



# **KYOGLÉ COUNCIL**

## **ORDINARY COUNCIL MEETING**

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

ON MONDAY 27 JUNE 2011

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 27 June 2011, 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

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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 and we acknowledge elders, both past and present.**

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.

### **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 COUNCIL MEETING

Monday 27 June 2011

## 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 OF ORDINARY MINUTES	1
ITEM 8	MAYORAL MINUTE	2
ITEM 9	NOTICES OF MOTION	2
9.1	NOTICE OF MOTION; COUNCILLOR LINDSAY PASSFIELD - PLANT RESERVE FUNDS	2
ITEM 10	QUESTIONS WITH NOTICE FROM COUNCILLORS	4
10.1	QUESTIONS WITH NOTICE FROM MAY ORDINARY MEETING	4
ITEM 11	DELEGATES REPORTS	7
ITEM 12	INFORMATION PAPERS	7
12.1	FINANCIAL REPORTS - MAY 2011	7
12.2	WORKS PROGRAM REPORT	9
12.3	PLANT BUDGET REPORT - MAY 2011	11
12.4	QUARRIES REPORT	15
12.5	DLG REVIEW OF CODE OF CONDUCT	17
12.6	UPDATE REPORT CONSTITUTIONAL REFERENDUM	20
12.7	OUTSTANDING COUNCIL RESOLUTIONS	22
12.8	SAFER SUBURBS GRANT	23
ITEM 13	GENERAL MANAGER 'S REPORT	26

ITEM 13A	TECHNICAL SERVICES REPORT	26
13A.1	ADOPTION OF ROAD NAMES	26
ITEM 13B	PLANNING SERVICES REPORT	28
13B.1	DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUSTANDING FOR THE PERIOD MAY 1, 2011 TO MAY 31, 2011	28
13B.2	KYOGLE LOCAL ENVIRONMENTAL PLAN 2011	40
13B.3	DEVELOPMENT APPLICATION 2011/116 - BUILDING LINE VARIATION FOR A RURAL SHED	49
13B.4	JOINT REGIONAL PLANNING PANEL REQUEST	54
ITEM 13C	ENVIRONMENT SERVICES REPORT	56
ITEM 13D	CORPORATE SERVICES REPORT	56
13D.1	GROVE HOUSE OCCUPATION AGREEMENT	56
13D.2	EAST OF THE RANGE AUSTRALIA DAY CELEBRATIONS	57
13D.3	2011-2012 MANAGEMENT PLAN	58
13D.4	INTERNAL AUDIT COMMITTEE	64
ITEM 13E	COMMUNITY SERVICES REPORT	65
ITEM 13F	GENERAL MANAGER'S REPORT	65
13F.1	JULY ORDINARY COUNCIL MEETING DATE	65
13F.2	LOCAL GOVERNMENT REMUNERATION TRIBUNAL	66
13F.3	CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT	67
ITEM 14	URGENT BUSINESS WITHOUT NOTICE	70
ITEM 15	QUESTIONS FOR NEXT ORDINARY MEETING	70
ITEM 16	CONFIDENTIAL BUSINESS PAPER	70
16.1	ANNUAL TENDERS	70
16.2	COLLECTION, TRANSPORTATION AND DISPOSAL OF GREEN WASTE CONTRACT NUMBER 2010/11-005	70
APPENDIX / ATTACHMENTS		1
12.1	FINANCIAL REPORTS - MAY 2011	2

## **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**

A request for public access has been received from Mr Peter Carlill/Tim Carlill to discuss matters associated with Item 13B.4 Joint Regional Planning Panel Request.

## **ITEM 7 CONFIRMATION OF MINUTES**

### **7.1 CONFIRMATION OF ORDINARY MINUTES**

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#### **Summary/Purpose**

A copy of the Minutes for the Ordinary Meeting held on 23 May 2011, is included in the attachments to the business paper.

#### **Recommendation**

That the Minutes of the Ordinary Meeting held on 23 May 2011, be adopted.

#### **Attachments**

1. Minutes of the Ordinary meeting held on 23 May 2011 (Separately attached)

## **ITEM 8 MAYORAL MINUTE**

Nil.

## **ITEM 9 NOTICES OF MOTION**

### **9.1 NOTICE OF MOTION; COUNCILLOR LINDSAY PASSFIELD - PLANT RESERVE FUNDS**

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#### **Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor Lindsay Passfield for the Ordinary meeting to be held on 27 June 2011.

#### **Community Strategic Plan Item(s)**

- Governance and Community Service

#### **Report**

The Notice of Motion is as follows;



**NOTICE OF MOTION**

LINDSAY

I Councillor ~~PASSFIELD~~ hereby give notice that at the next Ordinary Meeting of Council I will move;

That Council transfers sufficient funds from the Plant Reserve to enable roadworks identified in the draft Management Plan submitted to the MAY 2011 Ordinary Meeting of Council, to be reinstated.

Signed:

*Lindsay*

Date:

17 JUN 2011

Note:

1. The Notice of Motion must be signed and delivered to the General Manager before 12 noon on the Tuesday preceding the meeting.
2. Notice of Motion of Rescission must be signed by three members (Clause 25(c)) and must be delivered to the General Manager before the close of the meeting if it is intended to prevent a motion being acted upon.

**Recommendation**

For Council's determination.

## ITEM 10            QUESTIONS WITH NOTICE FROM COUNCILLORS

### 10.1 QUESTIONS WITH NOTICE FROM MAY ORDINARY MEETING

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#### **Summary/Purpose**

This report presents responses to questions with notice submitted at the May 2011 Ordinary meeting.

#### **Report**

##### Question 1

Outstanding Council resolutions - why is there no report in this business paper?

##### Response

This was an oversight. A report has been included in the June business paper for the outstanding resolutions.

##### Question 2

When will the naming ceremony for Charlotte Page Bridge be occurring?

##### Response

The naming ceremony will occur on 29 June, 2011, commencing 2.00 pm.

##### Question 3

When will the Bollards which were damaged at the corner of Stratheden Street and Summerland Way be replaced?

##### Response

This has been scheduled to occur on 27 June, 2011

##### Question 4

Can Council be provided with a progress report on the Carpark Policy , including any monies Council has received for car parking?

##### Response

At the Ordinary Meeting of Council held on 15 December, 2008, Council resolved as follows.

1. That a focus group made up of council officers, KCEDC and the Chamber of Commerce members, councillors be implemented to comment on the existing council policy in regard to car parking space contributions and payment of contributions with the following terms of reference:
  - a. Ensuring that current and future urban car parking facilities are adequate;
  - b. To review the cost impact of the existing council policy on existing businesses and potential businesses;
  - c. The provision of information to existing and potential businesses about the car park policy and to recommend how information about car parking contributions can be developed and provided in the future;
  - d. Applications undertaken in other municipalities of comparable size and rural culture and to make recommendations about how Kyogle could benefit from their experiences and provisions;
  - e. Options for the future that would encourage new businesses to establish and existing businesses to upgrade and improve their businesses; and
  - f. The possibility of implementing a time payment plan where businesses are required to pay a monetary contribution towards the provision of car parking.
2. That the focus group prepares a discussion paper for Council for the March cycle of meetings which addresses the terms of reference.
3. That the General Manager prepares a report which discusses the recommendations of the focus group and provides advice about a future policy for Council in relation to car parking contributions and fees.

In February, 2009 Council initiated a Carparking Focus Group with members from the Kyogle Chamber of Commerce and Kyogle Community. The focus group held a number of meetings in which matters of a future carparking strategy, carparking shortfall contributions and location of carparking areas throughout the Kyogle CBD and surrounding area were discussed.

On 13 May, 2010 one of the Focus Member Groups, the Kyogle Community Economic Development Committee submitted a response to the review of the Council Policy in regard to carparking space contributions (copy attached). In summary the recommendations of the KCEDC were:-

1. That the current carparking contribution of \$10,000 per space for existing buildings be reviewed as it is seriously impacting on development of new businesses where there is a change of use.
2. That Council examine other shires with similar demographics to review how parking is dealt with in those areas.
3. That a stakeholders' meeting be held comprising as many business owners as possible to discuss the level of car parking contributions to be charged, if any at all.

On 18 May, 2010 correspondence was forwarded to Council by the Kyogle Chamber of Commerce representative on the Focus Group (copy attached) stating that that the Chamber fully endorses the submission made by the KCEDC and that although they realise that Council needs to make provision for the future, this may all change once the new Shopping Centre is completed.

It was agreed that Council should await the completion of the IGA development prior to progressing a carparking policy or a carparking strategy and the Development Control Plan which will address the issue of carparking for the land use definitions as included within the Kyogle Local Environmental Plan.

Currently, the monies received by Council for carparking total \$40,000.

**Recommendation**

The Questions with Notice from the Mayor Ordinary meeting be received and noted.

## **ITEM 11 DELEGATES REPORTS**

Nil.

## **ITEM 12 INFORMATION PAPERS**

### **12.1 FINANCIAL REPORTS - MAY 2011**

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#### **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, with additional detail available through inspection of the monthly cheque warrant.

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## **1. (A) Finance Reports**

Summary reports outlining Council's financial position as at 31 May 2011. The reports presented include:

- Rates Statement
- 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 – May 2011 be received and noted.

### **Attachments**

1. Financial Reports
2. Councillors Travel

## 12.2 WORKS PROGRAM REPORT

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### Summary/Purpose

This report provides an update to Council on the progress of the works program on local, regional and state roads to June 10, 2011.

### Community Strategic Plan Item

- Roads and Infrastructure

### Report

#### Rural and Urban Works

Gravel resheeting on Needhams Road has been completed and grading carried out on Boomi Creek Road, Brumby Plains Road, Wiangaree Back Road, Eden Creek Road, Brays Road, Logans Bridge Road, Ironpot Creek Road, Farm Road, and Racecourse Road. Grading will continue in the Findon Creek, Lillian Rock and Dyraaba areas during the next month.

Approach works are being completed on the new bridge on Ironpot Creek Road and work is in progress on the Hillyard Road bridge replacement. Replacement of the timber bridge on Sextonville Road at Dobies Bight with a pipe culvert will also be completed this month.

Work is continuing on the Kyogle main street footpath replacement with work currently in progress on the eastern side of Summerland way, north of Geneva Street.

#### Regional and State Roads

Rehabilitation on the Summerland Way between Rukenvale and Roseberry is continuing and work has commenced on replacement of the Boomi Creek Bridge on the Clarence Way. Maintenance works including slashing, weed spraying and pavement patching has continued throughout the month.

#### Action Requests

A total of 58 action requests relating to roads were received in May, 2011, summarised as follows:

Requests for maintenance to sealed roads:

Collins Creek Road, Boorabee Creek Road, Summerland Way (Mt Lindesay), Culmaran Creek Road, Kyogle Road, Bingeabeebra Road.

Requests for maintenance to unsealed roads:

Gabal Road, Williams Road, Boomi Creek Road, Bulmers Road, Terrace Road, Eden Creek Road, Wiangaree Back Road, Homeleigh Road, Sargents Road, Creegans Road, Green Pigeon Road, Apple Gum Road, Dyraaba Road, Lillian Rock Road, Horseshoe Creek Road, Simes Road, Pines Road, Duck Creek Road, Bendalls Road, Sextonville Road, Karina Place.

Requests for repairs to bridges, culverts, causeways:  
Theresa Creek Road, Old Cob O Corn Road, Babyl Creek Road.

Requests for attention to urban streets, footpaths and drainage:  
Anzac Drive, Walters Street, Sandilands Street-Bonalbo.

Requests for attention to trees, vegetation:  
Eden Creek Road, Bennetts Road, Dunns Road, Bingebeebra Road, Roseberry Creek Road.

Requests for attention to signs:  
Ettrick Road, Caldera Lane

### Financial Performance Major Works

The following is an updated report on the financial performance of major works as at June 14, 2011.

<b>FINANCIAL PERFORMANCE MAJOR WORKS (RTA AND COUNCIL)</b>					
<b>to June 14 2011</b>					
<b>RTA WORKS</b>	<b>BUDGET</b>	<b>EXPENDITURE YEAR TO DATE</b>	<b>% COMPLETE</b>	<b>COMMENTS</b>	
FLOOD RESTORATION ROADS - 21 / 5 / 09	155,850	9,360	30	Incorporated with maintenance program	
MR 150 - CONSTRUCT TURN OUT TO SH 16	50,000	0	0	Subject to additional RTA funds	
MR 361 - REHAB APPROACHES BEAN CK NO. 3	82,370	104,699	100	Overexpenditure to be transferred to Bean Creek Bridge construction	
MR 361 - REHAB SMITHS PIT NORTH STAGE 2	214,000	0	0	To commence June 2011	
MR 361 - REHAB SMITHS PIT SOUTH	174,000	0	0	To commence June 2011	
MR 361 - REHAB BOOMI CREEK APPROACHES	254,000	0	0	To be deferred to 2011/12 on completion of Boomi Creek Bridge	
BRIDGE REPLACEMENT - BEAN CK NO. 4	331,720	323,900	100	Construction completed. Additional subsidy to be claimed from RTA	
BRIDGE REPLACEMENT - BOOMI CREEK	600,000	0	0	Tender accepted May 9, 2011 Construction to commence in June	
	<b>1,861,940</b>	<b>437,959</b>			
<b>COUNCIL WORKS</b>					
MAIN STREET WORKS - RLCIP	1,200,000	411,330	29	Delayed due to wet weather and flood emergency work 6 month extension requested programmed completion now Feb 2012	
FLOOD RESTORATION ROADS - 21 / 5 / 09	1,189,653	1,129,745	54	incorporated with maintenance program	
RESEAL FNDON CREEK ROAD	60,000	19,309	95	Reseal completed - awaiting final costs.	
INITIAL SEAL BROWN KNOB ROAD	150,000	126,691	95	Construction completed - awaiting final costs	
REHAB FAWCETTS PLAIN ROAD	150,000	180,242	100	Overexpenditure financed from Section 94 funds.	
REHAB OMAGH ROAD	90,000	86,269	95	Construction completed - awaiting final costs	
REHAB DUCK CK ROAD	85,778	323	0	Deferred to 2011/12	
RESHEETING EAST / WEST CONNECTION	150,000	0	0	subject to negotiation with State Forests	
RESHEETING YABBRA ROAD	60,000	55,566	90	Work completed - awaiting final costing	
RESHEETING NEEDHAMS ROAD	50,000	51,891	99	Work completed	
RESHEETING HILLYARDS ROAD	50,000	0	0	Deferred to completion of Hillyard Rd bridge	
BRUMBY PLAINS RD BRIDGE 18 - 670	96,978	96,977	100	Budget adjusted as reported Feb 2011.	
TERRACE ROAD BRIDGE 124 - 98	550,000	8,400	0	Contract let - Budget adjusted	
MONTGOMERYS BRIDGE 73 - 4457	128,074	50,307	0	Consultant engaged to complete design.	
DUCK CREEK ROAD BRIDGE 138 - 18852	112,457	0	0	Defer to 2011/12 and review funding	
DYRAABA CREEK ROAD BRIDGE 54 - 5110	190,000	35,712	0	Preconstruction costs incurred. Construction to be deferred to 2011/12	
IRONPOT CREEK ROAD BRIDGE 73 - 7641	190,000	174,999	0	In progress	
SEXTONVILLE ROAD CULVERT ( BRIDGE 38 - 12417 )	90,000	19,970	0	In progress	
HILLYARDS ROAD - BRIDGE 14 - 712	190,000	78,835	0	In progress	
GRADYS CK / LIONS RD REHAB OF 2 CULVERTS	0	0	0	Job deferred . \$90000 allocated transferred to Box culv replacement	
GRADYS CREEK ROAD REPLACE BOX CULVERT	180,000	187,321	100	Overexpenditure due to cost of side track required and delay due to wet weather.	
KYOGLE FLOOD MITIGATION WORKS	368,049	114,733	10	Consultants fees	
JUNCTION ST / CURTOIS ST	55,000	0	0	Construction deferred to 2011/12	
BONALBO DRAINAGE	60,000	58,288	98	Completed - awaiting final costs	
	<b>5,445,989</b>	<b>2,886,908</b>			
	<b>7,307,929</b>	<b>3,324,867</b>			
<b>NB: PROJECTS INCLUDED WHERE TOTAL PROJECT VALUE EXCEEDS \$50,000.</b>					



## **Recommendation**

That the Works Program Report be received and noted.

## **12.3 PLANT BUDGET REPORT - MAY 2011**

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### **Summary/Purpose**

This report presents information relating to plant costs and performance as at May 31, 2011 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 2010/2011

PLANT ACQUISITIONS/SALES 2010/2011						
as at 31 May, 2011						
to be replaced	Purchase	Estimated Cost			Actual Cost	
		Trade	Net	Purchase	Trade	Net
<b>Light Vehicles</b>						
4wd wagon	30,000	5,000	25,000	32,366	11,105	21,261
4wd Utility	376,000	218,500	157,500	329,668	269,889	59,779
Utility	52,500	20,000	32,500	46,176	30,618	15,558
	<b>458,500</b>	<b>243,500</b>	<b>215,000</b>	<b>408,210</b>	<b>311,612</b>	<b>96,598</b>
<b>Quantities</b>						
4wd Wagon	1	1	0	1	1	0
4wd Utility	10	10	0	10	10	0
Utility	2	2	0	2	2	0
<b>Heavy Plant - (Trade)</b>						
Grader (2)	414,000	134,000	280,000	352,100	140,909	211,191
2 tonne truck kyogle spray/sign	50,000	0	50,000	45,445	0	45,445
13,000 ltr water tank(141)	45,000	3,000	42,000	47,299	3,653	43,646
12,000 ltr water tank(355)	30,000	3,000	27,000	28,264	0	28,264
Front deck mower - Kyogle	40,000	5,000	35,000	28,182	8,510	19,672
Front deck mower - Bonalbo	40,000	0	40,000	28,182	0	28,182
Tractor + bucket - Kyogle sewer	50,000	0	50,000	72,636	0	72,636
Call out trailer - Bonalbo	20,000	0	20,000	0	0	0
(Tipper crane truck)					23,786	-23,786**
	<b>689,000</b>	<b>145,000</b>	<b>544,000</b>	<b>602,108</b>	<b>176,858</b>	<b>425,250</b>
<b>Small Plant</b>						
Misc.	45,000		45,000	55,588	17,491	39,979
PA Ride on mowers	10,000	2,000	8,000	6,682	4,460	2,222
	<b>55,000</b>	<b>2,000</b>	<b>53,000</b>	<b>62,270</b>	<b>21,951</b>	<b>42,201</b>
	<b>1,202,500</b>	<b>390,500</b>	<b>812,000</b>	<b>1,072,588</b>	<b>510,421</b>	<b>564,049</b>
** Trade related to 2009/2010 purchase						

## 2. Plant Budget Report (by plant item)

As at 31 May, 2011				
	PLANT ITEM	INCOME	EXPENDITURE	PROFIT/LOSS
3	CAT 12H GRADER	81,900	27,008	54,892
4	CAT 140H GRADER	86,834	30,026	56,808
5	JOHN DEERE 770D GRADER	95,759	36,741	59,018
6	JOHN DEERE 770 G GRADER	19,530	3,271	16,259
24	DINGO K94 MINI DIGGER	5,085	1,670	3,415
25	MINI EXCAVATOR	44,000	13,140	30,860
26	STREET SWEEPER	17,070	5,096	11,974
27	CLARK BOBCAT	6,775	1,941	4,834
28	CAT 938G LOADER	29,240	12,083	17,157
32	CAT 324DL EXCAVATOR	114,239	37,463	76,776
33	CAT 324DL EXCAVATOR	89,985	24,529	65,456
34	CATERPILLAR IT28G LOADER	40,390	38,529	1,861
35	CATERPILLAR 966H LOADER	60,742	23,756	36,986
36	CATERPILLA 816F COMPACTOR	88,005	23,329	64,676
40	FRANNA MOBILE CRANE	36,975	10,203	26,772
41	CAT FORKLIFT	5,280	1,249	4,031
51	HYSTER DRAWN GRID ROLLER	11,480	2,549	8,931
52	GRID ROLLER-COATES	14,670	1,026	13,644
62	JOHN DEERE 315SG BACKHOE	7,670	1,967	5,703
63	CAT 432D BACKHOE	20,702	5,737	14,965
64	KOMATSU WB97S BACKHOE	31,010	10,284	20,726
71	CASE MX90C TRACTOR	43,505	6,424	37,081
72	CASE MX200 TRACTOR	40,005	20,879	19,126
73	CASE MX210 TRACTOR	51,310	20,174	31,136
78	MCCORMICK MC105	50,250	17,733	32,517
79	MCCORMICK MC115	49,770	11,303	38,467
80	JOHN DEERE 2085 TRACTOR	13,600	3,823	9,777
88	MCCONNEL REACH MOWER	17,977	2,662	15,315
101	ISUZU NPR250 CAB CHASSIS	11,860	4,912	6,948
135	ISUZU JETMASTER 2000	108,093	29,327	78,766
137	ISUZU NPR 400 TIPPER MAXIL	31,608	4,371	27,237
139	ISUZU GIGA 385CXY TIPPER	82,030	46,197	35,833
140	ISUZU NPR 400L CRANE/TIPPE	27,120	5,912	21,208
141	ISUZU FVZ1400M TRUCK/WATER TANK	26,942	14,253	12,689
142	ISUZU NPR400L TIPPER	81,220	6,489	74,731
143	ISUZU FVZ1400L CRANE TRUCK	127,172	16,908	110,264
144	ISUZU NPR400L TIPPER	55,320	7,863	47,457
145	ISUZU NPR400L TIPPER	50,020	9,150	40,870
146	ISUZU NPR400L TIPPER	39,300	10,166	29,134
147	ISUZU FRR525 TIPPER	37,420	7,028	30,392
148	ISUZU FVZ1400 TIPPING TRUCK	67,500	11,469	56,031
149	KENWORTH T401 PRIME MOVER	79,304	32,317	46,987
150	KENWORTH T350 TIPPER	76,797	47,805	28,992
151	KENWORTH T350 TIPPER	87,554	44,553	43,001
152	ISUZU FXZ 1500 TIPPER	41,610	10,877	30,733
	*This is a crane truck used by the bridge crew			
	it has a higher hourly rate than the other trucks			
	as it needs to cover the 10 year crane safety overhaul.			

### 3. Plant and Depot Operations

PLANT & DEPOT OPERATIONS	Budget Annual	Budget YTD	Actual YTD	COMMENTS
<b>OPERATING</b>				
<u>PLANT INCOME</u>	3,046,160	3,000,000	3,281,627	Additional plant hire achieved.
<u>PLANT EXPENDITURE</u>				
FRINGE BENEFIT TAX	16,974	13,000	11,585	
PLANT M & R	1,593,589	1,460,790	1,088,456	Plant M&R % less than anticipated
DEPRECIATION EXP VEHICLE FLEET	628,141	575,796	575,796	
	<u>2,238,704</u>	<u>2,049,586</u>	<u>1,675,837</u>	
NET SURPLUS/(LOSS)	807,456	950,414	1,605,790	
<u>PROFIT ON SALE OF PLANT</u>				
PROCEEDS ON SALE OF PLANT & EQUIPMENT	390,500	390,500	510,421	Trade in prices higher than budget
BOOK VALUE OF SOLD PLANT & EQUIPMENT	292,875	0	0	Year end book entry.
	<u>97,625</u>	<u>390,500</u>	<u>510,421</u>	
<u>OTHER INCOME</u>				
PRIVATE USAGE CONTRIBUTIONS STAFF VEHICLES	41,610	38,143	37,421	May deductions not yet included.
OTHER INCOME	0	0	16,790	SES vehicle contribution
	<u>41,610</u>	<u>38,143</u>	<u>54,211</u>	
<u>DEPOT EXPENSES</u>				
KYOGLE DEPOT	58,365	58,000	53,557	
BONALBO DEPOT	23,686	17,000	14,726	
WOODENBONG DEPOT	7,283	6,500	5,830	
	<u>89,334</u>	<u>81,500</u>	<u>74,113</u>	
TOTAL OPERATING	<u><u>857,357</u></u>	<u><u>1,297,557</u></u>	<u><u>2,096,309</u></u>	
<b>CAPITAL</b>				
<u>NON CURRENT ASSETS</u>				
DEPOT IMPROVEMENTS	80,000	80,000	1,710	Money for fuel storage systems. Not yet purchased.
PLANT PURCHASES	1,202,500	1,100,000	1,072,588	
BOOK VALUE SOLD ASSETS	(292,875)	0	0	Year end book entry.
ACCUMULATED DEP'N - VEHICLE FLEET	(628,141)	(575,796)	(575,796)	
	<u>361,484</u>	<u>604,204</u>	<u>498,502</u>	
TOTAL CAPITAL	<u><u>361,484</u></u>	<u><u>604,204</u></u>	<u><u>498,502</u></u>	
NET SURPLUS/(COST) OF ACTIVITY	<u><u>495,873</u></u>	<u><u>693,353</u></u>	<u><u>1,597,807</u></u>	

### Recommendation

That the Plant Budget Report be received and noted.

## 12.4 QUARRIES REPORT

---

### Summary/Purpose

This report is to advise Council of quarry operations and budget to June 16, 2011.

### Community Strategic Plan Item(s)

- Roads and Infrastructure

### Report

Crushing of road base has been completed during the month with 10,000 tonnes produced at Medhursts Quarry and 10,000 tonnes at Millers Quarry.

This material will be utilised for maintenance and construction works during the next financial year and supplemented when required or when the overall cost is advantageous with gravel produced by private operators in the region.

### Budget & Financial Aspects

The following is a summary of the quarries budget for 2010/11 as at June 15, 2011.

QUARRY	Budget Annual	Budget YTD	YTD 15/06/2011	Comments
<u>MEDHURSTS</u>				
SALES	173,000	173,000	393,539	
COST OF SALES	129,750	129,750	295,154	
NET PROFIT / (LOSS)	43,250	43,250	98,385	
<u>GRIFFITHS</u>				
SALES	75,000	75,000	93,957	
COST OF SALES	56,250	56,250	70,467	
NET PROFIT / (LOSS)	18,750	18,750	23,490	
<u>MILLERS</u>				
SALES	220,000	220,000	287,392	
COST OF SALES	189,640	189,640	247,157	
NET PROFIT / (LOSS)	30,360	30,360	40,235	
<u>LLOYDS</u>				
SALES	40,000	20,000	11,196	
COST OF SALES	34,400	17,200	9,628	
NET PROFIT / (LOSS)	5,600	2,800	1,568	

QUARRY	Budget Annual	Budget YTD	YTD15/06/11	Comments
<b><u>SUMMARY</u></b>				
SALES	508,000	488,000	786,084	
COST OF SALES	410,040	392,840	622,406	
<b>NET PROFIT / (LOSS)</b>	<b>97,960</b>	<b>95,160</b>	<b>163,678</b>	
EXPENSES	Budget Annual	Budget YTD	YTD 15/06/11	Comments
DEPRECIATION	10,984	10,069	10,069	
OTHER EXPENSES	3,075	2,500	2,533	Rates, Phone etc
	<u>14,059</u>	<u>12,569</u>	<u>12,602</u>	
TOTAL OPERATING	<u>83,901</u>	<u>82,591</u>	<u>151,076</u>	
CAPITAL				
QUARRY DEVELOPMENT	0	0	0	
STOCK MOVEMENT	0	0	0	
ACCUMULATED DEPRECIATION	(10,984)	(10,069)	(10,069)	
	<u>(10,984)</u>	<u>(10,069)</u>	<u>(10,069)</u>	
<b>NET SURPLUS/(COST)</b>	<u>94,885</u>	<u>92,660</u>	<u>161,165</u>	

### Recommendation

That the Quarries report be received and noted.

## **12.5 DLG REVIEW OF CODE OF CONDUCT**

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### **Summary/Purpose**

This report presents information to Councillors regarding a review of the Code of Conduct that is being conducted by the Division of Local Government.

### **Community Strategic Plan Item(s)**

- Governance

### **Report**

The Division of Local Government has recently issued a circular detailing a review of the Model Code of Conduct.

The circular appears below:



Circular No. 11-07  
Date 1 June 2011  
Doc ID. A245463

Contact John Davies  
02 4428 4139  
John.davies@dlg.nsw.gov.au

### REVIEW OF THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS - REQUEST FOR SUBMISSIONS ON DISCUSSION PAPER

The purpose of this circular is:

1. to advise councils of the Division of Local Government's review of the Model Code of Conduct for Local Councils in NSW (the Model Code) and
2. to invite submissions on a discussion paper the Division has prepared in relation to its review.

The original version of the Model Code commenced operation on 1 January 2005. A further revised version of the Model Code subsequently came into force on 27 June 2008 and operates to this day.

The Division of Local Government sees the Model Code as an evolving document. While the regime for managing complaints about council officials has vastly improved over the 6 years the Model Code has been in operation, the Division agrees that there remains scope for further refinement and improvement.

Over the two and a half years in which the revised Model Code has been in operation, the Division has identified or has had brought to its attention a number of areas where the Model Code has not operated in the manner in which it was intended or where its operation could be improved. The Division therefore believes that it is timely that we undertake a further comprehensive review of the Model Code.

The Division has prepared a discussion paper for the purposes of seeking the views of stakeholders and any other interested persons to inform the review process. This may be found on the Division's website at [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au). This is the first part of a comprehensive review.

In Part 4 of the discussion paper the Division has outlined the issues that have been raised with it about the operation of the current version of the Model Code. The Division would like to hear from stakeholders and other interested persons about any other areas they consider the Model Code requires improvement and their suggestions on how best to make those improvements.

Division of Local Government  
5 O'Keefe Avenue NOWRA NSW 2541  
Locked Bag 3015 NOWRA NSW 2541  
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209  
E [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au) W [www.dlg.nsw.gov.au](http://www.dlg.nsw.gov.au) ABN 99 567 863 195



In Part 5 of the discussion paper the Division has asked for the views of stakeholders and other interested persons on possible options for improving the Model Code to address the issues that have been raised.

The Division requests that general managers bring the discussion paper to the attention of their councillors and staff. Councils may also wish to notify their communities of the discussion paper on their own websites or by other means.

We request that submissions be made in writing to the following postal address:

Division of Local Government  
Department of Premier and Cabinet  
Locked Bag 3015  
NOWRA NSW 2541

Alternatively, submissions may be made by email to [dlg@dlg.nsw.gov.au](mailto:dlg@dlg.nsw.gov.au).

The Division requests that submissions be received by **15 July 2011**.

The Division will consider submissions in identifying preferred options for the amendment of the Model Code.

Once it has identified preferred options for the amendment of the Model Code, the Division will undertake further targeted consultation with stakeholders with a view to identifying and addressing any potential implementation issues.

Once the Division has completed this targeted consultation, it will prepare a new draft of the Model Code containing proposed amendments. The Division will undertake further open consultation in relation to the proposed draft Model Code, before making a recommendation to the Minister for consideration for gazettal under the *Local Government (General) Regulation 2005*.

As with previous versions of the Model Code, the Division will supplement the new Model Code with amended Guidelines to assist in the interpretation of the new provisions of the Model Code. The Division will also reissue an updated education package to assist councils to raise awareness among councillors, staff, delegates and committee members of any new requirements under the new Model Code.

Should anyone wish to contact the Division to discuss this discussion paper or the Model Code of Conduct Review, they may telephone John Davies, the Model Code of Conduct Review Project Officer on 02 4428 4139.



**Ross Woodward**  
Chief Executive, Local Government  
A Division of the Department of Premier and Cabinet

The Division has requested that the General Manager bring this circular to the attention of Councillors.

## **Recommendation**

1. That the report on the DLG review of the Model Code of Conduct be received and noted.
2. That the General Manager and Mayor be authorised to prepare a submission on behalf of Council if considered necessary.
3. That any Councillor wishing to raise an issue for inclusion in Councils submission provide the relevant details to the General Manager by 8 July 2011.

## **12.6 UPDATE REPORT CONSTITUTIONAL REFERENDUM**

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### **Summary/Purpose**

This report seeks to update Council on the issue of conducting a referendum regarding a popularly elected Mayor and Councillor numbers

### **Community Strategic Plan Item(s)**

- Governance

### **Previous Council Consideration**

It was resolved that Council be provided with an estimate of costs to the February Ordinary Council meeting 2011, to hold a constitutional referendum be held in conjunction with the 2012 Local Government elections to seek direction on future governance in the Kyogle LGA on the following matters:

- a) the election of the Mayor;
- b) the existing system of three wards; and
- c) the number of councillors.

The Electoral Commission advised that there were no staff available to do this calculation due to the State Election and that in May/June this year Electoral Commission staff will be conducting a visit to Council and the information could be provided at that time.

### **Report**

As no further response had been received, correspondence was sent to the Electoral Commission requesting that information be provided. The Electoral Commission has provided the following response:

“For your information , we note that the previous opposition (now the Government), in response to a number of questions from the Local Government and Shires Association in the run up to the 2011 State Election, indicated that it was considering handing back to councils responsibility for their elections.”

They indicated that until such time as a decision is made they are unable to provide the requested costings.

Accordingly, it is not possible to provide Council with information relating to likely costing.

Further correspondence was received from the Electoral Commission on 14 June, 2011 advising that for the 2012 Local Government Elections, councils will have the option of conducting their own elections or engaging the Electoral Commission to conduct the elections on their behalf.

They are commencing a series of meetings from Monday July to September 2011 to meet and discuss the elections with each Council. The meeting with Kyogle Council has been scheduled for 6 July, 2011 and staff have requested that the referendum cost estimates be provided at this meeting.

### **Recommendation**

1. That the information report regarding the conduct of a referendum be received and noted.
2. That a further report be presented to the July Ordinary Meeting following the meeting with the Electoral Commission.

## **12.7 OUTSTANDING COUNCIL RESOLUTIONS**

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### **Summary/Purpose**

This report presents to Council a list of outstanding resolutions as at 31 May, 2011.

### **Community Strategic Plan Item(s)**

- Governance and Community Service

### **Report**

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

### **Recommendation**

That the Outstanding Council Resolutions report be received and noted.

### **Attachments**

1. Outstanding Council Resolutions as at 31 May, 2011. (Separately attached)

## **12.8 SAFER SUBURBS GRANT**

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### **Summary/Purpose**

The report provides information to Council regarding funding received through the Safer Suburbs Program.

### **Community Strategic Plan Item(s)**

- Community Service
- Village Life

### **Report**

Correspondence has been received from the Hon Brendan O'Connor MP Minister for Home Affairs, Minister for Justice advising of a grant of \$70,000 for the "Kyogle Council Safer Memorial Park Project."

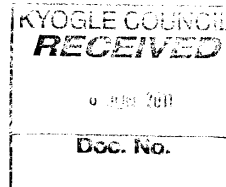
The correspondence appears below:



**THE HON BRENDAN O'CONNOR MP**  
Minister for Home Affairs  
Minister for Justice

11/10868

Ms Carole O'Neill  
Director, Corporate and Community Services  
Kyogle Shire Council  
PO Box 11  
KYOGLLE NSW 2474



2 JUN 2011

Dear Ms O'Neill

I wish to congratulate the Kyogle Shire Council on being awarded a grant of \$70,000 under the *Safer Suburbs Program* for the "Kyogle Council Safer Memorial Park Project" which will implement three crime prevention projects:

- \$30,000 for the renovation of the Kyogle Youth Centre;
- \$20,000 to improve safety at Cenotaph Park in Kyogle; and
- \$20,000 for the preparation of a shire-wide Crime Prevention Plan.

The *Safer Suburbs Program* reduces crime and anti-social behaviour by funding not-for-profit and local government organisations to implement a range of community safety initiatives, including security infrastructure such as closed circuit television systems (CCTV) and lighting. Your project is an important part of this program.

An officer from the Attorney-General's Department will contact you shortly to discuss the next stage of the process and to determine the details of the funding agreement for your project.

Once again, I would like to congratulate the Kyogle Shire Council on receiving this important grant. I look forward to hearing about the success of this project.

The officer responsible for this matter in my Department is Ian Brown who can be contacted on (02) 6141 2754.

Yours sincerely

**Brendan O'Connor**

Telephone +61 2 6277 7290  
mha@ag.gov.au

Parliament House, Canberra ACT 2600  
Australia

Facsimile +61 2 6273 7098

During the 2010 election campaign the Gillard Government committed \$5.32 million (capped) over three years to extend the Safer Suburbs Program. The initiative seeks to

reduce crime and anti-social behaviour by funding important community safety measures.

The Government made a commitment to funding of \$70,000 to Kyogle Council.

A condition of the funding was that a detailed project proposal be submitted and all appropriate guidelines and parameters needed to be met.

A consultation session specific to Cenotaph Park was organised and included representatives from the Kyogle Police, the Crime Prevention Officer Michael Hogan, Kyogle Chamber of Commerce, Youth Action, Kyogle RSL, Kyogle Together and Kyogle Council staff.

A detailed project proposal was then written by the Director of Corporate and Community Services and submitted to the Attorney Generals Department for consideration.

The work will be scheduled as soon as the funding is received.

### **Recommendation**

That the information regarding the \$70,000 received through the Safer Suburbs Program be received and noted.

**ITEM 13            GENERAL MANAGER 'S REPORT**

**ITEM 13A          TECHNICAL SERVICES REPORT**

**13A.1              ADOPTION OF ROAD NAMES**

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**Summary/Purpose**

This report concerns the adoption of the road names Goanna Creek Road, Duck Creek and Hoare Street, Tabulam

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Previous Council Consideration**

The following resolutions were adopted by Council at previous meetings:

At the ordinary meeting of November 16, 2009:

That upon transfer of the Crown Road described below, Council advertises for submissions from the public on the proposed naming of the road as follows;

<b>Road No.</b>	To be determined
<b>Description of Route</b>	The un-named section of Crown road from the intersection with Duck Creek Road which runs in a south-easterly direction through Lot 14 DP 751047, Lot 1 DP 747578, Lot 2 DP 747578, Lot 7 DP 751047, Lot 10 DP 751047 through to a point approximately 40m past the point where the Crown Road meets the northern most boundary of Lot 6 DP 751047. Total length 1.3km.
<b>Proposed Road Name</b>	Goanna Creek Road
<b>Reason</b>	Un-named road

At the Ordinary meeting of April 18, 2011:

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

Road No.	Current Road Name or Description of Route	Proposed Road Name	Reason
6010	The un-named road within the village of Tabulam which starts from Lawrence Street near the south west corner of Lot 7300 DP1146195 and runs in an easterly direction for approximately 330m and terminates	Hoare Street	Un-named lane



	as a no through road ending at the north east boundary of Lot 7302 DP1146238.		
--	-------------------------------------------------------------------------------	--	--

## Report

The proposed road names were advertised on May 11, 2011 with the closing date for submissions from the public being June 1 2011.

No comments have been received on either proposal.

## Recommendation

1. That the name Goanna Creek Road be adopted for the unnamed section of Road from the intersection with Duck Creek Road running in a south easterly direction through Lot 14 DP 751047, Lot 1 DP 747578, Lot 2 DP 747578, Lot 7 DP 751047, lot 10 DP 751047 through to a point approximately 40 m past the point where the road meets the northern most boundary of Lot 6 DP 751047. (Total length 1.3 km)
2. That the name Hoare Street be adopted for the unnamed road within the village of Tabulam commencing at Lawrence Street near the south west corner of Lot 7300 DP 1146195 and running in an easterly direction for approximately 330 metres and terminates as a no through road at the north east boundary of Lot 7302 DP 1146238.

**ITEM 13B PLANNING SERVICES REPORT**

**13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUSTANDING FOR THE PERIOD MAY 1, 2011 TO MAY 31, 2011**

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2006/159

Property: Lot 2 DP 123265 Boorabee Parish, Rous County  
Address: Mulvena Road, Larnook  
Applicant/Owner: Tony Michael Boyd / Comdox No.203 Pty Ltd  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Refused

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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

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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 Department of Lands & RFS for Comment  
Status: Consultant to advise

---

2008/87

Property: Lot 1 DP 820659 Peacock Parish, Buller County  
Address: Station Road, Bonalbo  
Applicant/Owner: Newton Denny Chapelle / GT & DL Jarrett & Tasmanian Plantations P/L  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Applicant to advise

---

2008/88

Property: Lot 54 DP 751074 Peacock Parish, Buller County  
Address: Station Road, Gorge Creek  
Applicant/Owner: Newton Denny Chapelle / GT & DL Jarrett & Tasmanian Plantations P/L  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Applicant to advise

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2008/125

Property: Lot 101 DP 881876 Fairy Mount Parish, Rous County  
Address: Green Pigeon Rd Green Pigeon  
Applicant/Owner: Allan Clarke / The Secretary, Green Pigeon Pty Ltd

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Proposal: 4 Commercial Sheds  
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

---

2010/74

Property: Lot 1 DP 1113095 Fairy Mount Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: Scott Wayne Lynch / SW Lynch & TA Mettam  
Proposal: Retaining Wall  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

---

2010/80

Property: Lot 5 DP 1122813 Boomi Parish, Buller County.  
Address: Boomi Creek Rd Boomi Creek  
Applicant/Owner: Glenda Joy Stace / DP & GJ Stace  
Proposal: Tourist Cabin  
Received: Referred To DMP For Comment  
Status: Applicant to advise

---

2010/88

Property: Lot 77 DP 751059 Donaldson Parish, Buller County.  
Address: Recreational Road off Lindsay Creek Rd Woodenbong  
Applicant/Owner: Dean Jeffery / WG Jeffery  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting Applicant's Comments

---

2010/93

Property: Lot 1 DP 759088 Wiangarie Parish, Rous County.  
Address: Worendo Street, Wiangaree  
Applicant/Owner: L Young / L Young & TA Faulks  
Proposal: Change Of Use From Church To Health  
Received: Referred To DMP For Comment  
Status: Applicant to advise

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2010/95

Property: Lot 7002 DP 96390 Sandilands Parish, Drake County.  
Address: Bruxner Hwy Mallanganee  
Applicant/Owner: West of the Range Pony Club / NSW Dept of Lands  
Proposal: Storage Shed  
Received: Referred To DMP For Comment  
Status: Awaiting Applicant's Comments

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2010/107

Property: Lot 1 DP 305744 Fairy Mount Parish, Rous County.  
Address: Anzac Dr Kyogle

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Applicant/Owner: Stephen P McElroy / Ritchies Stores Pty Ltd  
Proposal: Carpark  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2010/122

Property: Lot 1 DP 595113 Toonumbar Parish, Rous County.  
Address: Crossleys Road, Toonumbar  
Applicant/Owner: Riordans Consulting Surveyors / Dr BK Perry  
Proposal: Subdivision 2 Lots  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2010/132

Property: Lot 102 DP 755707 Fairy Mount Parish, Rous County.  
Address: Walters Rd Horseshoe Creek  
Applicant/Owner: Kyogle Dirt Bike Club / KE & V Kook  
Proposal: Trail Bike Rides  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

---

2010/150

Property: Lot 122 DP 806090 Jiggi Parish, Rous County.  
Address: Kyogle Rd Cawongla  
Applicant/Owner: Newton Denny Chapelle / DH Sleeth & ZM Armstrong  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

---

2011/13

Property: Lot 1 DP 790288 Tabulam Parish, Rous County.  
Address: Clarence Way Tabulam  
Applicant/Owner: Murray David Ings  
Proposal: Quarry  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

---

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 DMP Comments

---

2011/22

Property: Lot 270 DP 4517 Fairy Mount Parish, Rous County.  
Address: Stratheden St Kyogle  
Applicant/Owner: Kyogle Council / Kyogle Council  
Proposal: Art Gallery, Museum, Library Extension  
Received: Referred To DMP For Comment  
Status: Stage 1 approved by Council

---

2011/28

Property: Lot 3 DP 759111 Donaldson Parish, Rous County.  
Address: MacPherson St Woodenbong

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Applicant/Owner: Genesis Two Pty Ltd / TH Strand  
Proposal: Renovation & Licenced Cafe  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

---

2011/30

Property: Lot 21 DP 869244 Sandilands Parish, Drake County.  
Address: Bruxner Hwy Mallanganee  
Applicant/Owner: Ardill Payne & Associates / FK & JB Holmes  
Proposal: Quarry Extension  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

---

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 DMP for Comment  
Status: Awaiting DMP Comments

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2011/37

Property: Lot 24 DP 6798 Runnymede Parish, Rous County.  
Address: Highfield Rd Kyogle  
Applicant/Owner: Unique Building Solutions / GA Johnston  
Proposal: Duplex  
Received: Referred To DMP For Comment  
Status: Awaiting Applicant's Comments

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2011/39

Property: Lot 3 DP 260848 Etrick Parish, Rous County.  
Address: Afterlee Rd Smiths Creek  
Applicant/Owner: D & J Lamberton / DA Lamberton & Jonathan  
Proposal: Multiple Occupancy  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/59

Property: Lot 1 DP 531985 Unumgar Parish, Rous County.  
Address: Summerland Way Unumgar  
Applicant/Owner: MJ Smith Ground Preparation / KJ & II Clark  
Proposal: Quarry  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

---

2011/69

Property: Lot 51 DP 1121658 Boorabee Parish, Rous County.  
Address: Boorabee Creek Rd Boorabee Park  
Applicant/Owner: Timothy Dilli  
Proposal: Dwelling & Studio  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

---

2011/76

Property: Lot 13 DP 113020 Loadstone Parish, Rous County.  
Address: Lynchs Creek Road, Lynchs Creek

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Applicant/Owner: WD Baty / WD & VW Baty  
Proposal: Boundary Adjustment  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/78

Property: Lot 1 DP 435758 Ettrick Parish, Rous County.  
Address: Ghinni Ghi Rd Ghinni Ghi  
Applicant/Owner: PD Wallbank / PD & A Wallbank  
Proposal: Subdivision For Boundary Adjustment  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/79

Property: Lot 6 DP 623399 Runnymede Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: Stephen Fletcher & Associates / Mr Fr Vary  
Proposal: Subdivision (staged) to create 124 industrial lots  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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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 DMP Comments

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2011/81

Property: Lot 12 DP 1119341 Bonalbo Parish, Buller County.  
Address: Farm Rd Bonalbo  
Applicant/Owner: Newton Denny Chapelle / R Karni & CL Miller  
Proposal: Subdivision For Boundary Adjustment  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/84

Property: Lot 24 DP 755750 Unumgar Parish, Rous County.  
Address: Hildebrands Road, Dairy Flat  
Applicant/Owner: Riordans Consulting Surveyors / H & H Tribolet  
Proposal: Subdivision by Boundary Adjustment  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/85

Property: Lot 1 DP 626397 Bonalbo Parish, Buller County.  
Address: Dyraaba Street Bonalbo  
Applicant/Owner: JA Lord / JA Lord  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/86

Property: Lot 2 DP 123614 Bonalbo Parish, Buller County.  
Address: Sanidilands Street Mallanganee

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Applicant/Owner: SE Kelly / SE Kelly  
Proposal: Garage  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/87

Property: Lot 2 DP 64089 Fairy Mount Parish, Rous County.  
Address: Stratheden Street Kyogle  
Applicant/Owner: AL Leverett / AL Leverett & BJ Martin  
Proposal: Dwelling additions  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/89

Property: Lot 2 DP 811042 Fairy Mount Parish, Rous County.  
Address: Ettrick Street Kyogle  
Applicant/Owner: BA Taylor / MJ & BA Taylor  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/90

Property: Lot 2 DP 537648 Runnymede Parish, Rous County.  
Address: Summerland Way, Kyogle  
Applicant/Owner: Stephen P McElroy & Associates / Duncan's Holdings  
Proposal: Commercial Building Extension  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/91

Property: Lot 5 Section 2 DP 7628 Geneva Parish, Rous County.  
Address: Savile Street Geneva  
Applicant/Owner: North Coast Sheds Patios and Carports/FA & GM Turner  
Proposal: Garage  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/93

Property: Lot 102 DP 247906 Geneva Parish, Rous County.  
Address: Saville Street Geneva  
Applicant/Owner: JJ & CV Hurley  
Proposal: Dwelling additions  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/94

Property: Lot 10 Sec 4 DP 7628 Geneva Parish, Rous County.  
Address: Norledge Street Geneva  
Applicant/Owner: SC Wells / SC Wells & LK Stanford  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/97

Property: Lot 69 DP 751059 Donaldson Parish, Rous County.

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Address: Macpherson Street Woodenbong  
Applicant/Owner: PL Taylor / PL & KJ Taylor  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/98

Property: Lot 1 DP 590880 Dondaldson Parish, Rous County.  
Address: Roseberry Lane Woodenbong  
Applicant/Owner: BJ Crain  
Proposal: Shed & verandah  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/99

Property: Lot 2 DP 263202 Jiggi Parish, Rous County.  
Address: Oxbow Road Cawongla  
Applicant/Owner: L Trantino / L Trantino & D Trantino  
Proposal: Multiple Occupancy  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/100

Property: Lots 3 & 4 DP 773068 Jiggi Parish, Rous County.  
Address: Stony Chute Road Wadeville  
Applicant/Owner: Staron Pty Ltd  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/101

Property: Lot 52 DP 1076878 Geneva Parish, Rous County.  
Address: Ettrick Street Kyogle  
Applicant/Owner: AR Davie / BE & IM McGrath  
Proposal: Shed addition  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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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 DMP Comments

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2011/103

Property: Lot 5 Sec 2 DP 17765 Robertson Parish, Rous County.  
Address: Carey Street Bonalbo  
Applicant/Owner: JA Bradshaw / JH Weir  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/105

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Property: Lot 10 DP 1135559 Runnymede Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: RD Hanby & Associates Pty Ltd / SM & JM Scarrabelotti  
Proposal: Shed, fence and retaining structure  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/106

Property: Lot 15 DP 662572 Donaldson Parish, Rous County.  
Address: Macpherson Street Woodenbong  
Applicant/Owner: BL Osbrough / KJ & V Wernowski  
Proposal: Change of use - hairdresser  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/107

Property: Lot 10 DP 1105782 Runnymede Parish, Rous County.  
Address: Yongurra Road Kyogle  
Applicant/Owner: AR & VM Page  
Proposal: Rural shed  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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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: Awaiting DMP Comments

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2011/109

Property: Lots 22, 23, 48 & 49 DP 751069 Lindsay Parish, Rous County.  
Address: Clarence Way Urbenville  
Applicant/Owner: Newton Denny Chapelle / BA & HJ Hill  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/110

Property: Lots 2 & 3 DP 537648 Runnymede Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: Stephen P McElroy & Assoc Pty Ltd / Duncan's Holdings Pty Ltd  
Proposal: Commercial shed / shade cover  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/112

Property: Lot 225 DP 4517 Fairy Mount Parish, Rous County.  
Address: Kyogle Road Kyogle  
Applicant/Owner: All Steel Garages & Sheds / RA & CA York  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/113

Property: Lot 802 DP 1006390 Wyndham Parish, Rous County.  
Address: Wiangaree Back Road West Wiangaree  
Applicant/Owner: PH & J Low  
Proposal: Swimming pool  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/114

Property: Lot 10 DP 247906 & Lot 11 DP 1033388 Geneva Parish, Rous County.  
Address: Saville Street & Harrison Street Geneva  
Applicant/Owner: Newton Denny Chapelle / JJ & CV Hurley & RB & ML Harrison  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/115

Property: Lot 5 DP 244010 Geneva Parish, Rous County.  
Address: James Street Geneva  
Applicant/Owner: DB Ellis & KL Piggott  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/116

Property: Lot 11 DP 628570 Loadstone Parish, Rous County.  
Address: Gradys Creek Road Gradys Creek  
Applicant/Owner: DW & KA Gibson  
Proposal: Shed  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/117

Property: Lot 22 DP 814607 Geneva Parish, Rous County.  
Address: Anzac Drive Geneva  
Applicant/Owner: G Joliffe / G & K Joliffe  
Proposal: Dwelling additions  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/118

Property: Lot 14 DP 1082436 Queebun Parish, Rous County.  
Address: Sextonville Road Dobies Bight  
Applicant/Owner: SJ Smith / SJ & SR Smith  
Proposal: Dwelling additions  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/119

Property: Lot 3 DP 12802 Fairy Mount Parish, Rous County.  
Address: Campbell Road Kyogle  
Applicant/Owner: GN & EL Rankin  
Proposal: Shed

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Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/120

Property: Lot 1 DP 1161835 Runnymede Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: LW Rixon  
Proposal: Relocated dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/121

Property: Lot 161 DP 789599 Roseberry Parish, Rous County.  
Lot 1 DP 54044 Toonumbar Parish, Rous County.  
Lot 109 DP 755751 Warrazambil Parish, Rous County.  
Lot 1 DP 533834 Geneva Parish, Rous County.  
Address: Various  
Applicant/Owner: Southern Queensland Trials Association Inc  
Proposal: Trial event  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/122

Property: Lot 40 DP 755708 Findon Parish, Rous County.  
Address: McInnes Road, Terrace Creek  
Applicant/Owner: M Mackie  
Proposal: Sheds  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2011/123

Property: Lot 1 DP 527983 Sandilands Parish, Rous County.  
Address: Bruxner Highway Sandilands  
Applicant/Owner: Envirolink Consulting / SH & KA Larsson  
Proposal: Change of Use  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/124

Property: Lot 141 DP 1035844 Geneva Parish, Rous County.  
Address: Afterlee Road, Horstation Creek  
Applicant/Owner: JR & KA Burley / HG Mueller & JR & KA Burley  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/125

Property: Lot 42 DP 751062 Evans Parish, Rous County.  
Address: Lower Bottle Creek Road, Bottle Creek  
Applicant/Owner: Newton Denny Chapelle / JT & RS McMahon  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/126

Property: Lot 24 DP 755750 Unumgar Parish, Rous County.  
Address: Hildebrands Road Dairy Flat  
Applicant/Owner: Riordans Consulting Surveyors / H & H Tribolet  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/127

Property: Lot 1 SP 71758 Fairy Mount Parish, Rous County.  
Address: Wyangarie Street Kyogle  
Applicant/Owner: A Kinross-Rowe / Tarongo Land Pty Ltd  
Proposal: Additions to units  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/128

Property: Lot 22 DP 751062 Evans Parish, Rous County.  
Address: Clarence Way Bottle Creek  
Applicant/Owner: Envirolink Consulting / Darcy Dancer Co Pty Ltd  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/129

Property: Lot 1 DP 123616 Sandilands Parish, Rous County.  
Address: Deep Creek Road Mallanganee  
Applicant/Owner: Unique Building Solutions / IM Hewetson Pty Ltd  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/130

Property: Lot 177 DP 755734 Runnymede Parish, Rous County.  
Address: George Street Kyogle  
Applicant/Owner: Dept of Public Works / Dept of Education  
Proposal: Education Facility additions  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/131

Property: Lot 22 DP 1134080 Geneva Parish, Rous County.  
Address: Afterlee Road Eden Creek  
Applicant/Owner: K Tearle & M May  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2011/132

Property: Lot 1 DP 1091730 Fairy Mount Parish, Rous County.  
Address: Groom Street Kyogle  
Applicant/Owner: JC Harley  
Proposal: Dwelling additions  
Received: Referred To DMP For Comment

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Status:	Awaiting DMP Comments
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2011/133	
Property:	Lot 312 DP 1115305 Peacock Parish, Buller County.
Address:	Peacock Creek Road Gorge Creek
Applicant/Owner:	Techton Building Services / Faulks Holdings Pty Ltd
Proposal:	Dwelling
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2011/134	
Property:	Lot 46 DP 755704 Dyraaba Parish, Rous County.
Address:	Pigman Road Dyraaba
Applicant/Owner:	Newton Denny Chapelle . JG & FJ Lindstrom
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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**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 May 2011 to 31 May 2011 be received and noted.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 May 2011 to 31 May 2011 only in relation to DA.../... and DA../.... In which Councillors ..... have declared an interest be received and noted.
3. That a report be presented to the July Ordinary meeting outlining actions to finalise long standing applications.

**Summary/Purpose**

This report is compiled to update Council on the progress of draft Kyogle Local Environmental Plan 2011 (draft LEP) and to expedite the plan making process.

**Community Strategic Plan Item(s)**

- Environmental and Planning

**Background Information**

On 31 March 2006 the *Standard Instrument (Local Environmental Plans) Order 2006* was gazetted and Kyogle Council directed by the NSW Department of Planning to prepare a principal local environmental plan.

Since that time Council has prepared a draft LEP pursuant to the Order and on 19 November 2010 requested authorisation from the Department of Planning for the public exhibition of that Plan. The issue of a section 65 Certificate by the Department of Planning and Infrastructure permitting public exhibition is forthcoming.

**Previous Council Consideration**

At the Ordinary Meeting of Kyogle Council convened on 27 September 2010, the draft Kyogle Local Environmental Plan 2010 was considered and the following resolved:

1. That Part 1 Heritage Items and Part 2 Heritage Conservation Areas of Schedule 1 to draft Kyogle Local Environmental Plan 18 be amended from the exhibition draft to exclude:
  - i) those items which have been demolished or approved for demolition;
  - ii) Montgomery's Bridge, Tabulam Bridge, The Risk Station Bridge and the Green Pigeon Bridge;
  - iii) the six items the subject of submissions lodged during the public exhibition period;
  - iv) cottages, residences, manses, parsonages, houses, homes and Geneva Omagh where they have not been listed on a voluntary basis (note that this retains homesteads);
  - v) proposed Conservation Areas with the exception of the Kyogle Town Conservation Area which is to be retained.
2. That Schedule 5 of the draft principal Kyogle Local Environmental Plan 2010 equal Schedule 1 of draft Kyogle Local Environmental Plan 18.
3. That a copy of the draft principal Kyogle Local Environmental Plan 2010 and the attached Section 64 Report be forwarded to the Director General under Section 64 of the *Environmental planning and Assessment Act 1979* (pre 1 July 2009 amendments) requesting a certificate certifying that the draft plan may be publicly exhibited.

4. That, subject to compliance with any lawful direction issued by the Director-General, the draft principal Kyogle Local Environmental Plan 2010 be subject to public notice and exhibition for a period of ninety (90) days.
5. That, prior to the exhibition period, Council staff are authorised to make amendments to the draft principal Kyogle Local Environmental Plan 2010 subject to the endorsement of the Department of Planning, the General Manager and those inclusions or exclusions as resolved by Council at the September 27, 2010 Ordinary Meeting.
6. That a report for information purposes be presented to Council as soon as practicable detailing the amendments made to the draft principal Kyogle Local Environmental Plan 2010 from the date of this resolution to the date of exhibition.

Subsequent to that meeting, it was resolved at the Ordinary Meeting of Council convened on 20 December 2010 that:

For the purpose of community consultation in relation to Draft Kyogle Local Environmental Plan 2010, Council does the following;

- a) That in accordance with the directions from the Department of Planning, the following Items be reinstated to Schedule 5 of the draft LEP:

Suburb	Item name	Address	Property description	Significance	Item and database number
Ettrick	Ettrick Montgomery's Bridge	Iron Pot Creek Road		Local	I388
Green Pigeon	Green Pigeon Bridge	near 472 Green Pigeon Road		Local	I379
Tabulam	Tabulam Bridge	Bruxner Highway	Road Reserve	State	I154
The Risk	The Risk Station Bridge	Risk Road	Road Reserve	Local	I408
Bonalbo	Bonalbo Cottage Hospital former	13 Cope Street	4/F/10036	Local	I003
Cawongla	Cawongla Cottage	5336 Kyogle Road	1//378105	Local	I172
Kyogle	Kyogle Ganger Cottage former	Off George Street	115//755734	Local	I038
Bonalbo	Bonalbo Kirkpatrick's Residence	4 Peacock Street	1//328778	Local	I006
Bonalbo	Bonalbo Residence and Shop	32 Sandilands Street	8/3/6063	Local	I007
Cawongla	Cawongla Teachers Residence former	5325 Kyogle Road	185//728682	Local	I020
Cedar Point	Cedar Point Residence	12845 Summerland Way	222//715611	Local	I058
Geneva	Geneva Residence	29 Saville Street	2//537073	Local	I048
Kyogle	Kyogle Residence	6 Anderson Street	6//23374	Local	I024
Kyogle	Kyogle Residence	15 Fawcett Street	30//12117	Local	I032
Kyogle	Kyogle Residence	23 Geneva Street	3//207289	Local	I036
Kyogle	Kyogle Residence	49 Geneva Street	172//781940	Local	I037
Kyogle	Kyogle Residence	11 Highfield Road	1//567936	Local	I043
Kyogle	Kyogle Residence	17 Rous Street	3//552506	Local	I039
Kyogle	Kyogle Residence	187 Summerland Way	5//954697	Local	I366
Kyogle	Kyogle Residence	226 Summerland Way	1//612336	Local	I060
Kyogle	Kyogle Residence	1 Yongurra Road	2//10780	Local	I047
Kyogle	Kyogle Station Master's Residence	52 Ettrick Street	2//811042	Local	I389
Mallanganee	Mallanganee Residence	79 Sandilands Street	2/1/17532	Local	I103
Mallanganee	Mallanganee	2 Yabbra Street	6/2/758639	Local	I115

Suburb	Item name	Address	Property description	Significance	Item and database number
Mallanganee	Residence Mallanganee School Residence	56 Tooloom Street	82//752395	Local	I110
Old Bonalbo	Old Bonalbo Residence	13 Duck Creek Road	1//17551	Local	I016
The Risk	The Risk School and Teachers Residence	122 Grady's Creek Road	84//755719	Local	I363
Woodenbong	Woodenbong Residence	46 MacPherson Street	9/5/759111	Local	I140
Woodenbong	Woodenbong Residence	26 MacPherson Street	10/4/759111	Local	I133
Woodenbong	Woodenbong Residence	30 MacPherson Street	12/4/759111	Local	I132
Woodenbong	Woodenbong Residence	46 Roseberry Street	109//751059	Local	I142
Woodenbong	Woodenbong Residence	8 Dalmorton Street	A//390596	Local	I387
Woodenbong	Woodenbong Residence	34 Richmond Street	15/8/759111	Local	I139
Woodenbong	Woodenbong Residence	27 Lindsay Street	3/4/759111	Local	I385
Kyogle	Kyogle Anglican Manse former	13 -15 Campbell Road	1//223989	Local	I031
Kyogle	Kyogle Presbyterian Manse	37 -39 Mount Street	150//755734	Local	I049
Kyogle	Kyogle Methodist Parsonage former	20 Bloore Street	2//1067865	Local	I028
Kyogle	Kyogle Pair of Houses	52 -54 Highfield Road	2//35487 1//35487	Local	I042
Mallanganee	Mallanganee Hewetson Home former	7095 Bruxner Highway	2//17479	Local	I099
Mallanganee	Mallanganee Hewetson Home former	7103 Bruxner Highway	13//838859	Local	I098
Mallanganee	Mallanganee Hewetson Home former	7105 Bruxner Highway	4//17479	Local	I100
Geneva	Geneva Omagh	323 Omagh Road	3//881814	Local	I046

b) That the following Conservation Areas be reinstated to Schedule 5 of the draft LEP:

Suburb	Item name	Address	Property description	Significance	Item and database number
Grevillia	Grevillia Village Conservation Area	Summerland Way	See map	Local	C168
Kyogle	Kyogle Town Gateway Conservation Area	See map Summerland Way	See Map	Local	C406
Mallanganee	Mallanganee Hewetson Residential group	7095 -7105 Bruxner Highway	2//17479 13//838859 4//17479	Local	C180
Mallanganee	Mallanganee Village Conservation Area	see map	See Map	Local	C097



c) That the following items be reinstated to Schedule 5 of the draft LEP:

Suburb	Item name	Address	Property description	Significance	Item and database number	
Bonalbo	Bonalbo Homestead former	Browns Way	13997 Clarence	61//819068	Local	I013
Bonalbo	Bonalbo Cottage Hospital former	13 Cope Street		4/F/10036	Local	I003
Kyogle	Kyogle Convent former	8 Bloore Street		281//4517	Local	I026
Kyogle	Kyogle Residence	17 Rous Street		3//552506	Local	I039
Kyogle	Kyogle Station Master's Residence	52 Etrick Street		2//811042	Local	I389
Woodenbong	Woodenbong Former Store	16 Unumgar Street		1//220125	Local	I130

- 2) That Council engage a suitably qualified heritage consultant to assess the heritage significance of those Items listed under point (c) above and the four (4) newly identified Items/Places nominated during public exhibition, and if appropriate, seek their inclusion in Schedule 5 of draft Kyogle Local Environmental Plan 2010.
- 3) That Council consult with the Far North Coast Noxious Weeds office to develop guidelines for the replacement of historically significant trees (now identified as weeds) with more appropriate species.

## Report

### Amendments to the draft LEP

Since the Council last considered the content of draft Kyogle Local Environmental Plan 2010, the LEP has undergone a number of changes. The majority of these changes are minor in nature, such as the amendment of the year from 2010 to 2011; however certain amendments have resulted in marked changes to the future use of land under the LEP.

Amendments to the draft LEP text are described below:

- The name of the Plan is now Kyogle Local Environmental Plan 2011.
- A note has been inserted under clause 1.8 to describe which environmental planning instruments are repealed by the Plan.
- Reference to *State Environmental Planning Policy (Rural Lands) 2008* under clause 1.9(2) has been deleted in conjunction with Clause 4.2B. These matters are now solely the preserve of *State Environmental Planning Policy (Rural Lands) 2008*.
- Zone RU4 has been amended in name from Rural Small Holdings to Primary Production Small Lots.
- The word "development" has been added wherever the word "consent" appeared, thereby amending clauses 2.3, 2.4, 2.5, 2.6, 2.7, 3.2, 4.6, 5.3, 5.6, 5.8, 5.10, 5.11 and 5.12 of the Standard Instrument.
- Clause 2.6(2) has been amended following changes to the Standard Instrument.
- Clause 2.6AA is now clause 2.7.
- Clause 2.6BB is now clause 2.8.
- Clause 2.6C has been renumbered to clause 2.8AA.

- New land uses and definitions were introduced to the Standard Instrument dictionary in February 2011. This has resulted in some amendments to the land use tables to reflect the new definitions and their relationships. For example, "Dairies (pasture based)" was listed as a land use permitted without consent in the zone RU1 Primary Production. This land use is now defined within the term "Extensive Agriculture" and, although not listed in its own right, remains exempt development under the auspices of "Extensive agriculture." An amended land use matrix is attached.
- The words "or referred to" have been added to clause 3.2(4).
- Clause 3.3(2)(k) has been deleted from the Plan. That clause attempted to preclude development from occurring on contaminated or potentially contaminated land absent a development application.
- Clause 4.2A Erection of dwelling houses and dual occupancies (attached) on land in certain rural and environmental protection zones has been replaced with clause 4.2AA. Where Council was proposing to bestow dwelling entitlements to all rural land with an area of not less than two (2) hectares, the clause now ties the land to the existing requirements under the Interim Development Orders. Hence, if a rural property does not have a dwelling entitlement now, it will not gain one through the LEP process. Additionally, a sunset provision has been inserted into the clause that requires all applications for dwelling houses on rural land to adhere to the subdivision Lot Size Map from the tenth year of the commencement of the Plan.
- The words "as follows" have been added to clause 4.6.
- The word "the" has been replaced with "this" in clause 5.3(5).
- A note has been added to clause 5.4(1) clarifying that a change in building classification for Bed and Breakfast Accommodation is permissible under the Plan.
- The retail floor area of industrial retail outlets has been amended from 10% to 11% under clause 5.4(4).
- The percentage floor area prescribed for secondary dwellings in relation to principal dwellings has been amended from 30% to 43% under clause 5.4(9).
- References to NSW Fire Brigades in clause 5.8 have been replaced with "Fire and Rescue NSW."
- Clause 5.9 Preservation of trees or vegetation and clause 5.9AA Trees or vegetation not prescribed by development control plan, which were previously not adopted, have been included into the Plan. These clauses establish the parameters within which vegetation may or may not be cleared and has resulted in clause 7 Clearing Vegetation being removed from Schedule 2 Exempt Development of the Plan.
- Clause 5.10 Heritage conservation has been amended to accord with changes to the Standard Instrument.
- New clause 5.13 Eco-tourist facilities has been added to the Plan to address the new land Eco-tourist facilities. The clause requires development for the purposes of eco-tourism to be associated with - and to enhance - ecological, environmental or cultural values.
- Local clause 7.6 Rural Workers' Dwellings has been amended from the existing requirement for a minimum lot size of 80 hectares to the requirement that "the lot is at least the minimum lot size specified for that lot by the Lot Size Map, or is at least 80 hectares in area, whichever is the greater." This brings the clause into accord with the amendments introduced by clause 4.2AA.
- Clause 1 of Schedule 2 Exempt Development has been renamed "Signage" to reflect the amendment to this term in the dictionary.

- Clause 1(1) of Schedule 2 permitting the removal of signs as exempt development has been deleted to reflect the introduction of a generic demolition clause under clause 6 of Schedule 2 of the Plan.
- Clauses 4 and 9 of Schedule 2 permitting Council, a representative of Council, or emergency services to undertake certain works as exempt development has been removed from the Plan due to these matters being defined by *State Environmental Planning Policy (Infrastructure) 2007*.
- Clause 10 Filming; clause 14 Rainwater tanks; clause 16 Satellite TV dishes; clause 17 Temporary structures (other than tents and marquees), and temporary alterations or additions to buildings or works, solely for filming purposes; clause 18 Tennis court for private or not commercial use; and, clause 19 Tents or marquees used solely for filming purposes of Schedule 2 have been deleted as they are addressed by *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Clause 1, Part 1 of Schedule 3 Complying development has been removed from the plan due to its introduction into *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and the other matters of Schedule 3 renumbered accordingly.
- Clause 3, Part 1 of Schedule 3 has been added to permit development that could be constructed as complying development to be likewise removed as a complying development.
- Schedule 5 Environmental heritage has been amended to accord with the resolution of Council dated 20 December 2010 (refer to "Previous Council Consideration" above). All items within the Schedule have been described as being of Local significance and property descriptions have been written out in full with entries based on Suburb and then address. Item names have also been clarified.

Amendments to the draft LEP maps are described below:

- The name of the Plan has been amended to Kyogle Local Environmental Plan 2011.
- Zone RU4 has been amended from Rural Small Holdings to Primary Production Small Lots.
- The Land Zoning Map Sheets LZN 004D and LZN 004C have been amended by reducing the IN2 Light Industrial zone on Lot 12 DP 806359 such that it more closely responds to the industrial area defined by the *Kyogle Council Development Control Plan No 3 - Industrial Development*. The urban void has been filled by the R1 General Residential zone.
- As determined by Council, the subdivision lot Size Map LSZ\_004 was amended to permit subdivision to a minimum lot size of 40 hectares around the settlement of Mummulgum.
- Anomalies found in the Crown reserves dataset held by Council resulted in amendments to the Land Zoning Map sheet LZN\_001D, as pertaining to Woodenbong. These involved the absorption of the police station into the RU5 Village zone and the application of the SP2\_Educational Establishments zone to land held by the Department of Education and Training.
- The Kyogle Rugby League Ground, being Lot 1 on DP 810222, has been rezoned from RU1 Primary Production to RE2 Private Recreation.
- The public and private lots comprising the Woodenbong golf course have been clarified, with the RE1 Public Recreation zone being extended onto Lot 124 on DP

751059 and the RE2 Private Recreation zone being applied to Lot 139 on DP 823666.

- Some minor technical changes have been made such as the alteration of the font size on certain "inset" maps and the relocation of the word "Mallanganee" on the Height of Buildings Map HOB\_002.
- The Lot Size Map has been amended to cater for the subdivision of land within the RU4 Primary Production Small Lots zone and the R5 Large Lot Residential zone. A number of lots subject to these zones have residual rural land, and rather bind the subdivision to those standards the amendments described on the table below were implemented.

<b>Property Description</b>	<b>Amendment to Lot Size Map</b>
Lot 57 DP 838360	Changed 40ha overlay to AA 5ha
Lot 1 DP 263880	Changed 40ha overlay to AB2 20ha
Lot 11 DP 1105782	Changed 40ha overlay to AB1 10ha
Lot 563 DP 850175	Changed 40ha overlay to AB3 30ha
Lot 13 DP 1063624	Changed 40ha overlay in the east to AB3 30ha Changed 40ha overlay in the west to AB2 20ha
Lot 21 DP 456821	Changed 40ha overlay to AB2 20ha
Lot 641 DP 777591	Extended X 5,000m2 across entire Lot
Lot 122 DP 755707	Changed 40ha overlay to AB3 30ha
Lot 2 DP 703941	Changed 40ha overlay to AB3 30ha
Lot 100 DP 862741	Extended X 5,000m2 across entire Lot
Lot 5 DP 701238	Changed 40ha overlay to AB1 10ha
Lot 3 DP 631546	Extended X 5,000m2 to the north Changed 40ha overlay to AB1 10ha
Lot 122 DP 806090	Fixed encroachment with Lot 13 DP 1011652
Lot 126 DP 823614	Extended X 5,000m2 across entire Lot
Lot 8 DP 751077	Changed 40ha overlay to AB3 30ha
Lot 2 DP 857403	Changed 40ha overlay to Z 2ha
Lot 2 DP 596976	Extended AA 5ha to northwest corner Used boundary with Lot 1 DP 136642 to define the extent of X 5,000m2 and AA 5ha Changed 40ha overlay to AB3 30ha
Lot 1 DP 136642	Changed 40ha overlay in northeast to AB3 30ha Changed 40ha overlay in southwest to X 5,000m2
Lot 1 DP 668879	Changed 40ha overlay to AB1 10ha

In addition to the above amendments, it is understood that the issue of a section 65 certificate by the Department of Planning and Infrastructure for the exhibition of the draft LEP will be subject to certain conditions. The above correspondence, when supplemented by the section 65 certificate, shall address the resolution of Council "[t]hat a report for information purposes be presented to Council as soon as practicable detailing the amendments made to the draft principal Kyogle Local Environmental Plan 2010 from the date of this resolution to the date of exhibition."

### **Time frames for the making of the Plan**

Kyogle Council has entered into a number of funding agreements with the State to make Kyogle Local Environmental Plan 2011. These include:

- grant funding under the Heritage Assistance Program for the *Kyogle Local Government Area Heritage Review 2009*;
- grant funding under the Heritage Assistance Program for the inaugural Kyogle Local Government Area cultural heritage mapping project;
- an approved allocation of \$75,000 under Round 3 of the Planning Reform Fund; and
- an approved allocation of \$74,000 under the Local Environmental Plan Acceleration Fund.

All of these funds are subject to conditions and are invariably bound to the completion of Kyogle Local Environmental Plan 2011.

The Memorandum of Understanding (MoU) endorsed by Council and the Department of Planning and Infrastructure for Round 3 of the Planning Reform Fund commits Council to the following dates:

- Section 65 Request - May 2011
- Section 68 Report - September 2011.

In correspondence dated 19 November 2010, Council submitted a copy of the draft Kyogle Local Environmental Plan 2010 (former) and section 64 Report to the Regional Director, Department of Planning, seeking the issue of a section 65 Certificate. Council has subsequently met its section 65 request obligation as per the terms of the MoU. However, in order to submit a Section 68 Report prior to October 2011, the following must occur:

- the Department of Planning and Infrastructure must issue a section 65 Certificate;
- the draft LEP must be prepared for exhibition (e.g. amended to accord with the conditions of the section 65 Certificate; advertisements prepared; exhibition material and sites arranged; government agencies notified, etc.);
- the draft LEP must be publicly exhibited;
- submissions must be recorded and the draft LEP reviewed in light of the submissions;
- a section 68 Report considering submissions must be submitted to Council for adoption;
- the draft LEP must be amended if required; and
- the section 68 Report and draft LEP must be sent to the Department of Planning and Infrastructure.

At the Ordinary Meeting of Council convened on 27 September 2010 it was resolved:

"That, subject to compliance with any lawful direction issued by the Director-General, the draft principal Kyogle Local Environmental Plan 2010 be subject to public notice and exhibition for a period of ninety (90) days."

The public exhibition period described above makes the MoU unachievable. This is further compounded by Council's grant funding under the Local Environmental Plan Acceleration Fund. This funding, as its name dictates, is issued by the State Government to prioritise the making of Local Environmental Plans under the Standard Instrument. The funds will bring the consultancy firm GHD on board to assist Council

with the timely and professional review of submissions received during the public exhibition period. This is anticipated to produce a more thorough, comprehensive and practical plan that better reflects public sentiment, the existing environment, and development objectives within the Kyogle Local Government Area.

Staff have sought an extension of time for the section 68 report to be completed on the basis that the Section 65 report was made well before the deadline of May 2011, yet the section 65 certificate was not received until June 2011. It is hoped that a response will be received prior to consideration of this report. Should the request not be granted Council may have to consider a shorter exhibition period.

### **Ongoing heritage investigations**

At the Ordinary Meeting of Council convened on 20 December 2010 it was resolved:

"That Council engage a suitably qualified heritage consultant to assess the heritage significance of those Items listed under point (c) above and the four (4) newly identified Items/Places nominated during public exhibition, and if appropriate, seek their inclusion in Schedule 5 of draft Kyogle Local Environmental Plan 2010."

For the information of the Councillors, Ainsworth Heritage has been engaged to undertake the necessary assessments. Although field work was undertaken on 6 and 7 April 2011, the final report will not be furnished to Council in time to meet the public exhibition of the draft LEP. Accordingly a Planning Proposal may need to be initiated to amend the Kyogle Local Environmental Plan 2011 once that plan is published.

Similarly, the staged delivery of the Kyogle Local Environmental Plan 2011 is triggered by the Kyogle Local Government Area cultural heritage mapping project, which is still ongoing and will not be ready for exhibition when the draft LEP is publicly exhibited in 2011.

### **Recommendation**

1. That the report Kyogle Local Environmental Plan 2011 be received and noted.
2. That draft Kyogle Local Environmental Plan 2011 be exhibited for a period of ... (recommended period to be provided at time of considering this item).

### **Attachments**

1. Kyogle Local Environmental Plan 2011 Land Use Matrix

**13B.3 DEVELOPMENT APPLICATION 2011/116 - BUILDING LINE VARIATION FOR A RURAL SHED**

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**Summary/Purpose**

This report aims to present to Council a development application for the construction of a rural shed located on the western side of Grady's Creek Road, Grady's Creek.

The applicant has requested a variation of the building line from 18 metres to 2 metres. The variation requested exceeds Council's staff delegation which is 20%.

**Community Strategic Plan Item(s)**

- Environmental and Planning

**Background Information**

Council received a Development Application 2011/116 on April 20, 2011 for the construction of a rural shed.

**Report**

DA No:	2011/116
Date received:	April 20, 2011
Applicant:	DW & KA Gibson
Owner:	DW & KA Gibson
Property:	Lot 11 DP 628570
Zone:	Non Urban 1(A)
Locality:	Grady's Creek Road, Grady's Creek
Proposal:	Rural Shed

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

**Overview of the Locality:**

Development in the locality consists primarily of residential buildings and uses.

The inspection of the site revealed that the proposed rural shed would not interfere with the amenity of the adjoining allotment nor traffic vision. The applicant has requested the variation due to the position of overhead powerlines and proximity to Grady's Creek.

**Legislative Requirements:**

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

**Agency Referral:**

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

**Public Notification:**

Adjoining owners were notified and invited to make submissions during the period between May 10, 2011 and May 24, 2011. No submissions were received.

**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**

Kyogle Interim Development Order No 1 (IDO1)

The site is currently zoned Non-urban 1(a) 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.

State Environmental Planning Policies (SEPP)

A search of NSW Planning legislation identifies 23 SEPP's applicable to the subject land. None of these has relevance to the proposal.

**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)**

There are no Council DCP's which affect the proposed development site.

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

There are no prescribed matters, which affect the proposal.

**Section 79(c) the suitability of the site for the development**



The proposal is for the construction of a rural shed. The site is considered suitable for such a use.

**Conclusion:**

The proposal is to construct a rural shed. The applicant has requested a building line variation to the front boundary from 18 metres to 2 metres. As indicated this request exceeds Council staff's delegation. The request is considered reasonable given the current constraints to the site in terms of the location of the trees and the slope of the land.

Having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 as amended it is recommended that the application as submitted be approved subject to conditions.

**Recommendation**

That Council issue Development Consent Notice 2011-116 for the construction of a Rural shed and a building line variation to 2 metres from 18 metres.

SUBJECT TO THE CONDITIONS SPECIFIED in this notice being:

- 1) The development shall be in accordance with development application number 2011-116 submitted on April 20, 2011, and in accordance with the following:

- **Statement of Environmental Effects as prepared by DW & KA Gibson**

except where otherwise provided by the conditions of this development consent.

- 2) In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.
- 3) This development consent is limited to a period of five (5) years in accordance with Section 95(1) of the *Environmental Planning and Assessment Act 1979*. Following the expiration of this period the consent will lapse unless work relating to the subdivision is physically commenced before the date on which the consent would otherwise lapse.
- 4) Apart from developer funded works, no improvements to existing roads, access and services will be provided by Council or any other utility authority.
- 5) The use of the land must not interfere with legitimate rural and agricultural uses on adjoining land.
- 6) The proposed landuse shall not result in the emission of offensive noise.

Offensive noise means: noise that by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstance, is likely to:

- a) be harmful to,
- b) be offensive to,
- c) interfere unreasonably with the comfort or repose of,

a person who is:

- (i) if the offensive noise is made in premises that are not a public place - outside those premises,
  - or
  - (ii) if the offensive noise is made in premises that are a public place - within or outside those premises.
- 7) All building waste is to be removed from the site to an approved waste disposal facility.
  - 8) Burning of site refuse and materials is not permitted and all such materials shall be prevented from escaping onto adjoining land and shall be maintained in a tidy manner on site at all times.
  - 9) Erosion and sediment control measures must be properly maintained at all times and shall remain in proper operation until all development activities have been completed and the site fully stabilised and vegetated.
  - 10) The installation and operation of all external and security lighting, must comply at all times with the requirements of AS 4282 – *Control of the Obtrusive Effects of Outdoor Lighting*.
  - 11) That no tree in the road reserve shall be damaged, destroyed or removed without the written consent of the Council.
  - 12) Prior to carrying out any works within a public road reserve, the proponent shall complete an application under Council's Road Reserve Management Plan and receive written approval from Council. Satisfactory arrangements for restoration with Council's Technical Services Department shall also be required, with all works constructed according to Council's Development, Design and Construction Manuals (as amended). All costs shall be the responsibility of the proponent.
  - 13) All loading and unloading shall take place within the property boundaries, including the parking of construction and private vehicles associated with the development.
  - 14) The applicant is to make written application to Council (accompanied by a location plan) for a vehicular access to the rural shed and construct it in accordance with Council's approval (refer to Council's Property Access and Addressing Management Plan). No other accesses may be constructed or opened onto a Council road without the prior written approval of Council.
  - 15) All allotments where access is obtained from a sealed road shall have a sealed vehicular access from the roadway to the boundary of private property in accordance with Council's Property Access and Addressing Management Plan.
  - 16) All stormwater from the site shall be disposed of without causing nuisance to adjoining properties.
  - 17) Footings and/or slabs must be in accordance with AS 2870 – 1996, "Residential Slabs and Footings".
  - 18) All footings shall bear on natural ground having an even, uniform bearing capacity not subject to differential bearing values upon stable, firm and undisturbed foundations, free from roots and fill.

- 19) The metal roof and wall cladding is to be installed in accordance with AS 1562 – 1992, Design and Installation of Sheet Roof and Wall Cladding.
- 20) All metal framing to comply with approved engineering specifications and AS 3623-Domestic Metal Framing.
- 21) If Council is to be engaged as the Principal Certifying Authority the following progress and mandatory critical stage inspections will be required;
  - a) prior to pouring any in-situ reinforced concrete building element.
  - b) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

**Summary/Purpose**

This report aims to inform Council about a request from the Joint Regional Planning Panel (JRPP) to the General Manager to engage a suitable person to conduct a peer review of the staff assessment when it is completed and before it is forwarded to the JRPP Secretariat.

**Report**

Following the recent public exhibition period from 9 April, 2011 until 26 May, 2011 during which the Addendum Report to the Environmental Impact Statement was advertised for public input, a further 35 submissions were received.

The Chairman of the Joint Regional Planning Panel has advised in writing that:

“I have recently had cause to review and consider the volume and nature of the inquiries being made to the JRPP Secretariat in regard to the Development Application for the establishment and operation of an extractive industry at Cedar Point. As you are aware this DA is being assessed by your Council staff in accordance with the EP&A Act and the Regulations.

Having regard to the above I request Council to engage a suitable person to conduct a peer review of the assessment when it is completed and before it is forwarded to the JRPP Secretariat. It is intended that both reports when completed will be placed on the JRPP website and 14 days notice of the Determination Meeting will occur to allow sufficient time for interested community representatives to review both reports.

I am communicating with you as the General Manager of Council as required by the JRPP Operating Procedures.”

Further enquiries have revealed that Council would be responsible for the cost associated with conducting a peer review and that Council is not obliged to comply with the JRPP request.

Council may either seek out another Council with the available resources or engage a private consultant to conduct the peer review. It is considered that there would be little benefit in requesting a neighbouring council to conduct this review. Approaches have been made to Tamworth Council as they have previously conducted peer reviews for the JRPP. Contact has also been made with Ballina Council to ascertain details of private consultants used by them to conduct peer reviews. It is estimated that with the extent of information that needs to be considered, that the peer review is likely to exceed 14 days duration and cost Council in the vicinity of \$5,000-\$10,000.

**Conclusion**

A period of approximately nine months has now elapsed since the lodgement of the subject development application with Council. It is anticipated that the appointment of an

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independent consultant or local council to undertake and complete a peer review assessment could add a further period of up to three months to the process.

A significant amount of Council's staff time has been allocated to the processing of this development application, which would continue even after the appointment of a third party to undertake the peer review assessment.

When the JRPP were previously advised that opponents to the development application had questioned the Council staff independence, they advised that they had no problems with Council staff handling this matter.

Having the JRPP make the determination in relation to the development application in itself provides an independent review of the staff assessment.

### **Recommendation**

That Council refuses the Joint Regional Planning Panel request to conduct a peer review of the staff assessment when it is completed.

**ITEM 13C ENVIRONMENT SERVICES REPORT**

Nil.

**ITEM 13D CORPORATE SERVICES REPORT**

**13D.1 GROVE HOUSE OCCUPATION AGREEMENT**

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**Summary/Purpose**

This report provides Council with information regarding the negotiation of a new Occupation Agreement for Grove House.

**Community Strategic Plan Item(s)**

- Governance and Community Service

**Background Information**

Council has an occupation agreement with the Kyogle Community Technology Centre Inc. for Grove House. The original agreement was for the period March 20, 2009 to March 20, 2011. The period of this agreement tied in with the Area Assistance funding that has been provided for the Technology and Enterprise Centre Co-ordinator.

**Previous Council Consideration**

At the Ordinary meeting held March 16, 2009 , the following was resolved.

1. That Council authorise the General Manager and Mayor to sign the Service Agreement and Occupation License with the Community Technology Centre Inc. for the Community Enterprise Centre located at 8 Geneva Street Kyogle.
2. That Council authorise the General Manager and Mayor to affix the Council seal to the Service Agreement and Occupation License with the Community Technology Centre Inc. for the Community Enterprise Centre located at 8 Geneva Street Kyogle.

**Report**

A meeting was held with two members of Kyogle Together on June 15, 2011. The purpose of the meeting was to discuss the establishment of a new Occupation Agreement.

The Board of Kyogle Together is to meet and detail what they would like included in the terms of a new Occupation Agreement. A proposed agreement will be presented to the July Ordinary Meeting.

It is proposed that the conditions of the existing agreement (currently extended to July 1, 2011) continue until the matter is considered at the July Meeting.

### **Recommendation**

1. That the report on the Occupation Agreement for Grove House be received and noted.
2. That the conditions of the existing Occupation Agreement continue until 31 July 2011.

## **13D.2 EAST OF THE RANGE AUSTRALIA DAY CELEBRATIONS**

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### **Summary/Purpose**

This report presents information to Council a proposal to hold separate Australia Day Celebrations for Kyogle and Woodenbong.

### **Community Strategic Plan Item(s)**

- Village Life

### **Report**

Correspondence has been received from a resident that has been part of the East of the Range Australia Day Committee, requesting consideration be given to separate celebrations.

The organising committee for the East of the Range activities comprises community members from both the Kyogle and Woodenbong area. The celebration alternates between Kyogle and Woodenbong.

The correspondence requests that both Kyogle and Woodenbong have a celebration each year organised by a committee of people from the specific area. This would eliminate the need for people to travel to meetings. It would also enable the residents of each community to celebrate Australia Day locally and honour award nominees and winners

It is proposed to write to the current members of the two Australia Day Committees to gain feedback on the proposal.

## **Budget & Financial Aspects**

Each year donations are provided to two Australia Day Committees (East and West). For the 2011/12 financial year the total amount included in the budget for Australia Day Celebrations is \$7,828.

If it was determined to have three celebrations it would be necessary to consider how the total funding is to be distributed.

## **Recommendation**

1. That the report on the East of the Range Australia Day Celebrations be received and noted.
2. That correspondence be sent to the members of the Australia Day Committees seeking their feedback on the suggested change to the celebration format and on how the total allocation should be distributed.
3. That a report detailing the responses be provided to the August 2011 Council meeting.

## **13D.3 2011-2012 MANAGEMENT PLAN**

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### **Summary/Purpose**

This report presents the 2011/2012 Management Plan for adoption.

### **Strategic Priority Area**

Customer service

### **Report**

#### Making of Rates and Charges

Council must after consideration of any submissions, formally make all rates and charges to enable levies to be effected.

It should be noted that the general rates advertised in the Revenue Policy have been calculated so as to include a 2.8% increase under Section 508 of the Local Government Act for the 2011/2012 rating year

#### Adoption of Fees

Fees may be charged under Section 608 for any services Council provides, other than a service provided, or proposed to be provided, on an annual basis for which it is authorised or required to make an annual charge under section 496 or 501 of the Act. In accordance with Section 610F of the Local Government Act 1993, the proposed fees for



the various services provided or intended to be provided by Council over the period 1 July, 2011 to 30 June, 2012.

### Borrowings

Outlined in the Revenue Policy of the Management Plan are details of borrowings proposed to be undertaken during the 2011/2012 year. The proposed borrowings are \$300,000 for waste services.

Section 621 of the Local Government Act 1993 authorises Council to borrow at any time for any purpose under the Act. Section 624 allows the Minister for Local Government to impose borrowing limitations or restrictions from time to time. Kyogle Council does not have any limitations or restrictions imposed by the Minister.

### Submissions

Submissions in relation to Council's 2011/2012 Draft Management Plan were invited through notices in the Express Examiner, the Northern Star, Council's Web Site and the Kyogle Council Newsletter.

At the time of writing this report two submissions were received during the exhibition period and are attached to this report as confidential attachments for Councillors. The subject of the submissions is summarised as follows:-

1. A request for signage and weed control in roadside conservation areas.

No specific allocation has been made for this purpose. Conservation areas will be maintained in accordance with Council's Roadside Vegetation Management Plan under the regular Road Maintenance Program.

2. A request for peppercorn rental for Grove house and the installation of a lift in Grove House.

Council charges \$6,000 per annum (\$500 per month) rental for Grove House. The direct costs paid for by Council for insurance and rates and charged total \$4,440 for 2010/11. It is anticipated that these costs will increase to approximately \$5,600 in 2011/2012. It is considered that as a minimum, the provision of Grove House to the relevant community group(s) should be cost neutral to Council. The 2011/12 Draft Management Plan contains a rental figure of \$6,000 per annum.

The 2010/2011 budget contains an amount of \$62,000 for disabled access works which could be utilised for the installation of the lift at Grove House. Current estimates however, indicate that this funding is not sufficient to cover the left installation costs. A further \$11,000 is included in the 2011/2012 budget for disabled access bringing the total allocation to \$73,000.

### Conclusion

Council has advertised its Draft Management Plan for 2011/2012 in accordance with the provisions of Section 405 of the Local Government Act 1993, and has considered submissions to its Draft Management Plan in accordance with Section 406 of that Act.

### **Recommendation**

1. That Council adopt the amended 2011/2012 Management Plan, incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary;
2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.229147 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$178.00 which is expected to yield 14.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
3. That a Residential Rate, to be known as the "Residential Rate" of 0.535111 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$178.00 which is expected to yield 43.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
4. That a Residential Rate, to be known as the "Residential – Kyogle" Rate of 0.748833 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$210.00 which is expected to yield 24.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
5. That a Residential Rate, to be known as the "Rural Residential Rate" of 0.345238 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$178.00 which is expected to yield 21.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

6. That a Business Rate, to be known as the “Business Rate” of 0.405503 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$178.00 which is expected to yield 42.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
7. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.692166 cents in the dollar on the Land Value be now made for the rating year 1 July, 2011 to 30 June, 2012 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$210.00 which is expected to yield 16% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That the following Water Supply Charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$80.00
• 20mm Connection	\$266.00
• 25mm Connection	\$418.00
• 32mm Connection	\$685.00
• 40mm Connection	\$1,064.00
• 50mm Connection	\$1,673.00
• 80mm Connection	\$4,257.00
• 100mm Connection	\$6,653.00
• Fire Service Connection	\$265.00

Consumption Charges

Consumption up to 200kL usage	\$1.18 per kL
Consumption above 200kL usage	\$1.80per kL
Home Dialysis allocation first 100 kL	no charge

9. That the following Residential Sewerage Charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge	\$586.00
Vacant Annual Sewerage Charge	\$ 75.00

10. That the following Non Residential Sewerage Charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Sections 501, 502 and 503 of the

Local Government Act 1993; subject to a minimum amount of \$569.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• Vacant property	\$ 80.00
• 20mm Connection	\$230.00
• 25mm Connection	\$359.36
• 32mm Connection	\$588.80
• 40mm Connection	\$920.00
• 50mm Connection	\$1,437.52
• 80mm Connection	\$3,680.00
• 100mm Connection	\$5,750.00

Consumption Charges

\$0.91 per kl

11. That the following Trade Waste Charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers requiring nil or minimal pre-treatment

Annual Trade Waste Fee	\$72.00
Re-inspection Fee	\$68.00

(b) Trade Waste – Dischargers requiring prescribed pre-treatment

Annual Trade Waste Fee	\$72.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.00/kL

(c) Trade Waste – Large dischargers (over 20kl/d)

Annual Trade Waste Fee	\$477.00
Re-inspection Fee	\$68.00
Excess mass charges	per Appendix B

(d) Trade Waste – Discharges with a sewerage dump point

Annual Trade Waste Fee	\$569.00
Re-inspection Fee	\$68.00

12. That the following Domestic Waste Management charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Section 496 and Sections 502 and 503 of the Local Government Act 1993;

- Occupied Premises \$390.00
- Unoccupied Premises \$ 30.00

13. That the following Commercial Waste charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Section 501 of the Local Government Act 1993;

- Commercial Properties \$390.00

14. That the following On Site Sewerage Management charges be made for the rating year 1 July, 2011 to 30 June, 2012, in accordance with Section 501 of the Local Government Act 1993;

- OSMS Annual Charge \$35.00

15. That Council set the Rate of Interest, to apply for the rating year 1 July, 2011 to 30 June, 2012, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 9% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;

16. That Council adopt the Schedule of Fees and Charges contained in the Appendix to the Management Plan in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;

17. That Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

**13D.4            INTERNAL AUDIT COMMITTEE**

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A separate report will be provided in relation to this item.

**ITEM 13E      COMMUNITY SERVICES REPORT**

Nil

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

**13F.1          JULY ORDINARY COUNCIL MEETING DATE**

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**Summary/Purpose**

This report seeks Council's consideration of a change of date for the scheduled July Ordinary Council Meeting.

**Community Strategic Plan Item(s)**

- Governance and Community Service

**Report**

The July Ordinary Council Meeting has been scheduled for 25 July, 2011.

The NSW Local Government and Shires Association (LGSA) has been appointed by the Federal Government to deliver regional training for local government. As part of this training they have arranged for training to occur on 25 July, 2011 at Goonellabah on Asset Management and Long Term Financial Planning. The Federal Government funding will allow for 3-4 councillors (and some staff) from each NSW council to attend this training for free.

In order to allow for councillors and staff that may wish to attend this training, it is recommended that Council consider altering the date for the July Ordinary Meeting.

**Recommendation**

That Council change the scheduled date for its July Ordinary Meeting from Monday 25 July, 2011 to Tuesday 26 July, 2011.

### Summary/Purpose

This report requires a determination on the level of Councillor remuneration for the 2011/2012 financial year.

### Report

The Local Government Remuneration Tribunal (the Tribunal) sets the range of fees for all councillors and mayors in NSW each year.

The Tribunal has determined that an increase of 4.2% in fees for councillors and mayors as appropriate.

Kyogle Council is defined as a Category 4 (Rural) Council

The appropriate fees for Kyogle Council for 2011/2012 are as follows:

	Minimum	Maximum
Councillor Annual Fee	\$7,550	\$9,970
Mayoral Fee	\$8,020	\$21,770

The fees paid for the 2010/2011 were:

Councillor Annual Fee:	\$9,570
Mayoral Fee	\$20,280

Council has previously adopted the maximum remuneration rates.

### Recommendation

That Council adopts the following Councillor and Mayoral fees for 2011/2012:

Councillor Annual Fee -	\$9,970
Mayoral Fee -	\$21,770



**Summary/Purpose**

This report seeks a Council resolution endorsing a proposal for constitutional recognition of Local Government.

**Community Strategic Plan Item(s)**

- Governance and Community Service

**Background Information**

Since 2008, the Australian Local Government Association (ALGA) has devoted considerable resources on behalf of local councils to developing the case for constitutional reform and the recognition of local government. The need for reform was highlighted in 2009 in a High Court judgement (Pape vs Federal Taxation Commissioner) that indicated that the Federal Government does not have the power to directly fund Local Government to achieve national objectives.

The current Federal Government has committed to holding a national referendum (anticipated in 2013) on whether local government should be recognised in the Australian Constitution.

**Previous Council Consideration**

At an Ordinary Meeting of Council held on 21 July 2008, Council resolved:

That Council provides the following feedback to the Australian Local Government Association (ALGA) to be incorporated into material that will be developed for the Local Government Constitutional Summit to be held in Melbourne in December 2008.

- a. Council supports constitutional recognition of local government
- b. Council would like constitutional recognition of local government to correct one of the most significant omissions in the constitution and to achieve Symbolic Recognition (reference to local government in the preamble), Institutional Recognition (the guarantee of a system of local government) and Financial Recognition (to provide a secure revenue stream direct from the Commonwealth) for local government.
- c. Council would like to see a rationalisation of all state Local Government Acts and the creation of a Commonwealth Local Government Act that would establish principles in relation to the existence and continuation of local government and provide protection from dismissal, dissolution, reconstitution, or amalgamation without due inquiry.
- d. In order to gain sufficient community support to win a referendum, Council believes that a well articulated and supported position (i.e. preferably supported by all levels of government and all political parties) outlining the importance of

local government in the system of Australian governance must be put forward to the Australian people well in advance of any referendum in order to ascertain any public concerns and address those concerns prior to voting on the referendum.

- e. Rating of identified objectives as High, Medium, Low or Nil

Objective	Rating
1. Simplified/Streamlined Federal Funding (Direct Commonwealth funding rather than through States)	High
2. Providing a guarantee of funding to some minimum level	High
3. Symbolic recognition of local government	Low
4. Protection of the system of Local Government (require the States to maintain a system of Local Government)	High
5. Protection for Councils against arbitrary dismissal/amalgamation (require certain minimum principles or processes to be met)	High

## Report

The Australian Local Government Association (ALGA) is currently working to achieve the inclusion of local government in the Australian Constitution.

In December 2008, a Constitutional Convention held in Melbourne saw more than 500 mayors and councillors from across the country reach consensus on the preferred way forward on constitutional reform. The Convention concluded that a referendum to include local government in the Constitution is the best way to ensure the future stability of local communities across Australia.

A recent High Court decision (the Pape case) has also put the need for constitutional change into sharper focus. The case raises serious doubt over whether the Federal Government currently has the power to fund local government directly through programs such as the Roads to Recovery Program and the Community Infrastructure Program. Constitutional reform will remove this uncertainty and protect these vital local government funding sources.

Two previous attempts (in 1974 and 1988) to gain constitutional recognition have failed and the challenge is to present a case which is readily understood and has the support of major political parties. ALGA research suggests the public are most likely to support a simple change which would allow direct funding to continue. ALGA has not ruled out recognition of Local Government in any new preamble to the Constitution, but understands that this measure alone would not address the uncertainty of the Pape case.

The form of financial recognition proposed by ALGA has been supported by the local government associations in all States and Territories and ALGA is now seeking endorsement by all councils. ALGA intends to submit a Constitutional Declaration for Councils for signature by council representatives at the 2011 National General Assembly.

ALGA is therefore asking all councils to pass a resolution endorsing the call for a referendum in 2013 to allow direct funding of Local Government by the Federal Government and also to include Local Government in any new preamble to the Constitution.

In addition, in order to keep constitutional recognition on the national agenda, ALGA is asking councils to write to the Prime Minister, the Leader of the Opposition and Local Federal members to advise them of their support for recognition.

The inclusion of Local Government in the Constitution is essential in stemming current uncertainty arising from the High Court decision which has cast serious doubt on the power of the Commonwealth to continue to provide funds directly to local government.

Further information on this matter and fact sheets are available on the ALGA website at <http://www.alga.asn.au/constitutionalrecognition/>.

### **Budget & Financial Aspects**

There may be a request for contributions from Councils towards the costs of preparing for a referendum should the proposal proceed to this stage.

### **Recommendation**

That Council declares its support for financial recognition of Local Government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for the inclusion of Local Government in any new preamble to the Constitution if one is proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

Nil.

**ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING**

**ITEM 16 CONFIDENTIAL BUSINESS PAPER**

**16.1 ANNUAL TENDERS**

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**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 COLLECTION, TRANSPORTATION AND DISPOSAL OF GREEN WASTE  
CONTRACT NUMBER 2010/11-005**

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**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 27 JUNE 2011

## 12.1 FINANCIAL REPORTS - MAY 2011

# Kyogle Council



## Financial Reports 31 May, 2011

Rates Statement  
Statement of Bank Balances  
Summary of Investments

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

### KYOGLE COUNCIL RATES STATEMENT

	ARREARS 1-Jul-10	NET CHARGES 2010-2011	PAYMENTS	OUTSTANDING BALANCE	PERCENTAGE COLLECTED
RATES, SERVICES AND INTEREST	742,495.21	7,064,869.77	6,861,576.71	945,788.27	87.89%

PRESENTED TO COUNCIL JUNE 2011

**Note:**

Some ratepayers have made arrangements, whilst others are at different stages of legal action.

# KYOGLE COUNCIL

## STATEMENT OF BANK BALANCES AS AT

31-May-11

FUND	CLOSING BANK BALANCE 31-May-11	INVESTMENT BALANCE 31-May-11
<b>GENERAL FUND</b>		
UNRESTRICTED	(5,011,521.98)	3,200,000.00
INTERNALLY RESTRICTED	791,937.82	3,500,000.00
STATE HIGHWAYS	1,651,093.69	
QUARRIES	675,445.43	
PLANT	4,690,594.44	
EXTERNALLY RESTRICTED	235,249.55	3,700,000.00
	3,032,798.95	10,400,000.00
<b>RESTRICTED</b>		
WATER SUPPLIES	793,612.87	
SEWERAGE SYSTEMS	832,331.33	500,000.00
DOMESTIC WASTE	450,764.06	
ORDINARY TRUST	39,205.90	
	2,115,914.16	500,000.00
<b>CONSOLIDATED FUNDS</b>	<b>5,148,713.11</b>	<b>10,900,000.00</b>



## KYOGLE COUNCIL

### SUMMARY OF INVESTMENTS AS AT 31/05/11

	BANK	TYPE	TERM	AMOUNT	RATE P.A.	DUE DATE
1	BANKWEST	TERM DEPOSIT	30 DAYS	1,000,000.00	5.55%	June 9, 2011
2	COMMONWEALTH	TERM DEPOSIT	60 DAYS	3,000,000.00	5.05%	June 24, 2011
3	SUNCORP METWAY	TERM DEPOSIT	35 DAYS	1,400,000.00	5.70%	July 4, 2011
4	SUNCORP METWAY	TERM DEPOSIT	60 DAYS	2,000,000.00	5.80%	July 15, 2011
5	CITIBANK	TERM DEPOSIT	63 DAYS	2,000,000.00	5.71%	July 18, 2011
6	BANKWEST	TERM DEPOSIT	60 DAYS	1,500,000.00	5.80%	July 22, 2011
				10,900,000.00		
<b>PRESENTED TO COUNCIL ON JUNE 27, 2011</b>						
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

May-11

COUNCILLOR NAME	KLMS CLAIMED		CURRENT KM RATE	AMT REIMBURSED	
	MONTHS	YTD		MONTH	YTD
E Bennett	0	9,220	0.74	0.00	6,757.80
R. Brown	0	0	0.74	0.00	0.00
T. Cooper	0	3,392	0.74	0.00	2,486.56
R. Dwyer	0	0	0.74	0.00	0.00
J. O'Reilly	0	454	0.74	125.56	331.42
R. Leadbeatter	0	152	0.74	0.00	112.48
L. Passfield	0	5,408	0.74	0.00	4,001.92
J. Wilson	0	0	0.74	0.00	0.00
L. Zito	0	0	0.64	0.00	0.00
<b>Total</b>	<b>0</b>	<b>18,626</b>		<b>125.56</b>	<b>13,690.18</b>

### 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.