



KYOGLÉ COUNCIL

ORDINARY MEETING AGENDA

**TO BE HELD AT KYOGLE COUNCIL CHAMBERS, STRATHEDEN
STREET, KYOGLE**

ON MONDAY 23 JULY 2012

Commencing at 3.30 p.m.

GENERAL MANAGER: ARTHUR PIGGOTT

Dear Councillor,

In accordance with the provisions of the Local Government (General) Regulation 2005, you are hereby notified of the following Ordinary Meeting to be held at the Kyogle Council Chambers, on Monday 23 July 2012, at 3.30 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 Traditional Lands Acknowledgement
- Item 4 Declaration of Interests
- Item 5 Question Time
- Item 6 Public Access
- Item 7 Confirmation of Minutes
- Item 8 Mayoral Minute
- Item 9 Notices of Motion
- Item 10 Questions with Notice from Councillors
- Item 11 Reports from Delegates
- Item 12 Information Reports
- Item 13 Reports from General Manager
 - A Technical Services Section
 - B Planning Services Section
 - C Environmental Services Section
 - D Corporate Services Section
 - E Community Services Section
 - F General Manager's Section
- Item 14 Urgent Business Without Notice
- Item 15 Questions for Next Ordinary Meeting
- Item 16 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

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 and we acknowledge elders, both past and present.

Adopted by Council on 11 December 2006.
Resolution 111206/21

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.

5.7 Question Time (Council Policy)

A public Question Time session is scheduled following the Declaration of Interests as part of the Ordinary Meeting. This session allows residents to ask questions of Councillors or Management on any issue without prior notice.

Each speaker has a maximum allowable time of 5 minutes.

If a response to a question is not able to be provided during question time, the speaker should be requested to put their question in writing and a written response will be provided in due course and tabled at the next available Council meeting.

The Chair has the right to refuse any question, to refuse to take any further questions from an individual or to cut short the session.

Speakers are not to debate answers.

Speakers are not to make any insulting or defamatory statements, and to take care when discussing other people's personal information (without their consent).

The maximum duration of this session is 30 minutes.

5.8 Public Access (Council Policy)

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

A maximum of 30 minutes is allowed for the Public Access segment.

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.

The General Manager, in consultation with the Mayor will consider each application for public access on its merit.

Residents will not be granted more than one public access request each calendar year (except where the subsequent request(s) directly relate to an item on the agenda for the meeting at which public access is requested).

No more than two speakers for a subject will be permitted at any meeting.

If granted Public Access by the General Manager, the individual resident will be allowed five (5) minutes to address Council with an extension of five (5) minutes for Councillors to direct questions to the speaker.

Applicants who submit an application outside the above times will generally be refused, however, where unusual circumstances exist, the Mayor may at his/her discretion, advise the Council that a public access application has been received and Council has the option to grant public access.

ORDINARY MEETING AGENDA

Monday 23 July 2012

INDEX TO BUSINESS PAPER

ITEM	PRECIS	PAGE
ITEM 1	APOLOGIES	1
ITEM 2	OPENING PRAYER	1
ITEM 3	TRADITIONAL LANDS ACKNOWLEDGEMENT	1
ITEM 4	DECLARATION OF INTERESTS	1
ITEM 5	QUESTION TIME	1
ITEM 6	PUBLIC ACCESS	1
ITEM 7	CONFIRMATION OF MINUTES	1
7.1	CONFIRMATION ORDINARY MINUTES; 25 JUNE 2012	1
7.2	CONFIRMATION OF EXTRAORDINARY MINUTES; 18 JUNE 2012	2
7.3	CONFIRMATION OF EXTRAORDINARY MINUTES; 28 JUNE 2012	2
ITEM 8	MAYORAL MINUTE	3
ITEM 9	NOTICES OF MOTION	3
ITEM 10	QUESTIONS WITH NOTICE FROM COUNCILLORS	3
ITEM 11	DELEGATES REPORTS	3
ITEM 12	INFORMATION PAPERS	3
12.1	MILLERS QUARRY COMPLIANCE ISSUES	3
12.2	WORKS PROGRAM REPORT	5
12.3	QUARRIES REPORT	8
12.4	PLANT BUDGET REPORT - JUNE 2012	9
12.5	FINANCIAL REPORTS - JUNE 2012	13
12.6	COUNCIL RESOLUTIONS REQUIRING ACTION	15
ITEM 13	GENERAL MANAGER 'S REPORT	16
ITEM 13A	TECHNICAL SERVICES REPORT	16

13A.1	ASSET MANAGEMENT POLICY	16
13A.2	REVIEW OF ROAD RESERVE MANAGEMENT PLAN	17
13A.3	ROAD NAMING - NEW NAMES MAYFIELD ESTATE	18
13A.4	ROADWORKS CROSSLEYS ROAD	20
13A.5	EMERGENCY WORKS SLIP RESTORATION SUMMERLAND WAY	21
	Summary/Purpose	21
	Background Information	21
	Report	22
	Budget & Financial Aspects	22
	Recommendation	23
ITEM 13B	PLANNING SERVICES REPORT	24
13B.1	DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 1 JUNE 2012 TO 30 JUNE 2012	24
13B.2	MINUTES OF THE PLANNING & ENVIRONMENT COMMITTEE - JULY 2012	31
13B.3	POSSIBILITY OF PERMANENT RESIDENCY AT BONALBO CARAVAN PARK	33
13B.4	OVERGROWN DERELICT RESIDENTIAL BLOCKS OF LAND	35
13B.5	DRAFT KYOGLE LOCAL ENVIRONMENTAL PLAN 2012	37
ITEM 13C	ENVIRONMENT SERVICES REPORT	38
ITEM 13D	CORPORATE SERVICES REPORT	38
ITEM 13E	COMMUNITY SERVICES REPORT	38
13E.1	PRE SCHOOL LEASES	38
ITEM 13F	GENERAL MANAGER'S REPORT	40
ITEM 14	URGENT BUSINESS WITHOUT NOTICE	40
ITEM 15	QUESTIONS FOR NEXT ORDINARY MEETING	40
ITEM 16	CONFIDENTIAL BUSINESS PAPER	40
16.1	TENDERS FOR CONTRACT 2011/12-010 OXBOW ROAD	40
16.2	TENDERS FOR CONTRACT 2011/12-011 ANNUAL TENDERS FOR GABIONS AND ROCK FILLED MATTRESSES	40
	APPENDIX / ATTACHMENTS	1

ITEM 1 APOLOGIES

ITEM 2 OPENING PRAYER

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

ITEM 4 DECLARATION OF INTERESTS

Nil.

ITEM 5 QUESTION TIME

Nil.

ITEM 6 PUBLIC ACCESS

Nil.

ITEM 7 CONFIRMATION OF MINUTES

7.1 CONFIRMATION ORDINARY MINUTES; 25 JUNE 2012

Summary/Purpose

A copy of the Minutes for the Ordinary Meeting held on 25 June 2012, are included in the attachments to the business paper.

Recommendation

That the Minutes of the Ordinary Meeting held on 25 June 2012, be adopted.

Attachments

1. Minutes of the Ordinary meeting held on 25 June 2012 (Separately attached)

7.2 CONFIRMATION OF EXTRAORDINARY MINUTES; 18 JUNE 2012

Summary/Purpose

A copy of the Minutes for the Extraordinary Meeting held on 18 June 2012, is included in the attachments to the business paper.

Recommendation

That the Minutes of the Extraordinary Meeting held on 18 June 2012, be adopted.

Attachments

1. Minutes of the Extraordinary meeting held on 18 June 2012 (Separately attached)

7.3 CONFIRMATION OF EXTRAORDINARY MINUTES; 28 JUNE 2012

Summary/Purpose

A copy of the Minutes for the Extraordinary Meeting held on 28 June 2012, is included in the attachments to the business paper.

Recommendation

That the Minutes of the Extraordinary Meeting held on 28 June 2012, be adopted.

Attachments

1. Minutes of the Extraordinary meeting held on 28 June 2012 (Separately attached)

ITEM 8 MAYORAL MINUTE

Nil.

ITEM 9 NOTICES OF MOTION

Nil.

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 MILLERS QUARRY COMPLIANCE ISSUES

Summary/Purpose

This report is to provide Council with information relating to the matters identified in the annual compliance report for DA 2003-27 (Millers Quarry) provided by the Acting Director Technical Services on April 2, 2012.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Economic Development
- Environmental and Planning

Background Information

Council lodged an amendment to DA 2003-27 on December 21, 2011 after it was identified that there had been non-compliance associated with the extraction rates originally approved for the quarry.

Previous Council Consideration

At its Ordinary Meeting of April 23, 2012 Council resolved;

That the annual compliance report for Millers Quarry be reviewed by an independent assessor and the results presented to full Council.

That an initial compliance report for Millers Quarry be prepared for the July Ordinary Council Meeting covering those issues which were raised at the March Ordinary Council Meeting and the timeframe within which those issues will be satisfactorily addressed.

Report

The following comments are provided in relation to compliance issues raised at the March Ordinary Council meeting;

Condition 2; This related to the extraction amounts and this has been resolved through the amended consent issued June 6, 2012.

Condition 27; Relating to erosion and sediment control. It is proposed to prepare a revised erosion and sediment control plan for the site. Survey works have commenced and should be completed towards the end of August. Once the survey work is completed, the current site will be compared to the final rehabilitation profile and the scope of works determined to commence rehabilitation works, and erosion and sediment control plans revised based on the extent of the rehabilitation works. This will include addressing the scouring of the northern face of the noise barrier visible from the property opposite on Afterlee Road. As the next stage of the extraction will now involve removal of the floor of the quarry, the current erosion and sediment control plan will no longer suit the site, and this will be taken into consideration in preparing the revised plan, and undertaking rehabilitation works prior to extraction commencing into the quarry floor. Given the current work load and staffing levels, the design works will likely take until the end of September to complete. Subject to the remaining works program, construction works would likely commence in October or November 2012, and there would be blasting and crushing operations undertaken in conjunction with these works.

In addition, the report from the April 2, 2012 Planning and Environment Committee included some discussion on noise issues relating to the quarry. The report notes that only very limited noise testing has been undertaken, and whilst this noise testing did not find any breach of the consent, it was not considered to be a true indicator of ambient conditions, and it was recommended that a full noise assessment should be undertaken. It is noted also that the revised conditions of consent issued on June 6, 2012 include a new condition requiring Council as the quarry operator to arrange for independent noise monitoring and assessment to be undertaken during the various quarry operations at the site. This will be complied with during the course of the works in October this year.

Budget & Financial Aspects

The 2012/13 budget includes an amount of \$30,000 to cover the rehabilitation component of the proposed works, with the remainder of the works being funded from quarry operations budget.

Recommendation

That the report on Millers Quarry Compliance Issues be received and noted.

12.2 WORKS PROGRAM REPORT

Summary/Purpose

This report provides Council with an update on progress of the works program to 30 June, 2012.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Village Life
- Waste & Water

Report

Maintenance and Construction Works

We saw a bit of a return to the wet weather during June, but there was still significant progress made. The maintenance grading crews east of the range have completed grading of Green Pigeon Road, Davis Road, Proctors Road and are currently on Walters Road. This crew will be moving to the Horseshoe Creek area next. The other crew has been on the Bruxner Highway undertaking heavy patching works, and has now moved into Mallanganee to undertake rehabilitation works on Sandilands Street. This crew will be moving back to the Williams Road area when the works at Mallanganee are completed, then onto Sargents Road and Homeleigh Road. West of the range, the crew has been on Old Lawrence Road undertaking gravel resheeting and drainage improvements. This crew will be then moving to Goanna Creek Road to complete gravel resheeting up to the timber bridge.

Vegetation control works were completed on the Bruxner Highway, and Tunglebung Creek Road and are currently underway on the Clarence Way. Urgent flood restoration works are underway on the Clarence Way near Yabbra State Forest to repair a slip. Temporary pavement repairs were completed on the Clarence Way, Omagh Road, Iron Pot Creek Road, Afterlee Road, Fawcetts Plain Road, Sextonville Road, Horseshoe Creek Road, Green Pigeon Road, Theresa Creek Road, Culmaran Creek Road, Tunglebung Creek Road, the Summerland Way and on Kyogle Road where they are still ongoing. Temporary pavement repairs will be undertaken on Duck Creek Road, Tabulam Road and Deep Creek Road during July. Heavy patching is planned for the Mount Lindesay Road and Kyogle Road near Barkersvale early in July, this work was delayed due to the recent wet weather. Crews have almost completed the signage upgrades along the Bruxner Highway funded by Roads and Maritime Services.

Bridge construction works have been completed on Dyraaba Road, with the new bridge open to traffic but still awaiting the final guardrail installation. The crew are now finishing off the deck on the Needhams Road bridge, and will then be moving to Sawpit Creek Road to remove two bridges to be replaced with concrete pipes. The Canberra Bridge on Findon Creek Road is undergoing works to allow access for the cranes required to complete the construction of the Flowers Bridge further along Findon Creek Road. The deck placement at Findon Creek will need to wait until the week of July 24 to meet Essential Energy power outage notification requirements due to the proximity of the power lines to the bridge where the cranes will be operating. This date was set back due to the recent wet weather. Bridge replacement works at Ghinni Ghi Road are progressing with abutment construction now underway.

Drainage improvements and new kerb and guttering have been completed in Roxy Lane, and the new asphalt surface applied. Drainage works in Mallanganee are almost completed, and the widening and rehabilitation of Sandilands Street in Mallanganee is in progress. Once the drainage works are completed in Mallanganee, the crew will move to Tabulam to undertake some drainage improvements there. In Woodenbong, a contractor has been engaged to undertake construction of a levee and diversion drain along Richmond Lane between Dalmorton and Unungar Streets, and works will be commencing in July, weather permitting. In the village of Bonalbo, contractors have been engaged to undertake drainage improvements between Woodenbong Road and Sandilands Street, on Farm Road and in Dyraaba Street. These works are expected to commence in early August. There will be a series of large gum trees removed along the drain to allow the drainage works to be undertaken. These tree lopping is expected to start early July.

Rehabilitation works on Bentley Road are nearing completion, with some delays caused by the recent wet weather. Resealing works have been completed on the Summerland Way, as well as initial sealing on Terrace Creek Road on the approaches to the new bridge. Guardrail is still to be installed on the approaches to the bridge. The sealed road resealing program has been delayed several times this year already, and there are a number of reseals to be completed from last years budget allocation on Sextonville Road, Eden Creek Road, Omagh Road, Brown Knob Road and Kunghur Street in Wiangaree. These will all be completed in July if the weather stays dry.

The Summerland Way remains closed to heavy vehicles due to a landslip near Imbreys Road, north of Grevillia. Exemptions are available for local vehicles, and arrangements can be made through Councils offices by contacting (02) 66320221 during business hours. Council is working closely with the Project Managers from the Roads and Maritime Services to ensure that the road can remain open to light traffic and local heavy traffic, and that restoration works are undertaken as soon as possible. The RMS have provided a timetable to Council that should see stabilisation works commence in early July, with permanent restoration works to commence immediately after the stabilisation works.

Customer Action Requests

See separate attached report on Customer Action Requests (CAR) received for the period 1 June 2012 - 30 June 2012. This months report also includes additional graphs of Customer Action Requests as per Councils resolution from June. The graphs show a

pronounced increase in CARs for the 2012 calendar year. The customer services staff have not noticed a marked increase in the requests received, but there have been some procedural changes that are likely to be the major contributing factors for the increase.

These are;

1. All phone calls from the flooding and storms in January 2012 were recorded as individual CARs, whereas in the past these calls were logged separately and not included back into the CAR system.
2. All requests received by letter or e-mail are also now being logged in the CAR system, whereas this was not the case in the past.

Budget & Financial Aspects

The financial performance summary is provided in the attachments to this report.

Recommendation

That the works program report be received and noted.

Attachments

1. Financial performance summary.
2. Customer Requests for the period.

12.3 QUARRIES REPORT

Summary/Purpose

This report is to advise Council of quarry operations and budget to 30 June, 2012.

Community Strategic Plan Item(s)

- Roads and Infrastructure

Report

Contractors have completed the construction of the ground water monitoring bore at the Millers Quarry site to allow for future extraction into the floor of the quarry. The quarry is currently being surveyed in order to establish a benchmark for future volumetric surveys to monitor extraction rates, as well as to allow for a review of the current erosion and sediment control measures, and the proposed staging of the extraction in the floor. There are funds allocated towards rehabilitation in this financial year at the Millers site, and the existing profile will be compared to the final rehabilitation plan to ensure that the existing profile above ground level matches the approved rehabilitation plan before extraction into the floor commences. The next blasting and crushing operation will also be subject to a noise monitoring assessment and report, as required by the revised consent.

Budget & Financial Aspects

The following is a summary of the quarries budget for 2011/12 at May 31, 2012:

MILLERS

SALES	155,000	216,890	Approximately 6,200t remains stockpiled on site
COST OF SALES	133,610	186,959	
NET PROFIT / (LOSS)	21,390	29,931	

MEDHURSTS

	Budget	YTD	
SALES	56,000	90,211	Approximately 7,600t remains stockpiled on site
COST OF SALES	42,000	67,658	
NET PROFIT / (LOSS)	14,000	22,553	

GRIFFITHS

SALES	60,000	68,042	Approximately 6,800t remains stockpiled on site
COST OF SALES	45,000	51,032	
NET PROFIT / (LOSS)	15,000	17,011	

LLOYDS

SALES	40,000	56,535	Approximately 150t remains
-------	--------	--------	----------------------------

COST OF SALES	34,400	48,620	stockpiled on site
NET PROFIT / (LOSS)	<u>5,600</u>	<u>7,915</u>	

SUMMARY

SALES	311,000	431,678
COST OF SALES	<u>255,010</u>	<u>354,269</u>
NET PROFIT / (LOSS)	<u>55,990</u>	<u>77,409</u>

The higher than expected quarry sales are mainly associated with flood damage restoration and emergency works undertaken during the year.

Recommendation

That the quarries report be received and noted

12.4 PLANT BUDGET REPORT - JUNE 2012

Summary/Purpose

This report presents information relating to plant costs and performance as at 30 June, 2012 for Council's information.

Community Strategic Plan Item(s)

- Roads and Infrastructure

Report

Copies of the following reports appear below:

- Plant and Depot Operations Budget
- Plant Replacement Schedule
- Plant Budget Report (by plant item).

1. Plant Acquisitions/Sales 2011/2012

PLANT ACQUISITIONS/SALES 2011/2012							
as at 30 June, 2012							
		Estimated Cost			Actual Cost		
to be replaced	Purchase	Trade	Net	Purchase	Trade	Net	
Light Vehicles							
4wd wagon	130,000	105,000	25,000	131,205	100,242	30,963	
4wd Utility	195,000	125,000	70,000	206,862	116,475	90,387	
Utility/Van	107,000	70,000	37,000	76,701	39,566	37,135	
	432,000	300,000	132,000	414,768	256,283	158,485	
Quantities							
4wd Wagon	3	4	(1)	3	4	-1	
4wd Utility	7	5	2	6	5	1	
Utility/van	3	4	(1)	3	3	0	
Heavy Plant - (Trade)							
Grader	375,000	130,000	245,000	349,500	140,909	208,591	
Tractor	170,000		170,000				
Grid Roller	100,000		100,000	93,408	0	93,408	
Truck - 10m Tipper		80,000	-80,000		82,375	-82,375	
Tipping Dog Trailer		40,000	-40,000		40,102	-40,102	
W/Shop Truck	65,000	10,000	55,000	51,166	13,236	37,930	
Truck-Tipper 4 Tonn	60,000	15,000	45,000	56,900	16,413	40,487	
2011-2011 Revotes							
Mini Excavator	120,000	30,000	90,000	112,745	36,838	75,907	
Loader	250,000	138,270	111,730	199,603	85,000	114,603	
	1,140,000	443,270	696,730	863,322	414,873	448,449	
Small Plant							
Misc.	45,000		45,000	97,053	19,864	77,189	
PA Ride on mowers	16,000	4,000	12,000	11,818	5,780	6,038	
	61,000	4,000	57,000	108,871	25,644	83,227	
	1,633,000	747,270	885,730	1,386,961	696,800	690,161	
* Trade not yet sold							

2. Plant Budget Report (by plant item)

As at 30 June, 2012				
	PLANT ITEM	INCOME	EXPENDITURE	PROFIT/LOSS
3	CAT 12H GRADER	69,090	17,465	51,625
4	CAT 140H GRADER	109,725	27,014	82,711
5	JOHN DEERE 770D GRADER	129,745	34,027	95,718
6	JOHN DEERE 770 G GRADER	101,475	23,967	77,508
24	DINGO K94 MINI DIGGER	7,210	2,469	4,741
25	MINI EXCAVATOR	29,521	2,443	27,078
26	STREET SWEEPER	13,282	5,455	7,827
27	CLARK BOBCAT	16,927	2,418	14,509
28	CAT 938G LOADER	29,070	12,408	16,662
29	KUBOTA EXCAVATOR	50,906	5,633	45,273
32	CAT 324DL EXCAVATOR	131,010	42,396	88,614
33	CAT 324DL EXCAVATOR	90,860	22,147	68,713
34	CATERPILLAR IT28G LOADER	68,175	16,962	51,213
35	CATERPILLAR 966H LOADER	70,290	17,919	52,371
36	CATERPILLA 816F COMPACTOR	37,520	8,409	29,111
40	FRANNA MOBILE CRANE	61,725	9,947	51,778
41	CAT FORKLIFT	4,493	3,357	1,136
51	HYSTER DRAWN GRID ROLLER	15,835	963	14,872
52	GRID ROLLER-COATES	20,930	4,136	16,794
62	JOHN DEERE 315SG BACKHOE	12,390	3,780	8,610
63	CAT 432D BACKHOE	17,850	6,073	11,777
64	KOMATSU WB97S BACKHOE	43,500	11,549	31,951
71	CASE MX90C TRACTOR	33,118	10,962	22,156
72	CASE MX200 TRACTOR	54,975	27,955	27,020
73	CASE MX210 TRACTOR	67,162	37,702	29,460
78	MCCORMICK MC105	58,662	18,201	40,461
79	MCCORMICK MC115	56,680	11,666	45,014
80	JOHN DEERE 2085 TRACTOR	22,498	5,108	17,390
88	MCCONNEL REACH MOWER	23,676	13,837	9,839 *
101	ISUZU NPR250 CAB CHASSIS	1,827	1,990	-163
135	ISUZU JETMASTER 2000	117,220	37,882	79,338
137	ISUZU NPR 400 TIPPER MAXIL	41,366	6,706	34,660
139	ISUZU GIGA 385CXY TIPPER	57,435	15,920	41,515
140	ISUZU NPR 400L CRANE/TIPPE	55,223	9,127	46,096
141	ISUZU FVZ1400M TRUCK/WATER	52,675	12,354	40,321
142	ISUZU NPR400L TIPPER	28,122	3,111	25,011
143	ISUZU FVZ1400L CRANE TRUCK	125,790	16,506	109,284
144	ISUZU NPR400L TIPPER	67,897	8,501	59,396
145	ISUZU NPR400L TIPPER	70,864	11,244	59,620
146	ISUZU NPR400L TIPPER	43,517	13,634	29,883
147	ISUZU FRR525 TIPPER	54,266	10,028	44,238
148	ISUZU FVZ1400 TIPPING TRUCK	48,197	11,566	36,631
149	KENWORTH T401 PRIME MOVER	111,352	48,278	63,074
150	KENWORTH T350 TIPPER	101,202	49,859	51,343
151	KENWORTH T350 TIPPER	95,340	38,770	56,570
152	ISUZU FXZ 1500 TIPPER	66,267	12,946	53,321
	Notes			
	*Refitted hydraulic pump and motor			

3. Plant and Depot Operations

	Budget	Budget YTD	30.06.12	Comments				
PLANT & DEPOT OPERATIONS								
OPERATING								
PLANT INCOME	3,701,221	3,701,221	3,826,403					
PLANT EXPENDITURE								
FRINGE BENEFIT TAX	16,974	16,974	21,045	Staff contributions to be amended for operating vehicles				
PLANT M & R	1,471,738	1,471,738	1,258,091	Low level of breakdowns/maintenance				
DEPRECIATION EXP VEHICLE FLEET	874,333	874,333	874,333					
	2,363,045	2,363,045	2,153,469					
NET SURPLUS/(LOSS)	1,338,176	1,338,176	1,672,934					
PROFIT ON SALE OF PLANT								
PROCEEDS ON SALE OF PLANT & EQUIPMENT	509,000	509,000	696,800					
BOOK VALUE OF SOLD PLANT & EQUIPMENT	301,661	0	0					
	207,339	509,000	696,800					
OTHER INCOME								
PRIVATE USAGE CONTRIBUTIONS STAFF VEHICLES	42,858	42,858	44,239					
OTHER INCOME	0	0	7,016					
	42,858	42,858	51,255					
DEPOT EXPENSES								
KYOGLE DEPOT	66,641	66,641	70,177					
BONALBO DEPOT	24,397	24,397	20,654					
WOODENBONG DEPOT	7,501	7,501	8,144					
	98,539	98,539	98,975					
TOTAL OPERATING	1,489,834	1,791,495	2,322,014					
CAPITAL								
NON CURRENT ASSETS								
DEPOT IMPROVEMENTS	157,963	157,963	157,204					
PLANT PURCHASES	1,394,730	1,394,730	1,386,962					
BOOK VALUE SOLD ASSETS	(126,535)	0	0					
ACCUMULATED DEP'N - VEHICLE FLEET	(874,333)	(874,333)	(874,333)					
	551,825	678,360	669,833					
TOTAL CAPITAL	551,825	678,360	669,833					
NET SURPLUS/(COST) OF ACTIVITY	938,009	1,113,135	1,652,181					

Recommendation

That the Plant Budget Report be received and noted.

12.5 FINANCIAL REPORTS - JUNE 2012

Summary/Purpose

This report presents financial reports to Council for information.

Community Strategic Plan Item(s)

- Governance and Community Service

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.

1. (A) Finance Reports

Summary reports outlining Council's financial position as at 30 June, 2012. The reports presented include:

- Rates Statement and Graph
- Statement of Bank Balances
- Summary of Investments

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 information contained in the Monthly Finance Report – June 2012 be received and noted.

Attachments

1. Financial Reports
2. Councillors Travel

12.6 COUNCIL RESOLUTIONS REQUIRING ACTION

Summary/Purpose

This report presents to Council a list of Council resolutions requiring action as at 30 June 2012.

Community Strategic Plan Item(s)

- Governance and Community Service

Report

Attached to this report is a table detailing resolutions requiring action and their current status.

Recommendation

That the Council resolutions requiring action report be received and noted.

Attachments

1. Council resolutions requiring action as at 30 June 2012. (Separately attached)

ITEM 13 GENERAL MANAGER 'S REPORT

ITEM 13A TECHNICAL SERVICES REPORT

13A.1 ASSET MANAGEMENT POLICY

Summary/Purpose

This report is to provide Council with information on the draft Asset Management Policy placed on public display.

Community Strategic Plan Item(s)

- Governance and Community Service
- Roads and Infrastructure
- Village Life
- Waste & Water

Background Information

As part of the Division of Local Governments Integrated Planning and Reporting Framework, Council must adopt an asset management framework, which includes an asset management policy, asset management plans, and an asset management strategy. This forms part of the overall Resourcing Strategy which must be completed to show how the Operational Plan will be implemented.

Previous Council Consideration

At its Ordinary Meeting of May 28, 2012 Council resolved;

1. *That the Draft Asset Management Policy report was received and noted*
2. *That the Draft Asset Management Policy be placed on public display and submissions called from the public.*

Report

The draft policy was placed on public display and submissions called from the public as per Councils resolution. No submissions were received.

Budget & Financial Aspects

The adoption of an Asset Management Policy does not have any direct budget implications,

Recommendation

1. That the report on the Asset Management policy be received and noted.
2. That the Asset Management Policy be adopted.

13A.2 REVIEW OF ROAD RESERVE MANAGEMENT PLAN

Summary/Purpose

This report is provided in response to the recent advertisement of proposed changes to Councils Road Reserve Management Plan.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Village Life

Previous Council Consideration

At its Ordinary Meeting of 28 May, 2012 Council resolved;

"That the draft changes to the Road Reserve Management Plan (including a minimum standard stock proof fence on roads other than state highways comprise posts spacing 4 metres or less, 4 barbed wires (225mm) apart in rural areas or a demonstrated effective alternative), be placed on public display and submissions called from the public.

That the seating in front of the Chemist shop in Summerland Way, Kyogle, is retained, provided the owner of the building is in agreement.

Whilst the draft is on display, Council staff liaises with the Chamber of Commerce on viable alternatives for street seating."

Report

The draft changes to the Road Reserve Management Plan were advertised, and placed on public display with a call for submissions from the public, as per Councils resolution. No submissions were received.

Council wrote to the owner and operator of the chemist shop in the Summerland Way and received a written reply confirming that they did not agree to the seat being retained in front of the chemist building.

Council staff attended the Chamber of Commerce meeting on 5 June, 2012 and provided copies of the proposed changes to the Road Reserve Management Plan and discussed alternate locations for seats against the building line. The Chamber advised that they would consult with shop owners and advise if any of them were prepared to have a seat placed in front of their building. Other than the location already identified in front of the Commonwealth Bank, no other site has been identified by the Chamber.

Budget & Financial Aspects

There are no financial implications of this recommendation. The current Road Reserve Management Plan and fees and charges provide for an annual lease fee for use of footpath areas, however these fees have never been applied. As such, there is no loss of revenue, and the additional administrative procedures will be managed within existing budget allocations.

Recommendation

1. That the report on the Review of Road Reserve Management Plan be received and noted.
2. That the Road Reserve Management Plan be adopted.

13A.3 ROAD NAMING - NEW NAMES MAYFIELD ESTATE

Summary/Purpose

This report is to provide Council with information on the proposed road names for the new roads within the Mayfield Estate subdivision in Kyogle.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning

Previous Council Consideration

At its Ordinary Meeting of May 28, 2012 Council resolved;

- 1. That the report on Road Naming New Roads Mayfield Estate be received and noted.*

2. That Council advertises for submissions from the public on the road naming issue listed below;

Current Road Name or Description of Route

The new road created as part of Stage 1a of Development Application 2009-35 that runs from Colin Street in a north easterly direction shown as "Mayfield Drive" on DP 1172403

Proposed Road Name

Mayfield Road

Reason

Newly constructed road

Current Road Name or Description of Route

The new road created as part of Stage 1a of Development Application 2009-35 that runs from proposed Mayfield Drive in a south easterly direction shown as "Howard Court" on DP 1172403

Proposed Road Name

Howard Court

Reason

Newly constructed road

Report

The proposed road names were advertised and submissions called for as per the resolution of Council. No submissions were received.

Budget & Financial Aspects

The proposed naming will require notification, gazettal, signage and notification to affected properties at Council's expense. These are minor items covered by Council's current operational budget allocations. Any future maintenance and capital works for the road will be determined in accordance with Council's Road Network Management Plan, and as allocated in Council's Management Plan.

Recommendation

1. That the report on road naming new roads Mayfield Estate be received and noted.
2. That, under section 162 of the Roads Act 1993, Council adopts the proposed road name shown below and serve notice of this name on Australia Post, the Registrar-General and the Surveyor General as required under Section 7 of the Roads (General) Regulation 2000, prior to Gazettal.

Current Road Name or Description of Route

The new road created as part of Stage 1a of Development Application 2009-35 that runs from Colin Street in a north easterly direction shown as "Mayfield Drive" on DP 1172403

Proposed Road Name

Mayfield Road

Current Road Name or Description of Route

The new road created as part of Stage 1a of Development Application 2009-35 that runs from proposed Mayfield Drive in a south easterly direction shown as "Howard Court" on DP 1172403

Proposed Road Name Howard Court

13A.4 ROADWORKS CROSSLEYS ROAD

Summary/Purpose

This report provides Council with an update on the Roadworks to occur on Crossleys Road.

Community Strategic Plan Item(s)

- Roads and Infrastructure

Report

Report to be distributed prior to meeting.

Recommendation

For Council's determination.

Summary/Purpose

This report is to provide Council with information on the situation with the slip on the Summerland Way near the intersection with Imbreys Road.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Economic Development

Background Information

The following information was contained in the media release from Council on June 15, 2012, and is provided as background information.

The Summerland Way has been reduced to a single lane and closed to heavy vehicles traffic 35km north of Kyogle due to a major landslip. Heavy vehicle detours are being sign posted at Casino, Warwick, and Beaudesert, co-ordinated by the Roads and Maritime Services, Queensland Transport and Main Roads and Kyogle and Richmond Valley Councils. Heavy vehicles are to be detoured via the Bruxner Highway, Pacific Highway and New England Highway. Due to the landslip on the Clarence Way, which is also reduced to one lane under traffic lights, and the landslips and temporary repairs on Kyogle Road, neither of these roads are suitable as heavy vehicle detours.

The RMS have geotechnical experts undertaking investigations at the site to determine the works required to restore the road and to stabilise the slip area. The landslip is to be placed under 24 hours surveillance from today until such time as urgent works can be undertaken to provide stabilisation of the embankment, and removal of the heavy vehicle restrictions. This urgent work is expected to take up to two weeks to complete. The heavy vehicle closure will remain in place until such time as the stabilisation works have been completed.

Council and the RMS have agreed to allow essential local heavy vehicle traffic to continue to use the road under strict controls. This will be limited to local deliveries from Kyogle, Woodenbong and Urbenville, as well as milk tankers and school buses. Approval must be obtained from Kyogle Council for any such local movements, phone (02) 66320221 for further details. A heavy vehicle detour will be established in Kyogle to allow heavy vehicles to turn around, and road closure points will be established at the intersection of the Summerland Way with Mount Lindesay Road near Woodenbong, and Anzac Drive in Kyogle. These two sites will be manned 24 hours by traffic controllers, and police patrols, to ensure that only authorised essential local heavy vehicles are permitted past these points. Fines will apply to vehicles over 12 tonne who have not been authorised by Council and chose to ignore these closures or direction from traffic controllers.

Council is working closely with the RMS and their technical experts to ensure that the road can remain open to essential traffic, and to ensure that restoration works are undertaken as

soon as possible. Council apologises for any inconvenience caused to heavy vehicle traffic due to this emergency situation.

Report

The position has not changed substantially from that described in the media release above. Council has been in constant contact from officers of the RMS, but at this point there has been no authorisation for stabilisation works to commence.

The RMS engaged specialist geotechnical experts, to prepare a design and report on the proposed temporary stabilisation works to allow the removal of the heavy vehicle restrictions and allow the final restoration to commence. Their draft report was released on July 2, 2012, and a copy provided to Council. The proposed stabilisation methodology involves the use of pneumatically driven, grout filled galvanized steel tubing, or "nails", approximately 6m long to be shot into the remaining embankment at approximately a 1m grid. This work is of a very specialist nature, and subject to a proprietary design. As such, there is only one contractor available that can undertake the works, this is a New Zealand based company called Hiway Stabilizers. This type of technique has not been used in NSW before, but has been used in northern Queensland successfully.

The RMS has advised that they intend to request Council to engage Hiway Stabilizers as a subcontractor to undertake the works, subject to final approval of the design. At an on-site meeting held on Wednesday 11 July, 2012 to discuss the way forward Council was advised that the design was still subject to final sign off by the RMS, and that this was expected to occur by the end of that week. Council received advice on Friday 13 July, 2012 that this process would take a further week to occur. At the time this report was written, Council are still waiting for final RMS sign off on the proposed design.

In the interest of ensuring that there are no delays once the RMS sign off on the design, Council has sought information from the sub-contractor Hiway Stabilizers in relation to their unit rates, insurances and safety management systems. Based on the draft design, and the indicative unit rates received from the sub-contractor, the engagement of Hiway Stabilizers is likely to exceed \$150,000.

The provisions of the Local Government Act relating to the calling of tenders under Section 55 require that tenders be called for any contract over \$150,000 in value. These provisions do not apply where a contract is made in the case of emergency and further a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders. Under the circumstances, it is proposed that tenders not be called for the proposed works, and that Hiway Stabilizers be engaged as per the direction from the RMS to undertake these emergency works, subject to the final design approval and direction being received from the RMS.

Budget & Financial Aspects

The works are funded by the RMS under the provisions of the Routine Maintenance Council Contract (RMCC). Under the RMCC the RMS can instruct Council to engage a specified sub-contractor, as they have advised they intend to do in this case. Council will

recover all costs, including an allowance for project management, administration and profit, as per the standard conditions of the RMCC.

Recommendation

1. That the report on the Emergency Works Slip on the Summerland Way be received and noted
2. That Council authorises the engagement of Hiway Stabilizers for the stabilisation works as requested by the Roads and Maritime Services without inviting tenders as the works are required urgently and the unavailability of competitive tenderers.

ITEM 13B PLANNING SERVICES REPORT

13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 1 JUNE 2012 TO 30 JUNE 2012

Report

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 DMP For Comment
Status: Applicant to advise

2010/58

Property: Lot 1 DP 17828 Fairy Mount Parish, Rous County.
Address: Greer St Kyogle
Applicant/Owner: GM Project Development & Management / C Viel & RC Endres
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Applicant to advise

2011/20

Property: Lot 13 DP 1081723 Fairy Mount Parish, Rous County.
Address: Kyogle Rd Homeleigh
Applicant/Owner: Coastline Building Certification / PJ & SJ Owen
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting additional information

2011/34

Property: Lot 12 DP 582916 Stratheden Parish, Rous County.
Address: Edenville Rd Cedar Point
Applicant/Owner: Rodney John Graham / PA Carlill
Proposal: Quarry
Received: Referred to JRPP
Status: Approved by JRPP

2011/80

Property: Lot 11 DP 1101053 Hanging Rock Parish, Rous County.
Address: Williams Rd Barkers Vale
Applicant/Owner: GM Project Development / GA Little & GF Behrend
Proposal: Expansion of a Landsharing Community
Received: Referred To DMP For Comment
Status: Awaiting additional information

2011/102

Property: Lot 11 DP 1058287 Fairy Mount Parish, Rous County.
Address: Andrew Street Kyogle

Applicant/Owner: DW McNamara / McNamara & Tierney Pty Ltd
Proposal: Change of use for landscaping/storage
Received: Referred To DMP For Comment
Status: Awaiting additional information

2011/108

Property: Lot 8 DP 249222 Geneva Parish, Rous County.
Address: Omagh Road Geneva
Applicant/Owner: Newton Denny Chapelle / JR & JD Singh
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2011/147

Property: Lot 290 DP 755732 Queebun Parish, Rous County.
Address: Eggins Road Doubtful Creek
Applicant/Owner: Newton Denny Chapelle / JG & FJ Lindstrom
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting additional information

2011/148

Property: Lot 241 DP 1055836 Wyndham Parish, Rous County.
Address: Olympian Road Wyneden
Applicant/Owner: Newton Denny Chapelle / WJ & KJ Farrah
Proposal: Subdivision
Received: Referred To RFS For Comment
Status: Awaiting additional information

2011/162

Property: Lot 51 DP 805297 Warrazambil Parish, Rous County.
Address: Collins Creek Road Collins Creek
Applicant/Owner: DJ Burt
Proposal: Dwelling additions
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2011/180

Property: Lot 105 DP 752395 Sandilands Parish, Rous County.
Address: Bruxner Highway Mallanganee
Applicant/Owner: Bonalbo Past & Futures Committee / L Strain
Proposal: Sign
Received: Referred To DMP For Comment
Status: Awaiting additional information

2011/181

Property: Lot 51 DP 755719 Loadstone Parish, Rous County.
Address: Gradys Creek Road Gradys Creek
Applicant/Owner: Newton Denny Chapelle / SM Sherman
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2011/190

Property: Lot B DP 303638 Fairy Mount Parish, Rous County.

Address: 114-116 Summerland Way Kyogle
Applicant/Owner: Signcraft / Commonwealth Savings Bank
Proposal: Advertising structure
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/7

Property: Lot 72 DP 815864 Wiangaree Parish, Rous County.
Address: Summerland Way Wiangaree
Applicant/Owner: J McLeod / TLBRJ Pty Ltd
Proposal: Change of use – Service station to pizza shop
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2012/8

Property: Lot 12 DP 1088683 Wiangarie Parish, Rous County.
Address: Collins Creek Road Collins Creek
Applicant/Owner: FS Kotzyba / FS Kotzyba & LG Pinto
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/14

Property: Lot 13 DP 604460 Fairy Mount Parish, Rous County.
Address: McDougall Street Kyogle
Applicant/Owner: Newton Denny Chapelle / Kyogle Bowling Club Ltd
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/15

Property: Lot 225 DP 719971 Runnymede Parish, Rous County.
Address: Summerland Way Cedar Point
Applicant/Owner: Newton Denny Chapelle / RW Fuller
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2012/16

Property: Lot A DP 340058 Fairy Mount Parish, Rous County.
Address: Summerland Way Kyogle
Applicant/Owner: RD & AM Creighton
Proposal: Dwelling additions
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/17

Property: Lot 1 DP 456720 Wiangarie Parish, Rous County.
Address: Summerland Way Kilgra
Applicant/Owner: Newton Denny Chapelle / SG Penman
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Refused

2012/19

Property: Lot 2 DP 519081 Wyndham Parish, Rous County.
Address: Eden Creek Road Kyogle
Applicant/Owner: Newton Denny Chapelle / RS Cullen
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/20

Property: Lot 2 DP 171087 Geneva Parish, Rous County.
Address: Afterlee Road Eden Creek
Applicant/Owner: Newton Denny Chapelle / RS Cullen
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2012/21

Property: Lot 3 DP 625142 Roseberry Parish, Rous County.
Address: Findon Creek Road Terrace Creek
Applicant/Owner: I Huber & M Laidsaar
Proposal: Convert shed to dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/26

Property: Lot 11 DP 1138648 Loadstone Parish, Rous County.
Address: Lynches Creek Road Lynchs Creek
Applicant/Owner: PR Graves / Dendove Pty Ltd
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/29

Property: Lot 1 DP 751077 Robertson Parish, Rous County.
Address: Duck Creek Road Duck Creek
Applicant/Owner: Newton Denny Chapelle / WH Ralston
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/30

Property: Lot 75 DP 755751 Warrazambil Parish, Rous County.
Address: Collins Creek Road Collins Creek
Applicant/Owner: PG Foot / PG Foot & WJ Lock
Proposal: Studio
Received: Referred To DMP For Comment
Status: Approved subject to conditions

2012/31

Property: Lot 154 DP 812491 Donaldson Parish, Rous County.
Address: Lindsay Creek Road Woodenbong
Applicant/Owner: KH Hughes
Proposal: Dwelling additions
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/32
Property: Lot 18 Sec 1 DP 4973 Fairy Mount Parish, Rous County.
Address: 56 McDougall Street Kyogle
Applicant/Owner: S MacKinnon
Proposal: Relocated dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/33
Property: Lot 113 DP 790404 Queebun Parish, Rous County.
Address: Trentys Lane Dyraaba
Applicant/Owner: Enviro Link Consulting / TK & PA Heaven
Proposal: Dwelling
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/34
Property: Lot 11 DP 792536 Geneva Parish, Rous County.
Address: Old Cob-O-Corn Road Horse Station Creek
Applicant/Owner: Newton Denny Chapelle / PD & HA Grills
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/35
Property: Lot 11 Sec 1 DP 7628 Geneva Parish, Rous County.
Address: Smith Street Geneva
Applicant/Owner: MJ & JM Wright
Proposal: Shed
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/36
Property: Lot 11 DP 1058438 Boorabee Parish, Rous County.
Address: Doohans Road Boorabee Park
Applicant/Owner: JL Winslade
Proposal: Dwelling As Built
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/37
Property: Lot 11 DP 1041889 Tabulam Parish, Drake County.
Address: Clarence Way Culmaran Creek
Applicant/Owner: Newton Denny Chapelle / JM Barber
Proposal: Subdivision
Received: Referred To DMP For Comment
Status: Awaiting DMP Comments

2012/38
Property: Lot 4 DP 11135559 Boorabee Parish, Rous County.
Address: Andrew Street Kyogle
Applicant/Owner: RD Hanby & Associates / SM & JM Scarrabelotti
Proposal: Dwelling
Received: Referred To DMP For Comment

Status:	Awaiting DMP Comments
2012/39	
Property:	Lot 1 DP 122685 Boorabee Parish, Rous County.
Address:	Taveners Road Little Back Creek
Applicant/Owner:	MG Hughes
Proposal:	Dwelling
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
2012/40	
Property:	Lot 11 DP 788682 Fairy Mount Parish, Rous County.
Address:	Whites Road Homeleigh
Applicant/Owner:	BE & MF Eichmann
Proposal:	Change of use - shed to dwelling
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
2012/41	
Property:	Lot 114 DP 751077 Robertson Parish, Buller County.
Address:	Woodenbong Road Bonalbo
Applicant/Owner:	Uniting Church Australia (NSW)
Proposal:	Shed
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
2012/42	
Property:	Lot 307 DP 781703 Fairy Mount Parish, Rous County.
Address:	Kyogle Road Kyogle
Applicant/Owner:	Stephen P McElroy & Associates Pty Ltd / PA Bourne
Proposal:	Relocated dwelling & shed & Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
CDC 2012/2 (Complying Development)	
Property:	Lot 4 DP 1172403 Fairy Mount Parish, Rous County.
Address:	Unnamed Road (Proposed Howard Court) Kyogle
Applicant/Owner:	Cavalier Homes Gold Coat Tweed / D & R Gardiner
Proposal:	Dwelling
Received:	Referred To DMP For Comment
Status:	Approved subject to conditions

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 1 June 2012 to 30 June 2012 be received and noted.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 June 2012 to 30 June 2012 only in relation to DA./... and DA./.... In which Councillors have declared an interest be received and noted.

13B.2 MINUTES OF THE PLANNING & ENVIRONMENT COMMITTEE - JULY 2012

Summary/Purpose

This report presents the minutes of the Planning and Environment Committee meeting held July 9, 2012.

Community Strategic Plan Item(s)

- Waste & Water

Report

The minutes of the meeting appear below;

Kyogle Council

Unconfirmed Minutes of the Planning & Environmental Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on July 9, 2012.

PRESENT

Cr. R. Brown (Mayor in the Chair), Cr. L. Zito, Cr. J. Wilson and Cr. R. Dwyer.

IN ATTENDANCE

The General Manager, the Director of Planning & Environmental Services, the Environmental Health Officer and the Personal Assistant to Technical Services.

MEETING COMMENCEMENT

The Mayor declared the meeting open at 2:30pm

ITEM 1 APOLOGIES

An apology was received from Tom Cooper to say that he would be arriving late

ITEM 2 OPENING PRAYER

The Mayor read the opening prayer.

ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Mayor read the traditional lands acknowledgement.

ITEM 4 DECLARATION OF INTERESTS

Nil

ITEM 5 REPORTS

MOVE INTO CLOSED COUNCIL

Item 5.1 Waste Management Report - Confidential

The item is classified CONFIDENTIAL under section 10A(2) (i) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following;

- (d) commercial information of a confidential nature

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

RESOLVED

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

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

FOR VOTE - Unanimous vote

The Committee closed its meeting at 2:34pm

OPEN COUNCIL RESUMES

RESOLVED

Moved Councillor Lynette Zito, seconded Councillor Robert Dwyer.

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

Open Council resumed at 2:40 p.m.

Item 5.1 Waste Management Report - Confidential

1. That the Waste Management Report be received and noted.
2. That prior to the working drawings and specifications being finalised, Council undertake further geotechnical testing of the site and provide the results to All Steel Garages and Sheds Pty. Ltd.

MEETING CLOSURE

There being no further business the Mayor declared the meeting closed at 2:42 p.m.

Recommendation

1. That the minutes of the Planning & Environment Committee July 2012 report be received and noted.

2. That prior to the working drawings and specifications being finalised, Council undertake further geotechnical testing of the site and provide the results to All Steel Garages and Sheds Pty. Ltd.

13B.3 POSSIBILITY OF PERMANENT RESIDENCY AT BONALBO CARAVAN PARK

Summary/Purpose

This item is presented to Council as a result of a Notice of Motion received from Councillor Tom Cooper at the Ordinary meeting which was held 28 November, 2011.

Community Strategic Plan Item(s)

- Village Life
- Environmental and Planning

Report

The Notice of Motion is as follows;

That Council investigate the possibility of allowing permanent residency at the Bonalbo Caravan Park which is currently under-utilised as a short-term tourist facility.

RESPONSE

The establishment of permanent or short term sites at Caravan Parks must be undertaken in accordance with the provisions of the following Regulation:

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

83 Minimum size of caravan park or camping ground

(1) A caravan park must not have an area of less than one hectare or, if a lesser area is prescribed by a relevant environmental planning instrument, that lesser area.

The subject site is 4500 square metres with the possibility of an additional 2500 square metres to be included from the adjoining parcel of Crown Land located to the east of the site, which would total 7000 square metres, or 0.7 ha. Whilst the above requirement is not in itself a major deterrent from pursuing the change in the function of the caravan park from recreational and temporary or tourist use to a more permanent living function, the following constraints, procedures and approvals would be required to be addressed prior to proceeding with a concept plan.

- i) Preparation of a Plan of Management of the site for the approval of the Minister for Lands;
- ii) Design of Provision of servicing infrastructure to individual sites, including power, sewer, water; drainage and telephone;
- iii) Provision of suitable hardstand areas for each individual site;
- iv) Whether the land on which the sites are to be developed is flood liable.

Under the Regulation each permanent dwelling site must have an area of 80 square metres plus an additional area of 50 square metres for parking and 30 square metres of open space. An initial estimate is that the site would cater for up to 24 sites, depending on whether there was a requirement to retain any number of short term stay sites.

CONCLUSION

An initial response from the Minister for Lands' delegate has stated:-

There are Lands policies that we need to check for you. With the area constraint I suggest the S.68 approval for camping area/caravan park needs to apply to the whole Reserve 70864 (Norman Johnstone Memorial Park) to give us the maximum available area. This would be supported by a "community plan" designating facilities and sites in the established "Bonalbo Caravan Park" precinct (I'm not familiar with the existing council approval) Rather than a PoM it may be more effective to prepare an operational plan to go with the community plan and support the Section 68 approval. If there are likely to be issues meeting the Regulation for a "caravan park" it may be more effective to go for a camping ground approval in the first instance. A caravan park has more site/service requirements etc. Please let me get some more feedback on this one for you.

Recommendation

1. That the report entitled Possibility of allowing permanent residency at Bonalbo Caravan Park be received and noted.
2. That a further report be provided to Council following receipt of further feedback from the Minister for Lands.

Summary/Purpose

This item presents to Council a report in respect to a Notice of Motion received at the Ordinary meeting which was held 27 February, 2012.

Community Strategic Plan Item(s)

- Governance and Community Service
- Village Life
- Environmental and Planning

Report

The Notice of Motion was as follows;

"That Council look to develop a policy that will enable Council to address the concerns of residents neighbouring onto overgrown, derelict residential blocks of land, whether they be occupied or otherwise."

Response

Currently Council handles issues and complaints relating to overgrown and derelict blocks of land within residential areas in accordance with the content of its Complaint Handling and Enforcement Policies.

Over the last three years Council has dealt with the following numbers of complaints regarding overgrown residential blocks throughout the Local Government Area:-

Year 2010 – 26

Year 2011 – 15

Year 2012 – 10 as at the time of writing this report.

Of the 51 matters, two specific locations – one at Geneva and another at Tabulam have required additional intervention by Council following the Issuing of Orders to clean up the sites. Due to the lack of action by the property owners in these two instances, Council has engaged Mowing/Gardening Contractors to clean up the sites. Such actions usually cost in the vicinity of \$3,000 depending on the scale of the problem and additional time is taken by Council's Regulatory and Administrative staff in paying for and retrieving these costs from the landowners.

From researching a number of Local Governments both in New South Wales and in Queensland there are a range of ways in which Councils deal with the issue of overgrown or derelict residential allotments. Some examples are:

Richmond Valley Council – deals with this issue under its Complaints Handling Policy;

Lismore City Council – has prepared a Fact Sheet – Overgrown Properties, as per the attached. In summary, the Fact Sheet outlines the areas , i.e. built-up urban areas, villages, industrial and business areas within which Council will respond to customer requests, encourages residents to commit to a good neighbour policy which attempts to resolve the problem amicably, outlines Council’s procedures in notification, potential for further action, including the issuing of Notices and enforcement.

Mount Isa City Council in Queensland addresses this issue under a Local Law No. 10 (Overgrown and Unsightly Allotments) as per the attached which includes:-

- a description of overgrown and unsightly allotments in addition to unsightly accumulations;
- Interaction with other laws;
- Enforcement Procedure;

Recommendation

1. That the report entitled Overgrown and Derelict Residential Blocks of Land be received and noted.
2. That Council prepare and make available to the community, a fact sheet on overgrown properties.

Attachments

1. Lismore City Council Fact Sheet - Overgrown Properties
2. Mount Isa City Council Local Law No. 10 - Overgrown and Unsightly Allotments

Summary/Purpose

The purpose of this report is to provide a brief summary of the process to date and to nominate a date for an Extraordinary Meeting to consider the adoption of the Draft Kyogle LEP and to include provision for access by the public.

Report

Council received 82 submissions during the formal advertising period between 1 June 2012 and 1 July, 2012 and an additional 39 submissions were received in the two week period following the closing date for receipt of objections. A total of 121 submissions were therefore received, comprising 90 of a pro forma type, 28 personal and 3 petitions.

Recommendation

1. That the report entitled Draft Kyogle Local Environmental Plan 2012 be received and noted.
2. That Council hold an Extraordinary Meeting at 3.30 pm on Monday 30 July, 2012 in order to consider the adoption of the Draft Kyogle Local Environmental Plan 2012.
3. That Council allow for a period of public access in accordance with the ordinary meeting procedures at the Extraordinary Meeting on 30 July, 2012.

ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

ITEM 13D CORPORATE SERVICES REPORT

Nil.

ITEM 13E COMMUNITY SERVICES REPORT

13E.1 PRE SCHOOL LEASES

Summary/Purpose

This report seeks a resolution to apply the seal to lease documents for the Kyogle, Bonalbo and Woodenbong Preschool buildings

Community Strategic Plan Item(s)

- Governance and Community Service

Background Information

Council has previously entered into lease agreements with the Kyogle, Bonalbo and Woodenbong Preschools for three periods. The existing agreements have now expired. The lease agreements provide for no lease rental and for a payment to be made by Council of an annual fee to each preschool for maintenance of the building.

Report

Council's Solicitors have drawn up lease agreements for approval and execution by all parties.

Since January 2008 the Bonalbo Preschool, has been run as an outreach preschool by the Jumbunna Community Preschool and Early Intervention Centre. The Bonalbo and District Preschool Inc. ceased to operate on October 30, 2007. Council's solicitor has sent the terms of the agreements to the respective Pre-schools for their perusal and all documents have been returned and executed by the appropriate committees.

Budget & Financial Aspects

Provision has been made for the maintenance allocations in the 2012/2013 budget.

Recommendation

1. That Council authorise the General Manager and Mayor to sign the leases with the Kyogle Preschool & OSHC Association Inc., Jumbunna Community Preschool and Early Intervention Centre Inc. and Woodenbong Preschool and Kindergarten Inc.
2. That Council authorise the General Manager and Mayor to affix the Council seal to the lease documents with the Kyogle Preschool & OSHC Association Inc., Jumbunna Community Preschool and Early Intervention Centre Inc. and Woodenbong Preschool and Kindergarten Inc.

ITEM 13F GENERAL MANAGER'S REPORT

Nil.

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

Nil.

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

Nil.

ITEM 16 CONFIDENTIAL BUSINESS PAPER

16.1 TENDERS FOR CONTRACT 2011/12-010 OXBOW ROAD

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature

16.2 TENDERS FOR CONTRACT 2011/12-011 ANNUAL TENDERS FOR GABIONS AND ROCK FILLED MATTRESSES

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (d) commercial information of a confidential nature

APPENDIX / ATTACHMENTS

KYOGLE COUNCIL



ATTACHMENTS

ORDINARY COUNCIL MEETING

ON 23 JULY 2012

12.5 FINANCIAL REPORTS - JUNE 2012

Kyogle Council



Financial Reports 30 June, 2012

**Rates Statement - to be provided
Statement of Bank Balances
Summary of Investments**

NOTE: All Financial Data presented is unaudited at the date of presentation to Council

KYOGLE COUNCIL

STATEMENT OF BANK BALANCES AS AT 30-Jun-12

FUND	CLOSING BANK BALANCE 30-Jun-12	INVESTMENT BALANCE 30-Jun-12
GENERAL FUND		
UNRESTRICTED	(5,307,274.48)	6,700,000.00
INTERNALLY RESTRICTED	791,937.82	2,000,000.00
STATE HIGHWAYS	1,577,488.03	
QUARRIES	869,616.60	
PLANT	6,261,964.52	
EXTERNALLY RESTRICTED	235,249.55	3,700,000.00
	4,428,982.04	12,400,000.00
RESTRICTED		
WATER SUPPLIES	623,232.65	
SEWERAGE SYSTEMS	475,684.67	500,000.00
DOMESTIC WASTE	223,921.98	
ORDINARY TRUST	16,439.19	
	1,339,278.49	500,000.00
CONSOLIDATED FUNDS	5,768,260.53	12,900,000.00

KYOGLE COUNCIL

SUMMARY OF INVESTMENTS AS AT 30/06/12

	BANK	TYPE	TERM	AMOUNT	RATE P.A.	DUE DATE
1	BANKWEST	TERM DEPOSIT	30 DAYS	3,000,000.00	4.25%	July 12, 2012
2	SUNCORP METWAY	TERM DEPOSIT	30 DAYS	2,000,000.00	4.47%	July 13, 2012
3	SUNCORP METWAY	TERM DEPOSIT	31 DAYS	1,400,000.00	4.45%	July 16, 2012
4	BANKWEST	TERM DEPOSIT	30 DAYS	1,500,000.00	4.40%	July 20, 2012
5	COMMONWEALTH	TERM DEPOSIT	31 DAYS	3,000,000.00	4.80%	July 23, 2012
6	COMMONWEALTH	TERM DEPOSIT	32 DAYS	2,000,000.00	4.60%	July 30, 2012
				12,900,000.00		
PRESENTED TO COUNCIL ON JULY 23, 2012						
I hereby certify that the above investments have been made in accordance with section 625 of the Local Government Act, 1993, the Local Government (General) Regulation 2005 and Councils Investment Policy.						
(GLENN ROSE)						
<u>RESPONSIBLE ACCOUNTING OFFICER</u>						

COUNCILLORS TRAVEL EXPENSES

Jun-12

COUNCILLOR NAME	KLMS CLAIMED		CURRENT KM RATE	AMT REIMBURSED	
	MONTHS	YTD		MONTH	YTD
E Bennett	1,484	9,324	0.74	1,098.16	6,899.76
R. Brown	0	0	0.74	0.00	0.00
T. Cooper	0	2,940	0.74	0.00	2,175.60
R. Dwyer	0	0	0.74	0.00	0.00
J. O'Reilly	192	832	0.74	142.08	615.68
R. Leadbeatter	0	0	0.74	0.00	0.00
L. Passfield	964	4,920	0.74	713.36	3,640.80
J. Wilson	0	0	0.74	0.00	0.00
L. Zito	0	0	0.64	0.00	0.00
Total	2,640	18,016		1,953.60	13,331.84

Notes

- (1) The above figures represent amounts actually paid.
- (2) The amounts paid in the current month will relate to claims for travel in prior months
- (3) Some councillors may have claims outstanding for more than one month.