

COUNCIL RESOLUTIONS REQUIRING ACTION AS AT DECEMBER 2013

Date(No.)	Item Description	RESOLVED	Comments
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 2011-122 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 March Council Meeting.
22/10/12	Review Of Section 94 Heavy Haulage Agreement	That Council reviews the Section 94 Heavy Contributions Plan with a view to including Regional Road based haulage.	Review of Section 94 Development Contributions Plan 2008- Residential, Rural Residential and Heavy Haulage

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		<p>Once the ongoing audit is complete, an updated report on recommended actions, if any, be provided to Council.</p>	<p>Development to commence as soon as resources permit.</p> <p>Recommended actions will be provided in a report at completion of audit project. This matter remains outstanding due to limited resources.</p>
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 Strategic Audit Plan and Program.	Audit program continuing. No further auditing currently being undertaken but will commence as 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 if 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>

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11/03/13	Woodenbong Caravan Park	That Council applies to the Minister for Primary Industries, Catchment and Lands to bring Reserve 81500 onto the Gateway to the Rainforest Reserve Trust. That Council negotiate a management agreement with the Woodenbong Progress Association for the caravan park/campground located on Crown Reserve 81500.	Cannot proceed until Council adopts Gateway to the Rainforest Reserve Trust Terms of Reference.
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	Request For Waiver Of S94 Development Contributions For Stage 2 Of Development Consent 2011-46	That a report be brought back to Council on the process and timeframe for the review of all section 94 contributions plans.	Report on priorities was presented to August 2013 Council meeting. Will be progressed once resources permit. This matter remains outstanding due to limited resources.
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.
24/06/13	Minutes Of Administration And Community Committee Meeting Held 27 May 2013	That Council establish a Youth Advisory Committee and adopt the Terms of reference for the Youth Advisory Committee.	Media Release issued and EOI's for membership called.
8/07/13	Minutes Of Internal Audit Committee Meeting 27	That a further report on the recommendations made by WHK be	To be reported to next Internal Audit Committee meeting.

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	June 2013	<p>provided to the Internal Audit Committee that addresses points made in the minutes.</p> <p>That a further report be provided to the Internal Audit Committee on the Risk Management System.</p>	
12/08/13	Traffic Committee Meeting - July 2013	<p>That Council consider installation of street lighting at the pedestrian refuge in front of Barkersvale Public School on Kyogle Road.</p> <p>That the replacement of the existing Give Way sign at the intersection of Walters Street and Anzac Drive with a Stop sign be approved.</p> <p>That Council investigate the alignment of the intersection of Anzac Drive and Walters Street with a view to giving visual preference to Anzac Drive</p> <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>Correspondence sent.</p> <p>Under review.</p> <p>Under review.</p> <p>Under review.</p>
09/09/13	Proposal To Change Stratheden Street	That subject to the Traffic Committee raising no objection a further report be prepared for	Report to go to next Traffic Committee meeting.

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	Regulated Parking	Council's determination of the development application.	
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.
11/11/13	Public Gates And Bypasses (Cattle Grid) Policy And Management Plan Review	<p>That Council;</p> <p>Direct the General Manager to publically notify and exhibit the proposed amendments to the Bypasses and Gates Policy (documented in ATTACHMENT 1) in accordance with Section 160 of the Local Government Act 1993.</p> <p>Direct the General Manager to publically notify and exhibit the proposed amendments to the Bypasses and Gates Management Plan (documented in ATTACHMENT 2) in accordance with Section 160 of the Local Government Act 1993.</p>	Advertisements for submissions placed in local newspaper.
11/11/13	Planning Proposal To Rezone Land At 19-25 Andrew Street, Kyogle	<p>That Council support the proposal to amend the Kyogle LEP 2012 to change the zoning of Lot 101 DP 1078192 to Zone IN2 Light Industry.</p> <p>That Council submit the planning proposal to the Department of Planning and Infrastructure for review and gateway determination.</p>	Proposal sent off to Department of Planning on 14 November 2013 seeking a Gateway Determination.

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		<p>That Council request the Minister for Planning and Infrastructure to grant Council authority to exercise delegation of plan making powers.</p> <p>That upon an affirmative gateway determination being received from the Department of Planning & Infrastructure, Council staff carry out the procedural steps associated with the progress of the planning proposal, including community consultation.</p> <p>That a further report be presented to Council on this matter following the conclusion of community consultation and review of submissions.</p>	
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 proposal, including community consultation.</p> <p>That a further report be presented to Council on this matter following conclusion of the community consultation.</p>	Proposal sent off to Department of Planning on 14 November 2013 seeking a Gateway Determination.
11/11/13	Installation Of Weighbridge And Other Improvements At The Kyogle Waste	Authorise the General Manager to engage the services of an external Town Planning Consultant to undertake the Assessment of	

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	Management Facility Development Application	<p>the Development Application and prepare a report for Council's determination of the application.</p> <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>	
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 to affected ratepayers to be sent in February.
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 Certain Rural Zones	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.	

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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>	
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 as ordinary trustees (ie no potential for</p>	Letter sent to Minister. No response to date.

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		surcharging).	
9/12/13	Local Government Election Administration	<p>Kyogle Council resolves that:</p> <p>Pursuant to s.296(2) and (3) of the Local Government Act 1993 (NSW) (“the Act”) that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.</p> <p>Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the Electoral Commissioner to administer all council polls of the Council.</p> <p>Pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the Electoral Commissioner to administer all constitutional referenda of the Council.</p>	Letters sent to Electoral Commission advising of resolution. Letter of acknowledgement received.
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 & 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 & RU4 Rural Zones and R1 & R5 Residential Zones with the consent of Council;</p>	

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		<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>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>	

ONGOING COUNCIL RESOLUTIONS AS AT DECEMBER 2013

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