

## **Kyogle Council**

**Unconfirmed Minutes of the Planning Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on 14 November 2011.**

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### **PRESENT**

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

### **IN ATTENDANCE**

Cr. J. O'Reilly, the General Manager, the Director of Planning & Environmental Services, the Asset Manager and the Personal Assistant to Technical Services.

### **MEETING COMMENCEMENT**

The Mayor declared the meeting open at 2.30pm.

### **ITEM 1 APOLOGIES**

An apology was received from Councillor Tom Cooper.

### **ITEM 2 OPENING PRAYER**

The Mayor read the opening prayer.

### **ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Mayor read the traditional lands acknowledgement.

### **ITEM 4 DECLARATION OF INTERESTS**

Cr. Robert Dwyer declared an interest in the following item/s:

- o Item 5.5

Reason for Declaration: DA 2011/169, Involvement in Showground Trust

Cr. John Hession declared an interest in the following item/s:

- o Item 5.5

Reason for Declaration: DA 2007/188, Applicant

## **ITEM 5        REPORTS**

### **Item-5.1        PLANNING & ENVIRONMENT COMMITTEE DRAFT TERMS OF REFERENCE**

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#### **Committee's Recommendation**

Councillor Lynette Zito, seconded Councillor Janet Wilson.

1. That the report Planning & Environment Committee Draft Terms of Reference be received and noted.
2. That the Terms of Reference for the Planning and Environment Committee be adopted.

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

### **Item-5.2        QUESTIONS FROM JULY ORDINARY MEETING**

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#### **Committee's Recommendation**

Councillor Robert Dwyer, seconded Councillor Lynette Zito.

That the Question from July Ordinary meeting be received and noted.

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

#### **Committee's Recommendation**

Moved Councillor Janet Wilson, seconded Councillor Lynette Zito.

That Council staff be directed to investigate sources of grant funding for improvement of Anzac Park and examine existing budget for sources of contributing funding to match the grant and a further report on this be brought to the Planning & Environment Committee.

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

### **Item-5.3        POTENTIAL USE OF CONCRETE AND DRY FILL**

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### **Committee's Recommendation**

Councillor Lynette Zito, seconded Councillor Janet Wilson.

That the report Potential Use of Concrete and Dry Fill be received and noted.

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

### **Item-5.4            DEVELOPMENT APPLICATION 2011.34 - PROPOSED EXTRACTIVE INDUSTRY AT CEDAR POINT**

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### **Committee's Recommendation**

Councillor Robert Dwyer, seconded Councillor Lynette Zito.

That the Development Application 2011.34 – Proposed Extractive Industry at Cedar Point report be received and noted.

Council staff left the meeting at 3:03pm and returned at 3:07pm

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

### **Item-5.5            DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD OCTOBER 1, 2011 TO OCTOBER 31, 2011**

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It was agreed by the Committee that item 5.5 not be considered.

### **ITEM 6            CONFIDENTIAL**

### **MOVE INTO CLOSED COUNCIL**

### **Funding for Section 94 Works**

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

- (d) commercial information of a confidential nature

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

Pursuant to section 10A(4), the public were invited to make representations to the council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

## **RESOLVED**

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

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

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

Council closed its meeting at 3:08 pm.

## **OPEN COUNCIL RESUMES**

## **RESOLVED**

Councillor Lynette Zito, seconded Councillor Robert Dwyer.

That Council move out of closed council and into open council.

FOR VOTE - Unanimous vote  
ABSENT. DID NOT VOTE – Cr. T Cooper

Open Council resumed at 3:18 pm.

## **Item-6.1 FUNDING FOR SECTION 94 WORKS**

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### **Committee's Recommendation**

1. That the report on Funding for Section 94 Works be received and noted
2. That Council seek a formal planning agreement with the developers of DA 2010-150 and DA 2011-46 that Council will proceed with the upgrade works on Oxbow Road and the intersection of Oxbow Road and Kyogle Road as per the requirements of Councils *Section 94 Development Contributions Plan, 2008*

*Residential, Rural; Residential & Heavy Haulage Development* if the total developer contributions for both developments are paid prior to the commencement of works.

3. That Council provide an additional \$60,000 in the 2011/12 budget to fund the upgrade works on Oxbow Road and the intersection of Oxbow Road and Kyogle Road as per the requirements of Councils *Section 94 Development Contributions Plan, 2008 Residential, Rural; Residential & Heavy Haulage Development*
4. That subject to obtaining the formal planning agreement with the developers of DA 2010-150 and DA 2011-46, Council call for tenders for the upgrade works on Oxbow Road and the intersection of Oxbow Road and Kyogle Road as per the requirements of Councils *Section 94 Development Contributions Plan, 2008 Residential, Rural; Residential & Heavy Haulage Development*.

### **MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 3:19pm.