

**COUNCIL RESOLUTIONS REQUIRING ACTION AS AT MARCH 2014**

<b>Date(No.)</b>	<b>Item Description</b>	<b>RESOLVED</b>	<b>Comments</b>
21/12/09	Crown Reserves Strategic Plan	That Council commences consultation with the relevant stakeholders to facilitate the preparation of village plans of management for the villages of Woodenbong, Bonalbo, Tabulam and Wiangaree.	Cannot proceed until Council adopts Gateway to the Rainforest Reserve Trust Terms of Reference.
30/07/12	Crossleys Road Realignment	That Council program the physical relocation of Crossleys Road along with the existing track in use at the end of Crossleys Road to allow construction to be completed as soon as possible.  That Council enter into cost agreement with the proponents of DA 2010-122 for road works as outlined and recommended in this report which provides for the payment of a bond to facilitate the release of linen plans.	To be programmed once applicant has paid the required contribution and final design plans have been submitted.  Applicant notified of requirements yet to be met to allow release of the linen plan.
30/07/12	Easement Agreement	That if an agreement cannot be reached by 1 October, 2012 or the above offer is rejected, Council seeks the approval of the Minister for compulsory acquisition in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .	Legal representative instructed to prepare documentation seeking approval of Minister for compulsory acquisition. Plan of easements completed, valuer engaged to undertake valuation, awaiting this before making final application for compulsory acquisition.
27/08/12	Kyogle Council Organisational Review.	That the recommendations contained within the COMPLETE Urban – Kyogle Council Organisational Review report be reported and commented on as part of the quarterly review process, commencing with the September 2012 quarter budget review.	Update report to be presented to Council.
10/12/12	Independent Auditing Of Quarries	That upon completion of the current Quarry Audit program a further report be brought to Council detailing audit findings and a Draft	Audit program continuing. No further auditing currently being undertaken but will commence as

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		Strategic Audit Plan and Program.	resources permit. No action due to other priorities and limited resources.
10/12/12	SES Vehicles And Tabulam SES Shed	That the funds received be used to conduct underpinning works at the Tabulam SES shed and is the funds are insufficient that an amount be included in the 2013/2014 budget to enable the works to occur.	Shed works to be scheduled.
11/03/13	Technical Services Committee Meeting 25 February 2013	<p>That Council arrange for installation of flood gauges on bridges over Tooloom Creek at Woodenbong and Urbenville to enable emergency services to objectively ascertain flood behaviour.</p> <p>That Council authorises the General Manager to lodge an application to transfer the Crown Road to Council for Lofts Pinnacle Road up to the boundary of Lot 83 DP 755711.</p> <p>That Council program Lofts Pinnacle Road for maintenance grading of the road between 1km and 2.5km from Kyogle Road within six months of the completion of the transfer of the Crown Road to Council.</p>	<p>Review undertaken of locations for signs. Installation to be progressive with two road depth markers to be installed between Urbenville and Woodenbong this financial year. Logistics of attaching markers to bridge piers over Tooloom Creek being investigated.</p> <p>Ongoing</p> <p>Program to be developed accordingly</p>
11/03/13	Woodenbong Caravan Park	<p>That Council applies to the Minister for Primary Industries, Catchment and Lands to bring Reserve 81500 onto the Gateway to the Rainforest Reserve Trust.</p> <p>That Council negotiate a management agreement with the Woodenbong Progress Association for the caravan park/campground located on Crown Reserve 81500.</p>	Cannot proceed until Council adopts Gateway to the Rainforest Reserve Trust Terms of Reference.

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08/04/13	Notice Of Motion - Councillor Maggie Creedy; Placement Of Public Notice Advertisements	That a review of the Community Engagement Policy is to include the use of media.	Policy to be reviewed as part of Overall Policy Review to go to Council.
13/05/13	Aged Care Funding	That item 13D.5 be referred to the Corporate and Community Committee for further discussion and resolution about the aged care needs of the Kyogle LGA and how best these needs could be met in the future. Such discussions will include those revolving around RSL LifeCare's requirements for Kyogle as a suitable site for a nursing home/independent living development.	Plan prepared for the Kyogle township identifying constraints such as flooding and bushfire. To be referred to Strategic Focus Group.
8/07/13	Minutes Of Internal Audit Committee Meeting 27 June 2013	That a further report on the recommendations made by WHK be provided to the Internal Audit Committee that addresses points made in the minutes.  That a further report be provided to the Internal Audit Committee on the Risk Management System.	To be reported to next Internal Audit Committee meeting to be held in April.
12/08/13	Traffic Committee Meeting - July 2013	That Council consider installation of street lighting at the pedestrian refuge in front of Barkersvale Public School on Kyogle Road.  That the replacement of the existing Give Way sign at the intersection of Walters Street and Anzac Drive with a Stop sign be approved.  That Council investigate the alignment of the intersection of Anzac Drive and Walters Street with a view to giving visual preference to Anzac Drive	Under review.  Correspondence sent.  Under review.

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		<p>That Council in consultation with the Police, review egress from the IGA car park onto the Summerland Way with a view to removing the break in the median strip.</p> <p>That Council contact the RMS advising of the way the egress from the IGA carpark on Summerland Way was allowed to develop and asking them to contribute to the resolution of the problem which has developed in the main street of Kyogle and the Summerland Way.</p>	<p>Under review.</p> <p>Under review.</p>
09/09/13	Proposal To Change Stratheden Street Regulated Parking	That subject to the Traffic Committee raising no objection a further report be prepared for Council's determination of the development application.	Report to go to April Traffic Committee meeting.
11/11/13	Energy Audits Of Key Sites	That the recommendations of the energy audits be used to prepare a budget for implementation of energy efficiency improvements across all Council sites and functions as part of the preparation of the 2014/15 Operations and Delivery Plans.	To be done as part of 2014/15 budget and operational plan. Solar Panels ordered for Kyogle Depot.
11/11/13	Planning Proposal To Enable Rural Boundary Adjustments And Split Zoning Subdivision	<p>That Council submit the planning proposal to the NSW Department of Planning and Infrastructure for review and gateway determination.</p> <p>That upon an affirmative gateway determination being received from the Department of Planning and Infrastructure, Council staff carry out the procedural steps associated with the progress of the planning</p>	<p>Proposal sent off to Department of Planning on 14 November 2013 seeking a Gateway Determination.</p> <p>Department required referral to RFS for consideration and incorporation of any comments/requirements into planning proposal prior to placing on exhibition. RFS have now responded and Planning Proposal being finalised for public</p>

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		<p>proposal, including community consultation.</p> <p>That a further report be presented to Council on this matter following conclusion of the community consultation.</p>	<p>exhibition.</p> <p>Department of Planning granted approval for Council to exercise its delegation in this matter.</p>
11/11/13	Installation Of Weighbridge And Other Improvements At The Kyogle Waste Management Facility Development Application	<p>Authorise the General Manager to establish a Tender Assessment panel for the consideration of the tenders.</p> <p>Receive a report following the calling and assessment of tenders for the weighbridge and associated infrastructure for the purpose of appointing a contractor.</p>	Calling of tenders expected by end of April 2014.
11/11/13(	Review Of Ward Boundaries	<p>That Council adopts Option 1 for the alteration of ward boundaries within Kyogle Council</p> <p>That the Electoral Commission be advised of the proposed ward boundaries amendment and approval be sought.</p> <p>That the appropriate public notice be given in accordance with section 210A of the Local Government Act 1993 and Option 1 be placed on public exhibition.</p>	Approval received from Electoral Commission 23/01/14. Advertisements and letters sent to affected ratepayers.
9/12/13	Preliminary Report On Possible Amendments To Kyogle Local Environmental Plan To Permit Eco-Tourist Facilities, Specified Tourist And Visitor Accommodation And Camping Grounds In	That Council investigate the application of (or need for both) Zones RU1 and RU2 as part of the planning proposal process that will be required following the completion of the E zone review.	The report on E zones still not released.

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	Certain Rural Zones		
9/12/13	Kyogle Development Control Plan 2014	<p>That Council endorse the draft Kyogle Development Control Plan 2014.</p> <p>That pursuant to Part 3 Division 2 Clause 18 of the <i>Environmental Planning and Assessment Regulation 2000</i> public exhibition of the draft DCP be carried out as detailed in this report.</p> <p>That the draft DCP be reviewed in light of feedback and submissions made.</p> <p>That a further report be presented to Council on this matter following the conclusion of public exhibition and subsequent review of the draft DCP.</p>	<p>Draft DCP's on exhibition and referred to consultants who undertake development work within the Council area.</p> <p>Public information sessions held in Kyogle, Bonalbo and Woodenbong.</p> <p>Exhibition period closes end of February.</p> <p>Report presented to April Council meeting.</p>
9/12/13	Mallanganee Storage Shed	<p>That Council proceed with the alterations and relocation of the shed to Council's Pine Street Mallanganee depot.</p> <p>That the \$6,000 allocated in the futures funding budget be transferred to Plant and Depots Capital Works budget.</p> <p>That any surplus funds be returned to the Futures Fund.</p>	Works programmed for March 2014.
9/12/13	Gateway To The Rainforest Reserve Trust	<p>That Council seek advice to resolve the "apparent" conflict between the role of a trustee and a councillor dealing with trust business</p> <p>That Council makes representations to the relevant Minister to ensure that individual councillors enjoy the same legal protections</p>	Letter sent to Minister. No response to date.

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		as ordinary trustees (ie no potential for surcharging).	
9/12/13	Proposal To Amend Kyogle Local Environmental Plan To Permit Detached Dual Occupancies And Secondary Dwellings	<p>That Council resolve to amend the Kyogle LEP 2012 through the preparation of a planning proposal to:</p> <p>a. permit Dual Occupancies (attached or detached) to be approved in the RU1, RU2 &amp; RU4 Rural Zones and R5 Large Lot Residential Zone with the consent of Council;</p> <p>b. permit Secondary Dwellings to be approved in the RU1, RU2 &amp; RU4 Rural Zones and R1 &amp; R5 Residential Zones with the consent of Council;</p> <p>c. amend clause 5.4(9) of Kyogle Local Environmental Plan to ensure Secondary Dwellings are permissible up to 60% of the size of the Primary Dwelling on the land (currently 43%);</p> <p>d. Make the necessary amendments to the relevant sections identified in this report or required by the Department of Planning and Infrastructure (DoPI) or Parliamentary Counsel (PC), to Kyogle LEP 2012.</p> <p>3. Authorise the General Manager to finalise the Planning Proposal and submit the Planning Proposal to the Department of Planning and Infrastructure for review and Gateway Determination.</p>	<p>Referred to Department of Planning.</p> <p>Gateway determination received which required referral to RFS and preparation of development controls before being publicly exhibited./</p>

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		<p>4. That upon an affirmative Gateway Determination being received from the Department of Planning and Infrastructure, Council staff carry out the procedural steps associated with the progress of the planning proposal, including community consultation.</p> <p>5. That a further report be presented to Council on this matter following the conclusion of community consultation and review of submissions</p>	
10/02/14	Notice Of Variation To Licence For The Woodenbong Landfill Facility	<p>That Council again reiterate its request to the EPA for a 12 month deferral of the proposed variations to the Woodenbong Landfill Licence requiring daily cover of landfilled material, preparation of a Leachate Management Plan and a Landfill Environmental Management Plan due to the significant estimates costs of \$115,000 - \$160,000 to comply plus an additional \$60,000 - \$100,000 in operational costs and the fact that Council is currently preparing a Waste Management Strategy for the Kyogle Local Government Area which includes a comprehensive review of its Waste Management functions and the continued operation of the Woodenbong Landfill Facility.</p> <p>That Council indicate in its letter to the EPA that it is committed to the ongoing improved management for waste disposal in the shire but is limited in available funds to undertake ad-hoc works without considering the waste</p>	<p>Further letter sent to EPA. EPA Officers have acknowledged receipt and advised that they will be undertaking another inspection within one month before providing a response.</p> <p>No advice received as to whether an inspection has been carried out.</p>



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		<p>management operations across the shire.</p> <p>Council authorise the Mayor to make formal representations to the Premier through the Local Member and/or the Minister for Local Government and/or the Minister for the Environment, as well as directly with the Chair of the EPA.</p> <p>That Kyogle Council liaise with Tenterfield Shire Council about the possibility of the two Councils co-operating in relation to waste management with the view of generating savings for Kyogle Council.</p>	<p>Letters drafted for Mayor however not yet finalised pending outcome of inspection.</p> <p>Contact made with Tenterfield – meeting being arranged.</p>
10/02/14	Notice Of Motion -- Cr Lindsay Passfield, Council Amalgamations	That Council request advice from the State Government detailing the incentives for, and benefits of, potential amalgamation with one or more neighbouring Councils.	Correspondence sent. No response to date.
10/03/14	Planning Proposal To Rezone Land At 19-25 Andrew Street, Kyogle	<p>That Council reiterate its support for the planning proposal to amend the Kyogle LEP 2012 to change the zoning of Lot 101 DP 1078192 at 19-25 Andrew Street from R1 General Residential to IN2 Light Industrial.</p> <p>That pursuant to section 59(1) of the <i>Environmental Planning and Assessment Act 1979</i>, Council request Parliamentary Counsel's Office to prepare a draft legal instrument.</p> <p>That upon receiving from Parliamentary Counsel's Office a draft LEP amendment and an Opinion from that the plan can be made, Council request NSW Planning and</p>	Matter progressing awaiting response from Parliamentary Counsel.

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		Infrastructure to finalise making of the plan.	
10/03/14	Border Ranges Rally 2014	<p>That Council agree in principal to the holding of the 2014 Border Ranges Rally as amended by the email from John Careless dated 10 March 2014.</p> <p>That Council consider the inclusion of a \$10,000 budget for costs associated with the 2014 Border Ranges Rally as part of the development of the 2014/15 budget.</p> <p>That Council's maintenance program be developed to ensure that each of the rally roads have a patch grade in the four weeks prior to the event.</p>	Organisers notified.
10/03/14	Simpkins Creek Radio Repeater	That Council negotiate a lease agreement for use of the easement.	
10/03/14	Review Of Section 94 Developer Contribution Plans	<p>That staff undertake a review of the current Section 94 Plan Work Schedules, and the "<i>per axle maintenance contribution rate</i>" for the heavy haulage levy.</p> <p>That upon completion of the audit of all approved Extractive Industries and the review of the works schedule and heavy haulage levy rate, a workshop be arranged for Councillors and staff to consider the Future of Section 94 &amp; 94A Plans and any course of action regarding the Extractive Industry operations within the shire.</p>	No further action taken at this stage.

**ONGOING COUNCIL RESOLUTIONS AS AT FEBRUARY 2014**

Date(No.)	Item Description	RESOLVED	Comments
19/12/11	Mayoral Minute - Coal Seam Gas	<p>That Council imposes a moratorium on any seismic testing, exploration drilling or other road reserve disturbance by the CSG Industry on Council owned infrastructure or infrastructure under Kyogle Council control including the Lions Road.</p> <p>That Kyogle Council opposes completely any CSG development on Prime Agricultural Land and high conservation value land.</p> <p>That Kyogle Council is committed to ensuring that the sustainability of agricultural production is not impacted by the relatively short term CSG Industry.</p>	<p>Ongoing matter.</p> <p>Ongoing matter. Council reaffirmed its opposition to CSG mining in the Kyogle LGA in September 2012.</p> <p>Ongoing matter. Report to Council meeting 8 July, 2013 regarding Council's responsibilities.</p>
12/11/12	Notice Of Motion; Cllr Danielle Mulholland - Community Engagement	<p>That Council pro-actively engages relevant industries, community groups or other identified stakeholders on any policy publicly available for comment.</p> <p>That the identification of those groups mentioned within the above recommendation be identified by Councillors with advice from Council staff when the policy is recommended to be placed on public display.</p>	Ongoing
10/12/12	Notice Of Motion; Cllr Danielle Mulholland - CSG Update	That the General Manager ensure that Councillors are immediately informed of any notification of existing or proposed Coal Seam Gas (CSG) or other unconventional gas related activity, particularly the commencement of seismic testing or drilling within –	Ongoing.

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		(a) their respective Ward; and (b) within the confines of the Kyogle Local Government Area (LGA)	
10/12/12	Toonumbar Dam Access Road	That to further progress the issue of Toonumbar Dam Access Road, Council;  The Tourism Economic Development Officer and Community Projects Officer further progress the options for contributing funding from a number of sources, including Federal Government funding through Regional Development Australia – Round 5 and State Water.	Project not eligible for round 5. Will continue to pursue other funding sources.
09/09/13	Notice Of Motion -- Councillor Ross Brown Questions To Council Meetings	That any questions requiring more than a simple answer or questions received in writing at a Council Meeting be preferably taken on notice and answered in writing. Both questions and answers are to be attached to the Adopted Minutes for that particular meeting when the question was raised.	Ongoing
09/12/13	Acting General Manager	That Mr. Greg Meyers be appointed as Acting General Manager in the case of an event resulting in the unplanned absence of the General Manager from his duties.	Ongoing