Amos
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/166
Property: Lot 56 DP 755706 Ettrick Parish, Rous County
Address: Afterlee Road Smiths Creek
Applicant/Owner: Newton Denny Chapelle / MK & KT Tasker
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS comments

2007/167
Property: Lot 86 DP 755751 Warrazambil Parish, Rous County
Address: Wender Rd Collins Creek
Applicant/Owner: Newton Denny Chapelle / BW Baillie, RN Skelton & H Kerr
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/168
Property: Lot 69 DP 755719 Loadstone Parish, Rous County
Address: Lynches Creek Road Lynchs Creek
Applicant/Owner: Newton Denny Chapelle / M Lloyd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/169
Property: Lot 297 DP 755732 Queebun Parish, Rous County
Address: Babyl Creek Rd Babyl Creek
Applicant/Owner: Newton Denny Chapelle / RM Noble
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/170
Property: Lot 4 DP 715407 Cougal Parish, Rous County
Address: Gradys Creek Road Gradys Creek
Applicant/Owner: Boskae Environmental Planning / RM & AB Brownlie
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/171
Property: Lot 11 DP 1010543 Queebun Parish, Rous County
Address: Sextonville Rd Doubtful Creek
Applicant/Owner: Landpartners / PR Corrigan
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/172
Property: Lot B DP 932692 Geneva Parish, Rous County
Address: Ettrick Rd Horse Station Creek
Applicant/Owner: Riordans Consulting Surveyors / IM & GM Garred
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/173
Property: Lot 56 DP 755733 Roseberry Parish, Rous County
Address: Calamia Rd Old Grevillia
Applicant/Owner: GM Project Development / GS & JL Pratt
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/174
Property: Lot 62 DP 755711 Hanging Rock Parish, Rous County
Address: 104 Gabal Rd Lillian Rock
Applicant/Owner: GM Project / NE Barter
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/175
Property: Lot 4 DP 873345 Tooloom Parish, Buller County
Address: Jasper Iverson Rd Tooloom
Applicant/Owner: PMM Sydney Pty Ltd / Brisbane Plantation Forests
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/176
Property: Lot 77 DP 755723 Mummulgum Parish, Rous County
Address: Bruxner Highway Mummulgum
Applicant/Owner: J Van Mourik / Mr WI & Mrs PN Van Mourik
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/177
Property: Lot 2 DP 1004124 Hanging Rock Parish, Rous County
Address: Kyogle Rd Lillian Rock
Applicant/Owner: Landpartners / GD Jones
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/178
Property: Lot 12 DP 1104546 Fairy Mount Parish, Rous County
Address: Green Pigeon Rd Horseshoe Creek
Applicant/Owner: John Joseph Hession / Mrs KM & Mr BJ Reeves
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/179
Property: Lot 308 DP 755732 Queebun Parish, Rous County
Address: Sextonville Road Doubtful Creek
Applicant/Owner: John Joseph Hession / Mr GP & U Waring
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/180
Property: Lot 7 DP 8126 Ettrick Parish, Rous County
Address: Eden Creek Rd Wyneden
Applicant/Owner: John Joseph Hession / Mr JA Summers
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/181
Property: Lot 13 DP 1036751 Cougal Parish, Rous County
Address: Brindle Creek Rd Loadstone
Applicant/Owner: John Joseph Hession / Mr EF & Ms MM Webster
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/182
Property: Lot 3 DP 755690 Boorabee Parish, Rous County
Address: Back Creek Rd Boorabee Park
Applicant/Owner: John Joseph Hession / Mr TW Pratt
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/183
Property: Lot 84 DP 751050 Capeen Parish, Buller County
Address: Clarence Way Old Bonalbo
Applicant/Owner: John Joseph Hession / Mr BA & Mrs LJ Holden
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/184
Property: Lot 87 DP 751050 Capeen Parish, Buller County
Address: Yabbra Road Old Bonalbo
Applicant/Owner: John Joseph Hession / Mr RP & Ms EA Braid
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/185
Property: Lot 12 DP 883421 Dyraaba Parish, Rous County
Address: Dyraaba Road Dyraaba
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/186
Property: Lot 17 DP 1032501 Dyraaba Parish, Rous County
Address: Pigman Rd Dyraaba
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/187
Property: Lot 324 DP 755732 Queebun Parish, Rous County
Address: Dunns Road Doubtful Creek
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/188
Property: Lot 32 DP 1047834 Queebun Parish, Rous County
Address: Carruthers Rd Doubtful Creek
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/189
Property: Lot 30 DP 751042 Bonalbo Parish, Buller County
Address: Hootens Road Lower Duck Creek
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/190
Property: Lot 19 DP 751080 Tooloom Parish, Buller County
Address: Yabbra Road Old Bonalbo
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/191
Property: Lot 11 DP 1065487 Roseberry Parish, Rous County
Address: Roseberry Creek Rd Roseberry Creek
Applicant/Owner: John Joseph Hession / Tasmanian Plantation Pty Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/192
Property: Lot 37 DP 751059 Donaldson Parish, Buller County
Address: Boomi Creek Road Woodenbong
Applicant/Owner: Enviro Link Consulting / IK & M Burley
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/193
Property: Lot A DP 958841 Geneva Parish, Rous County
Address: Alcorns Rd Horse Station Creek
Applicant/Owner: Enviro Link Consulting / PD & LD Thew
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/194
Property: Lot 104 DP 1018683 Loadstone Parish, Rous County
Address: Gradys Creek Rd Gradys Creek
Applicant/Owner: Enviro Link Consulting / G Graham & SJ Cleeve
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/195
Property: Lot 2 DP 537925 Capeen Parish, Buller County
Address: Clarence Way Bean Creek
Applicant/Owner: Landpartners / RS Pierce
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/196
Property: Lot 89 DP 755707 Fairy Mount Parish, Rous County
Address: Horseshoe Creek Road Horseshoe Creek
Applicant/Owner: Landpartners / JW & GA Reeves
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/197
Property: Lot 136 DP 755738 Stratheden Parish, Rous County
Address: Pines Rd Ettrick
Applicant/Owner: Landpartners / M O'Neile
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/198
Property: Lot 15 DP 755733 Roseberry Parish, Rous County
Address: ODonnel Creek Rd Upper Eden Creek
Applicant/Owner: Landpartners / MF Lazaredes & Others
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/199
Property: Lot 52 DP 752365 Black Camp Parish, Drake County
Address: Larsson Rd Culmaran Creek
Applicant/Owner: Enviro Link Consulting / SH Larsson
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/200
Property: Lot 48 DP 755733 Roseberry Parish, Rous County
Address: Roseberry Creek Rd Roseberry Creek
Applicant/Owner: Enviro Link Consulting / PF Kedwell
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/201
Property: Lot 83 DP 14126 Pikapene Parish, Drake County
Address: Old Lawrence Rd Deep Creek
Applicant/Owner: Enviro Link Consulting / SH & KA Larsson
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/202
Property: Lot A DP 409574 Evans Parish, Buller County
Address: Clarence Way Bottle Creek
Applicant/Owner: Enviro Link Consulting / Darcy Dancer Pastoral Co
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/203
Property: Lot 45 DP 751074 Peacock Parish, Buller County
Address: Peacock Creek Rd Peacock Creek
Applicant/Owner: Enviro Link Consulting / CD Headrick, EA Wilson, RE Alexander & M Holmes
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/204
Property: Lot 46 DP 755704 Dyraaba Parish, Rous County
Address: Pigman Road Dyraaba
Applicant/Owner: Riordans Consulting Surveyors / JG & FJ Lindstrom
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/205
Property: Lot 9 DP 4973 Fairymount Parish, Rous County
Address: Anzac Dr Kyogle
Applicant/Owner: Kyogle Council / Kyogle Council
Proposal: Shade Cloth Over Skate ramp
Received: Referred To DMP For Comment
Status: Approved by Council

2007/206
Property: Lot 103 DP 873398 Geneva Parish, Rous County
Address: Omagh Rd Cedar Point
Applicant/Owner: Shane John Reeves / Mr SJ Reeves
Proposal: Patio
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/207
Property: Lot 53 DP 1099142 Ettrick Parish, Rous County
Address: Afterlee Rd Eden Creek
Applicant/Owner: All Steel Garages & Sheds / PW & JA Twomey
Proposal: Rural Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/208
Property: Lot 1 DP 748511 Fairy Mount Parish, Rous County
Address: Summerland Way Kyogle
Applicant/Owner: Peter Andrew Lewis / Mr Rl Graziani & Tarongo Land Pty Ltd
Proposal: Change Of Use
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/209
Property: Lot 101 DP 875472 Jiggi Parish, Rous County
Address: Kyogle Rd Cawongla
Applicant/Owner: Frank Taylor / Mrs JM Habchi & Mrs GE Brooke
Proposal: Tourist Display Board
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/210
Property: Lot 12 DP 793116 Ettrick Parish, Rous County
Address: Afterlee Rd Afterlee
Applicant/Owner: All Steel Garages & Sheds / SL & JA Kitchener
Proposal: Rural Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/211
Property: Lot 92 DP 755711 Hanging Rock Parish, Rous County
Address: Link Rd Wadeville
Applicant/Owner: Frank Taylor / Mr L & Mrs LM Scarlett & Others
Proposal: Tourism Information Board
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/212
Property: Lot 11 DP 1050123 Fairy Mount Parish, Rous County
Address: Homeleigh Rd Homeleigh
Applicant/Owner: Kyogle Drafting Services / E Gold
Proposal: change of use to part dwelling and to commercial
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/213
Property: Lot 7 DP 233998 Geneva Parish, Rous County
Address: Harrison St Geneva
Applicant/Owner: Verna Cecilia Clarke / Mrs VC Clarke
Proposal: Awning
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/214
Property: Lot 102 DP 755704 Dyraaba Parish, Rous County
Address: Dyraaba Rd Dyraaba
Applicant/Owner: Ryan Constructions / SB Baker
Proposal: Rural Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/215
Property: Lot 12 DP 758591 Runnymede Parish, Rous County
Address: Fairy St Kyogle
Applicant/Owner: Heike Seubert / Mr NP Gray & Miss H Seubert
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/216
Property: Lot 4 DP 717191 Fairy Mount Parish, Rous County
Address: Homeleigh Rd Upper Horseshoe Creek
Applicant/Owner: Ranbuild Northern Rivers / BG & M Storey
Proposal: Shed/Studio
Received: Referred To DMP For Comment
Status: Awaiting RFS Comments

2007/217
Property: Lot 4 DP 713191 Runnymede Parish, Rous County
Address: Summerland Way Kyogle
Applicant/Owner: Landparters / DR Boyd & MA Boyd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2007/218

Property:	Lot 10 DP 1017214 Runnymede Parish, Rous County
Address:	Bentley Road, Back Creek
Applicant/Owner:	Anthony Peter James Haggart / Mr TR & Mrs LM Cochrane
Proposal:	Shed & Pool
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments

2007/219

Property:	Lot 30 DP 755735 Sherwood Parish, Rous County
Address:	Gorge Creek Road Grevillia
Applicant/Owner:	Newton Denny Chapelle / JG, JS Llewellyn, MA Young & CH Johnson
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments

Recommendation

1. That, with the exception of the following items in which Councillors …… and …… have declared an interest,

   - Cr…… 10B.1 Development Applications Received, Determined and Outstanding DA…/… - Reason for Declaration -
   - Cr……..10B.1 Development Applications Received, Determined and Outstanding DA…/… - Reason for Declaration -

   the information contained in the report Development Applications Received, Determined and Outstanding for the period February 9, 2007 to March 9, 2007 be received and noted.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period February 9, 2007 to March 9, 2007 only in relation to DA../… and DA../…. In which Councillors ….. have declared an interest be received and noted.

10B.2 DEVELOPMENT APPLICATION 2007-208 CHANGE OF USE

Summary/Purpose

This report aims to present to Council a development application for the proposed Change of Use of an existing premises from retail purposes (a Fruit and Vegetable Shop) to commercial purposes (Internet Distribution Centre and ancillary on site second hand sales) on land described as Lot 1 DP 748511, located at 5 Stratheden Street, Kyogle.

Report

DA No:	2007/208
Date received:	February 15, 2007
Applicant:	Peter Andrew Lewis
Owner:	Tarongo Land Pty Ltd & R L Graziani
Property:	Lot 1 DP 748511 – 5 Stratheden Street, Kyogle
Zone:	Village 2(v)
Locality:	Kyogle
Proposal:	Change of Use of existing premises from retail purposes (a Fruit and Vegetable Shop) to commercial purposes (Internet Distribution Centre and ancillary on site second hand sales)
Zoning Requirements:	Permissible with Development Consent

This development assessment has been undertaken in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Overview of the Subject Site:
The site is located on the southern side of Stratheden Street adjacent to the Anglican Op-Shop and B & B Produce, in the area between the Council Chambers and the Box 'n Dice. The subject site is an existing premise which in the past has been used for a fruit and vegetable shop (DA 2001/105) and the Caring Circle (no recorded DA).

A copy of the Site plan is included in the attachments to the business paper.

Overview of the Proposed Development:
The proposal before Council is for the use of existing premises for the purposes of a Internet Distribution Centre and ancillary on site second hand retail sales. The hours of operation will predominantly be between 9am to 5pm Monday to Saturday with other opening hours as required. The change of use does not propose to provide any additional car parking on the site as there exists sealed carparking on the property adjacent to the premises.

The majority of goods will be transported by post or on occasion will be collected by courier.

A copy of the Shop plan is included in the attachments to the business paper.

Overview of the Locality:
Settlement in the locality comprises a mixture of buildings incorporating a range of residential, commercial development and public buildings. The predominant land uses in that part of Stratheden Street surrounding and adjoining the subject land are of a commercial and business nature. It is indicated within the application that the proposed premises will compliment the surrounding shops and it is envisaged that the complimentary nature of the premises will create a used goods, collectable, bookstore and art precinct in the area.

Legislative Requirements:
Council is required when assessing and determining any development application to have full regard to the provisions of the EP & A Act 1979 including the objects as contained in Section 5 and the heads of consideration as contained in Section 79C.

Agency Referral;

The development application was not referred to any of the Government Agencies.

Environmental Planning and Assessment Act 1979 – Section 79C – Matters for Consideration:

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:
  (i) any environmental planning instrument, and
  (ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and
  (iii) any development control plan, and
  (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,
(c) the suitability of the site for the development,
(d) any submissions made in accordance with this Act or the Regulations,
(e) the public interest.

Section 79C(1)(a)(i) the provisions of any environmental planning instrument

<u>Kyogle Interim Development Order No. 1 (IDO1), 1976</u>
The site is currently zoned Village 2(v) under the IDO. The use of the site is permissible with development consent. The IDO does not contain any special provisions, which affect the permissibility of the development.

<u>North Coast Regional Environmental Plan 1988</u>

Although there are no provisions which directly apply, the development proposal is consistent with the objectives of the North Coast Regional Environmental Plan 1988 - Part 4 – Urban Development

State Environmental Planning Policies (SEPP)
A number of SEPP's are applicable to the site though none are relevant to the application.

Section 79C(1)(a)(ii) draft environmental planning instruments

There are no draft environmental planning instruments that directly affect this development.

Section 79C(1)(a)(iii)development control plans (DCP)

Council DCP No. 5 – Kyogle commercial area off-street carparking applies to the site. No additional carparking spaces are required for the development..

Section 79C(1)(a)(iv) the regulations (prescribed matters)

NSW Government Coastal Policy
Not applicable.

Demolition of Buildings – provisions of Australian Standard No. AS 2601-1991: The Demolition of Structures, July 1993
Not applicable.

Change of use and fire protection measures
It is planned that the following safety measures will be upgraded and provided in the building:

- Fire extinguishers
- Smoke Alarms

Note that should Council determine in favour of the application, appropriate conditions addressing these elements are to be imposed.

Section 79(c)the suitability of the site for the development
The site is considered to be suitable for the development as proposed. The site is accessible from the main CBD area by vehicle and pedestrian traffic, it is serviced by public transport and is located within the business precinct.

CONCLUSION

The proposed change of use of existing premises from retail purposes (a Fruit and Vegetable Shop) to commercial purposes (Internet Distribution Centre and ancillary on site second hand sales) on the subject site is considered to be appropriate for the location. It is considered reasonable that Council issue development consent for the proposed use of the premises.

Recommendation

That Council issue Development Consent Notice 2007/208 for the proposed Change of Use of existing premises from retail purposes (a Fruit and Vegetable Shop) to commercial purposes (Internet Distribution Centre and ancillary on site second hand sales) on land described as Lot 1 DP 748511, located at 5 Stratheden Street, Kyogle.

SUBJECT TO THE CONDITIONS SPECIFIED in this notice being:

1. The development being carried out substantially in accordance with the plans received by Council on February 15, 2007 except where amended by the following conditions of consent.

2. The applicant being informed that this approval shall be regarded as being otherwise in accordance with the information and particulars set out and described in the development application registered in Councils records as Development Application No 07/208 on February 15, 2007 and that any alteration, variation or extension to the use for which approval has been given would require further development approval.

3. This development consent is limited to a period of 2 years. Following the expiration of this period the consent will lapse unless the development has commenced in accordance with the conditions of consent, or unless an extension of the development consent period has been requested and granted.

4. No goods are to be displayed for sale or stored on the footpath in front of the premises at any time.

5. The use must not involve exposure to view from any adjacent premises or from any public place of any unsightly matter.

6. All outdoor advertising material shall be in erected accordance with Council's Development Control Plan No. 6 – Outdoor Advertising.

7. Signage shall be non-reflective and non-iridescent to minimise any possible distraction to traffic.

8. Signs that interfere with the amenity of the area, by reason of glare or excessive illumination or any interference to radio, television or communication equipment and/or transmission signals in the locality, shall not be used or installed.

9. The sign shall be securely affixed to the supporting structure.

10. This consent does not allow the use of any outdoor display lighting to illuminate the sign.

11. The bottom of any sign over the footpath shall be located at least 2.4 metres above footpath level.

12. The business being conducted in such a manner so as not to interfere with the amenity of the neighbourhood by reason of the emission of discharge of noise,

fumes, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or other harmful products of the industry.

13. The premises shall be maintained in a clean and tidy state at all times.

14. Any trade waste containers being screened from view from a public place and located so they do not obstruct or interfere with the use of loading and parking facilities and access ways.

15. To ensure that the operation of the development does not have an adverse effect upon the traffic circulation or amenity of the area deliveries to the premises are to be

16. Access is to be provided to the building and to those areas within the building to which the public would normally be expected to gain access in accordance with AS1428.1 – Design for Access Mobility.

17. Smoke alarms to be installed by a licensed electrician to the residence above the retail shop.

18. A certificate from a licensed electrician must be provided upon completion of the installation of the smoke alarms certifying that the smoke alarm installation complies with AS 3786 “Smoke Alarms”.

Attachments

1. Letter providing additional information and plans.

10B.3 DEPARTMENT OF PLANNING RESPONSE - DRAFT LEP - HERITAGE PROVISION

Summary/Purpose

This report aims to provide Council with information in relation to the Department of Planning’s response to Council preparing a Draft LEP – Heritage Provisions

Report

Council is in receipt of the Department of Planning’s advice concerning the preparation of a Draft LEP – Heritage Provisions. The Department’s advice is that

“Council should now continue with the preparation of the draft LEP. In preparing the plan Council should utilise the heritage provisions contained in the Department’s Standard Instrument and a map to identify the items”

The Department has further advised that Council may use delegation in respect of the draft LEP subject to the receipt by Council of a Written Authorisation to Exercise Delegation.

Of Interest and the reason for the report to Council is that the Department has also advised that

"the Authorisation is subject to inclusion of aboriginal sites and State Heritage Items, including the item known as The Risk Water Facilities (Railway Water Tower / Tank)"

When considering to prepare a Draft LEP – Heritage Provisions, Council addressed those items of significance included specifically within the Kyogle Heritage Study. The Heritage Study incorporated only those built items and some culturally significant landscape items into the Draft LEP. Accordingly, the Department of Planning's advice requires the incorporation of additional items of significance into Council heritage provisions.

In this regard it is proposed to address the Department's request by seeking information from the Department of Environment and Conservation for a list of and a map identifying aboriginal sites within the Council area for inclusion in the Draft LEP – Heritage Provisions.

Recommendation

That the inclusion of Aboriginal Sites and State Heritage Items within the Draft LEP – Heritage Provisions be received and noted.

10B.4 NSW DEPARTMENT OF PLANNING - PLANNING CIRCULAR PS 07-005

Summary/Purpose

This item presents to Council a copy of the NSW Government Department of Planning Circular PS 07-005 State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.

Report

The purpose of the circular is to advise mining, petroleum production and extractive industries, Councils, developers and the community of the gazettal of a policy to regulate mining, petroleum production and extractive industries in NSW.

A copy of the circular appears in the attachments to the business paper.

Recommendation

That the report NSW Department of Planning - Planning Circular PS 07-005 be received and noted.

Attachments

1. Planning Circular PS 07-115

ITEM 10C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 10D COMMUNITY SERVICES REPORT

Nil.

ITEM 10E CORPORATE SERVICES REPORT

10E.1 MONTHLY FINANCIAL REPORT - FEBRUARY

Summary/Purpose

This report serves to advise Council of matters of interest not requiring a determination by Council and/or not affecting Council Policy.

Background Information

Legislative Requirements
Clause 212 of the Local Government (General) Regulation 2005 states that:

(1) The responsible accounting officer of a council:

(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:

(i) if only one ordinary meeting of the council is held in a month, at that meeting, or

(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and

(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.

(2) The report must be made up to the last day of the month immediately preceding the meeting.

Report

The following information is presented for information only, with additional detail available through inspection of the monthly cheque warrant.

1. (A) Finance Reports

Summary reports outlining Council's financial position as at 28 February 2007. The reports presented include:

- Rates Statement
- Water & Sewer Statement
- Statement of Bank Balances
- Summary of Investments
- Statement of Financial Position
- Statement of Cash Flows
- Rates Collections Analysis (% Collected Each Month)
- Rates Collections Analysis (Cumulative % Collected)
- General Fund Cash Flows Graph
- Restricted Fund Cash Flows Graph

It should be noted that these reports do not include accounting adjustments to be brought to account on an annual basis. The reports also remain unaudited as at the date of presentation to Council.

2. (B) Councillors Travel Expenses Report

Included as an attachment to this report is a schedule showing payments to Councillors for travel claims made during the month. As stated in the Notes, some Councillors may have outstanding claims that cover more than one period.

Recommendation

That the Monthly Finance Report for the month of February 2007 be received and noted.

Attachments

1. Financial Reports
2. Councillors Travel

10E.2 FINANCIAL ASSISTANCE - KIDZ SPACE CHANGE TO USE OF FUNDS

Summary/Purpose

This report presents to Council a request form Bridge and Balance Kidz Space to change the use of funds granted previously under the Financial Assistance Policy.

Previous Council Consideration

At the Ordinary Meeting held August 21, 2006 Council resolved to allocate $500 to enable the Kidz Space dancers to perform at the Lismore Show.

Report

Correspondence has been received from Bridge & Balance Kidz Space, which appears on the following page:

Bridge & Balance
Kidz Space
P.O Box 629
Kyogle 2474
N.S.W.
Email: mv_81_walker@hotmail.com

KYOGLE COUNCIL
RECEIVED
14 FEB 2007
Doc. No.

To whom it may concern.

Re: funds implemented for Kidz Space, 2006

We are writing this letter of thanks for the funds that were approved for the "Kidz Space" dancers that were to perform at the Lismore Show last year. Unfortunately they were unable to perform because they were stricken with chicken-pox.
We are wondering if it is at all possible for the funds that were given if they could be directed to the arrears of rent that we hired for the "Supper room" on a weekly basis last year.

We appreciate you taking the time to read this letter and look forward to hearing from you.

Yours in Unity
Michael Walker

02/01/2002 00:42 0266322324 GUGIN GUDDUBA PAGE 01/01

Recommendation

1. That Council approves the request for the funds to be utilised for the payment of arrears of rent for the KMI Banquet Room.
2. That Council extends the period that the funds may be claimed in for this application until April 30, 2007.

10E.3 KYOGLE AND VILLAGES "RELAY FOR LIFE EVENT"

Summary/Purpose

This report presents to Council a request for support of the Relay for Life Event to be held in Kyogle on May 5 and 6, 2007.

Report

Correspondence has been received from the Co-ordinators of the Kyogle and Villages Relay of Life Event requesting that all Councillors from our various wards promote this event throughout their areas.

A copy of this correspondence on the following page:

KYOGLE & VILLAGES
RELAY FOR LIFE
P.O BOX 671
KYOGLE NSW 2474
PH: 6632 3905 (DEB NERNEY)
PH: 6632 2638 (ANN- MAREE FITZALAN)

Mr Arthur Piggott
General Manager
Kyogle Council
1 Stratheden Street
KYOGLE NSW 2474

KYOGLE COUNCIL
RECEIVED
13 FEB 2007
Doc. No. 19474

C: COUNCILLORS

8th February 2007

Dear Mr Piggott,

RE: KYOGLE AND VILLAGES "RELAY FOR LIFE EVENT 5th & 6th MAY 2007

As you are aware I and a few other community members are in the process of organizing a Cancer Council Relay for Life to be held in Kyogle. This event is planned to take place on the 5th & 6th May 2007.

The Relay for Life is the cornerstone of the Cancer Council's fundraising events. Relay for Life raises much needed funds for Cancer research and in our small community there are far too many families who are affected by this terrible disease. We are writing to you to ask for your assistance in our Relay for Life campaign.

The Relay for Life is a ceremony that is predominately about hope, celebration and remembrance, it also about bringing our community together. Because we are classified as remote rural we seem to miss out on opportunities that are afforded to bigger towns. However Kyogle and its surrounding villages have a tremendous community spirit and always seem to rise to the occasion.

The main intention of our relay is to bring about cancer awareness, education and encourage people to come together for a common goal. Because of the large distances between our different villages and towns it is not always possible for members of our community to have ready access to formal support networks. Therefore, it is one of our greatest hopes that participation in this event will also provide an opportunity for people to meet other survivors, carer's or families who may have lost loved ones to cancer and enable them to form their own personal support networks etc.

Due to the vastness of our Shire, it is our intention to "Bridge the Gaps" and make this event about the celebration of life and create networks that will continue long after the event is held.

2

KYOGLE & VILLAGES
RELAY FOR LIFE
P.O BOX 671
KYOGLE NSW 2474
PH: 6632 3905 (DEB NERNEY)
PH: 6632 2638 (ANN- MAREE FITZALAN)

On behalf of the Relay for Life committee I wish to formally invite all Councillor's from our various wards to get on board to assist and promote the event throughout their areas. Already, we have a growing interest and teams from Urbenville, Woodenbong, Grevillia, Wiangaree and Geneva. However, due to the geographic dynamics of our Shire word would spread a lot further if our councilors promoted the event in their areas with the enthusiasm they use to promote other issues.

I would appreciate if this request could be tabled at Council's next meeting to be held later this month. For further information please contact myself or Ann-Maree Fitzalan on the above contact numbers. I look forward to Council's anticipated support in this event.

Yours truly,

Debra Nerney
(Secretary)

Recommendation

That the report on the Kyogle and Villages Relay for Life Event be received and noted.

10E.4 ARTS NORTHERN RIVERS ANNUAL REPORT 2006

Summary/Purpose

This item presents to Council a copy of the Arts Northern Rivers Annual Report 2006.

Report

A copy of the report appears in the attachments to the business paper.

Recommendation

That the report Arts Northern Rivers Annual Report 2006 be received and noted.

Attachments

1. Arts Northern Rivers Annual Report 2006

ITEM 10F GENERAL MANAGER'S REPORT

10F.1 MONTHLY MANAGEMENT REPORT

Summary/Purpose

This report outlines matters of interest for Council, submitted as information and for determination that have transpired since the last Council Meeting.

Report

(10F.1) – Matters of Interest

a. Media

b. Media Releases Received

c. Council Media Releases

d. Kyogle Council Newsletter – March 2007

Articles from media outlets, which have appeared since the last Ordinary meeting of Council will be tabled at the meeting.

Recommendation

That the media articles tabled at Council's Ordinary Meeting be received and noted.

Attachments

Tabled at the meeting.

10F.2 MAYOR & COUNCILLORS REMUNERATION AND CLASSIFICATION REVIEW

Summary/Purpose

The report provides details of the final report of an independent review of Mayor and Councillor remuneration.

Report

In 2006 the Associations commissioned Mastertek to conduct an independent review of the appropriateness of the current level of fees paid to mayors and councillors in NSW. The review was designed to identify where councillors and mayors are positioned against those in comparable leadership roles.

Councillors and Mayors were interviewed and surveyed in the composition of the report. The report includes recommendations to increase the fees paid to councillors and mayors.

The review is now complete and a copy of the final report is attached.

Recommendation

That the Mayor and Councillor Remuneration and Classification Review report be received and noted.

Attachments

1. Mastertek Mayor and Councillor Remuneration and Classification Review report

10F.3 COUNCILLOR LEWIS; RESIGNATION FROM COUNCIL COMMITTEES

Summary/Purpose

Council is in receipt of correspondence dated 12 March 2007, from Councillor Peter Lewis advising of his resignation from all Council Committees and positions of which he is a Council delegate other than as a Councillor.

Report

As such, Councillor Peter Lewis's resignation now leaves vacancies on the following Committees;

- Traffic Committee,
- Local Emergency Management Committee
- Sense of Place Advisory Committee
- Kyogle Chamber of Commerce
- Area Assistance Scheme Local Ranking Committee
- Richmond-Upper Clarence Regional Library Committee
- General Manager's Review Committee

Recommendation

1. That Councillor Peter Lewis resignation from Committees be received and noted,
2. That Council adopts the following replacements;
    - Traffic Committee
    - Local Emergency Management Committee
    - Sense of Place Advisory Committee
    - Kyogle Chamber of Commerce
    - Area Assistance Scheme Local Ranking Committee
    - Richmond-Upper Clarence Regional Library Committee
    - General Manager's Review Committee

10F.4 LOCAL GOVERNMENT & SHIRES ASSOCIATION; COUNCILLORS PROFESSIONAL DEVELOPMENT PROGRAM

Summary/Purpose

This report presents to Council an item from the Local Government Weekly Issue 09/07 - 2 March 2007, titled "Councillor Professional Development Program March & April".

Report

A copy of the extract is provided below;

Report

Item 6: Councillor Professional Development Program March & April
Local Government Learning Solutions has a program of professional training designed to enhance the skills of elected members and senior staff. It is an opportunity for you to learn, clarify issues, share experiences and network. The programs are open to mayors, councillors and senior staff.
The following two programs will be held in Sydney in March and April.
Media Skills
This practical workshop has been designed to provide councillors with realistic techniques to enable them to be more comfortable, confident and effective in dealing with the media. Learn how to promote yourself and your council by understanding media techniques, tricks and strategies.
The workshop is presented by Kerry Anne Walsh, who has held regular political commentary spots on ABC radio stations across Australia and now works as a federal political correspondent for the Sun Herald. Kerry Anne is a dynamic media trainer and journalist and gives her clients a critical edge in delivering influential messages in a crowded media environment.
Learn to:

- Identify good news stories, angles and opportunities and how to exploit them
- Seize control of media interviews, turn negative stories into positives and place yourself in the dominant role over the journalist
- Sharpen media skills - interview techniques, presentation, and writing press releases.

Date: 19 March
Location: Sydney
Cost: $462 inclusive of GST
Financial Issues in Local Government
This program introduces councillors to council finance responsibilities. It includes basic accounting procedures, budgeting and reading quarterly financial statements and balance sheets.
Content:

- The responsibilities of councillors in regard to council finances
- Basic accounting procedures
- How to read quarterly reviews
- How to interpret council balance sheets
- What are the financial records used in councils
- Depreciation issues
- How the financial information fits into council planning
- Risk management issues
- Council audits - what is expected of councillors

Date: 30 March
Location: Sydney
Cost: $396 inclusive of GST
Contact

LGSA: Darryl Rubiolo 9242 4182 or darryl.rubiolo@lgsa.org.au

Recommendation

1. That the report on the Local Government & Shires Association - Councillor Professional Development Program be received and noted.
2. That any Councillor interested in attending any of the courses/seminars may make arrangements with the Personal Assistant to the General Manager & Corporate Services.

10F.5 MID LACHLAN ALLIANCE DROUGHT SUBMISSION TO FEDERAL GOVERNMENT

Summary/Purpose

This report provides to Council a copy of Parkes Shire Council's submission to the Federal Government concerning on-going drought in response to measures announced by the Government, seeking support for these and other initiatives and in particular for the need for an expedient announcement relating to the requested replanting scheme.

Report

A copy of the correspondence appears in the attachments to the business paper;

Recommendation

That Council supports the Parkes Shire Council in their drought assistance submission.

Attachments

1. Parkes Shire Council correspondence

10F.6 LOCAL GOVERNMENT REFORM PROPOSALS

Summary/Purpose

This report seeks to inform Council of the status of Local Government reform submissions and to seek the endorsement of a clustering submission made on 28 February, 2007.

Previous Council Consideration

Council resolved on 11 December, 2006:

1. That the local government reform proposals report was received and noted.
2. That Council make a submission on local government reform proposals either individually, jointly with other local councils or both.

Report

In Department of Local Government circular 06-66, Councils were informed of reform proposals outlined in two documents: *A New Direction for Local Government* and *Planning a Sustainable Future*. Submissions on both these documents were to be submitted to the Department by 9 March, 2007.

The Minister also specifically requested councils to make submissions on proposal 6.2 in *A New Direction for Local Government* concerning Council Business Clusters. The closing date for these submissions was 28 February, 2007.

A submission on Council Business Clusters was prepared in consultation with staff and Councillors and lodged by the due date. The submission is attached to this report along with the NOROC submission.

Council received subsequent advice from the Department of Local Government that the discussion papers have generated a great deal of interest amongst councils, state agencies and industry groups and many have indicated that they would like more time to prepare detailed submissions on the proposals.

Following discussions with the Local Government and Shires Associations, the department has agreed to extend the consultation period until 27 April 2007. This will allow councils the opportunity to further discuss their submissions with elected representatives and staff and provide a more comprehensive review of the proposals.

No further extensions will be granted beyond this date.

Recommendation

1. That the Local Government Reform Proposals report be received and noted.
2. That Council endorse the Council Business Clusters submission lodged on 28 March, 2007.

Attachments

1. Council Business Clusters submission
2. NOROC submission (separately attached)

ITEM 11 NOTICES OF MOTION

Nil.

ITEM 12 REPORTS FROM DELEGATES

Nil.

ITEM 13 CORRESPONDENCE

Nil.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 15 CONFIDENTIAL BUSINESS PAPER

Nil.