



# **KYOGLE COUNCIL**

## **COUNCIL MEETING AGENDA**

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

ON MONDAY 11 JULY 2016

Commencing at 5pm.

**GENERAL MANAGER: DAVID TUXFORD**

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 11 July 2016 at 5pm.

### 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

DAVID TUXFORD  
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.

(DAVID TUXFORD),  
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.

# **COUNCIL MEETING AGENDA**

**Monday 11 July 2016**

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- ITEM 4      DECLARATION OF INTERESTS**

**ITEM 5      QUESTION TIME**

**ITEM 6      PUBLIC ACCESS**

**ITEM 7      CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF THE MINUTES OF THE 14 JUNE 2016 ORDINARY MEETING**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: GENERAL MANAGER**

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**Summary/Purpose**

A copy of the Minutes of the Ordinary Meeting held on 14 June 2016 is included in the attachments to the business paper.

**Community Strategic Plan**

**Item(s)**

- Governance and Community Service

**Recommendation**

That Council adopts the Minutes of the Ordinary Meeting held on 14 June 2016.

**Attachment**

Minutes of the Ordinary meeting held on 14 June 2016

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## **7.2 CONFIRMATION OF THE MINUTES OF THE 27 JUNE EXTRAORDINARY MEETING**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### **Summary/Purpose**

A copy of the Minutes of the Extraordinary Meeting held on 27 June 2016 is included in the attachments to the business paper.

### **Community Strategic Plan**

#### **Item(s)**

- Governance and Community Service

### **Recommendation**

That Council adopts the Minutes of the Extraordinary Meeting held on 27 June 2016.

### **Attachment**

Minutes of the Extraordinary meeting held on 27 June 2016



**ITEM 8      MAYORAL MINUTE**

Nil.

**ITEM 9      NOTICES OF MOTION**

**9.1 NOTICE OF MOTION: COUNCILLORS BROWN, SIMPSON AND DWYER -  
REALLOCATION OF FUNDS FOR LGA SIGNAGE AND BRANDING**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: GENERAL MANAGER**

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**Summary/Purpose**

**Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillors Ross Brown, Robert Dwyer and Chris Simpson for the Ordinary meeting to be held on 11 July 2016.

**Community Strategic Plan Item(s)**

- Governance and Community Service
- Roads and Infrastructure
- Economic Development

**Report**

A copy of the Notice of Motion follows:



NOTICE OF MOTION 1

We, Councillors Brown, Dwyer, Simpson, hereby give notice that at the next Ordinary Meeting of Council we will move;

THAT COUNCIL VARIES THE 2016/2017 BUDGET BY

A) REMOVING THE \$345,000.00 ALLOCATION FOR VILLAGE, LCA SIGNAGE & BRANDING IN URBAN STREETS CAPITAL WORKS AND TRANSFERRING THAT AMOUNT TO BRIDGE CAPITAL WORKS PROJECTS. AND

B) A NEW LINE ITEM BE ~~THE~~ ADDED TO BRIDGE CAPITAL WORKS FOR DOORABEE FARM BRIDGE ON BACK CREEK ROAD IN THE 2016/2017 AND THE \$345,000.00 BE ALLOCATED FOR THAT BRIDGE REPAIR / REPLACEMENT

Signed: [Signature]

B. C. Dwyer  
C. J. Simpson

Date: 29/6/16

Councillor Comments:  
WE CONSIDER THAT BRIDGE REPLACEMENT / REPAIR FOR CLOSED OR WEIGHT LIMITED BRIDGES IS A MUCH HIGHER PRIORITY THAN A BRANDING / SIGNAGE ISSUE.

**Recommendation**

Not required. Outlined in the Notice of Motion.

## **9.2 NOTICE OF MOTION: COUNCILLORS BROWN, DWYER AND SIMPSON - REALLOCATION OF FUNDS FOR KYOGLE CHRISTMAS TREE**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### **Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillors Ross Brown, Robert Dwyer and Chris Simpson for the Ordinary meeting to be held on 11 July 2016.

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

- Governance and Community Service
- Roads and Infrastructure
- Village Life

### **Report**

A copy of the Notice of Motion and the Councillor Comments is attached as follows;



NOTICE OF MOTION 2

We, Councillors Brown, Pwyer, Simpson, hereby give notice that at the next Ordinary Meeting of Council we will move;

THAT COUNCIL VARYS THE 2016/2017 BUDGET BY

A) REMOVE THE \$30,000.00 ALLOCATION FOR CHRISTMAS TREE KYOGLE IN URSAL STREETS CAPITAL WORKS AND TRANSFERRING THAT AMOUNT TO BRIDGE CAPITAL WORKS PROJECTS

B) ALLOCATION \$30,000.00 TO BOORABIE PARK BRIDGE ON SAKEH CREEK ROAD IN THE 2016/2017 BUDGET FOR THAT BRIDGE REPAIR/REPLACEMENT.

Signed: [Signature]

[Signature]

[Signature]

Date: 29/6/16

Councillor Comments;

WE CONSIDER THAT BRIDGE REPAIR/REPLACEMENT FOR CLOSED OR WEIGHT LIMITED BRIDGES IS A MUCH HIGHER PRIORITY THAN A CHRISTMAS TREE IN KYOGLE

**Recommendation**

Not required. Outlined in the Notice of Motion.

## **ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil.

## **ITEM 11 DELEGATES REPORTS**

### **11.1 DELEGATES REPORT: COUNCILLORS DANIELLE MULHOLLAND AND MICHAEL REARDON - GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: COUNCILLORS DANEILLE MULHOLLAND AND MICHAEL REARDON**

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#### **Summary/Purpose**

The following delegate's report has been provided by Councillors Danielle Mulholland and Michael Reardon and provides information on the National General Assembly of Local Government that was held from 19-22 June 2016 at Canberra.

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

- Governance and Community Service
- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning
- Waste & Water

#### **Report**

The overall message from the conference was urban-centric. With speakers from Microsoft and Telstra enforcing a message of "if you don't receive the services you want: move", this was a somewhat disappointing flavour to the conference.

All of Kyogle Council's motions were accepted with the exception of the development of a rural portfolio. However, we were approached by a member of the Australian Local Government Association (ALGA) board who was quite enthusiastic about driving the concept within the ALGA and to the Federal Government. A brief will subsequently be provided to him.

#### **Collaborating in support of infrastructure investment**

This session was dedicated to a discussion around infrastructure investment with panellists from ALGA, Institute of Public Works Engineering Australia, Planning Institute of Australia, Australian Logistics Council, Urban Development Institute of Australia, Property Council of Australia, National Farmer's Federation and the Green Building Council of Australia.

Relevant issues raised included:

- The challenges of delivering infrastructure needs in a changing environment, for example within five to 10 years, new vehicles will be autonomous, changing urban, regional and rural infrastructure needs;
- Recognition of the first mile in funding criteria;
- Recognition that funding is often directed towards denser populations while rural infrastructure is poorly funded;
- A reversal on the de-centralisation policy position to one of centralisation.

### **Access to phone and internet services**

The Minister for Major Projects and Local Government, the Hon. Paul Fletcher advised that the NBN rollout would be complete by 2020. Please note that “complete” does not mean “all inclusive”, but refers to the current Government’s plan to roll out the NBN.

Issues for rural communities that were raised included:

- Poorer education outcomes for students unable to access the internet from home;
- Acknowledgement of ongoing blackspots which will not necessarily be addressed;
- A push for businesses to utilise the internet for future needs – a dichotomy when small rural businesses cannot access the internet;
- Training and development around apps and their use by Councils.

### **Digital transformation**

A discussion around changing spaces from emptiness to opportunity, using a story, brand and identity to create “permission” for residents to come and showcase their ideas.

Council’s role is to determine how to help such residents move forward with their idea. Although the presentations were based on initiatives in the City of Boston, some of the messages were applicable to the Kyogle LGA. In the new and creative space Boston has developed, 40 per cent of new companies are sharing space in incubators and co-working space, creating new jobs. This innovation district was built on partnerships, not on large budgets. Simple, creative usage of space has re-energised parts of Boston that had previously been undeveloped and under-utilised.

### **State of the Regions report**

The 18th State of the Regions report was released during the conference. The report is commissioned by ALGA and prepared by National Economics.

The report argues that reducing the inequality of income distribution within and between Australian regions will be pivotal to strengthening Australia's economy and bridging the employment fallout from the subsiding mining boom in low income regions.

The report provides evidence showing the association between income inequality at a regional level and economic growth on a national level. It does this by looking in detail at the structure of regional incomes, including housing and wealth.

The report argues that with the right type of additional investment, local government is strategically placed to coordinate job-creation policies at the local level to improve Australia's economic performance and hence make an important contribution to national economic growth.

Further evidence is provided that Australia has under-invested in infrastructure, particularly of a transport nature. The need for improved asset management systems is discussed as is the case for additional investment in local roads.

The report includes updates on the aftermath of the mining boom, climate change, Northern Australia and the state of housing affordability of Australia's largest cities.

### **A joint statement on economic infrastructure investment**

The nine point Infrastructure Plan

1. Ensure ongoing investment of no less than 5 per cent of GDP into productive infrastructure projects that support continued economic growth and boost national productivity.
2. Address the funding shortfall for maintenance of government-owned infrastructure.
3. Invest in public infrastructure that is linked to strategic plans, meets cost-benefit principles, and is linked to the priorities identified by Infrastructure Australia.
4. Provide payments to infrastructure providers for community service obligations where it is uneconomic to meet the cost of service provision.
5. Adopt an integrated multi-modal approach to transport planning and funding which recognises the requirements of supply chains and passengers.
6. Enhance connectivity with strategic investment in roads and rail, including their linkages with aviation and ports.
7. Take a long-term strategic, planned and transparent approach to infrastructure investment.
8. Fund an evidence-based exploration of road user charges in partnership with all governments and stakeholders.
9. Address congestion and transport challenges facing our major cities, better linking housing to employment, enhancing liveability and reducing barriers to economic growth.

### **Recommendation**

That Council receives and notes the report, *Delegates Report: Councillors Danielle Mulholland and Michael Reardon -- National General Assembly of Local Government*.

## **ITEM 12 INFORMATION PAPERS**

### **12.1 COUNCIL RESOLUTIONS REQUIRING ACTION**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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#### **Summary/Purpose**

This report presents to Council a list of Council resolutions requiring action as at 1 July 2016.

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

- Governance and Community Service.

#### **Report**

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

#### **Recommendation**

That Council receives and notes the report, *Council Resolutions Requiring Action*.

#### **Attachment**

Council resolutions requiring action as at 1 July 2016.



## 12.2 MONTHLY FINANCE REPORT

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: MANAGER FINANCIAL SERVICES**

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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.

#### (A) Finance Reports

Summary reports outlining Council's financial position as at 30 June, 2016. The reports presented include:

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

It should be noted that these reports do not include accounting adjustments to be brought to account on an annual basis. The reports also remain unaudited as at the date of presentation to Council.

## 2. (B) Councillors Travel Expenses Report

Included as an attachment to this report is a schedule showing payments to Councillors for travel claims made during the month. As stated in the notes, some Councillors may have outstanding claims that cover more than one period.

### **Recommendation**

That Council receives and notes the report, *Monthly Financial Report*.

### **Attachments**

1. Finance Reports
2. Report on Councillor Travel

## **12.3 WORKS PROGRAM PROGRESS REPORT**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: MANAGER FINANCIAL SERVICES**

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### **Summary/Purpose**

This report provides an update on the progress of Council's Capital Works Program, Plant Replacement Program, Quarry Operations and RMS Ordered Works for the information of Council.

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

- Governance and Community Service
- Roads and Infrastructure
- Village Life
- Economic Development

### **Background Information**

This report is intended to present to Council information on progress of the implementation of the annual works programs across all departments of Council, as well as the performance of the quarry and State Highways operations.

### **Report**

The report is provided as a separate attachment covering four main areas;

#### **1. Capital Works Progress Program**

This section of the reports shows all capital works projects and provides a brief status report and expenditure year to date for each project, including any external funding which applies.

#### **2. Plant Acquisition and Sales**

This section of the reports shows the plant replacement program and the year to date income and expenditure associated with the program.

#### **3. State Highways Ordered Works**

This section of the reports shows the status of the Ordered Works under the Roads and Maritime Road Maintenance Council Contract (RMS RMCC) which is included in the State Highways budget area. The report shows each approved Works Order and the approved income and expenditure year to date.

#### **4. Quarries Report**

This section of the reports shows the income and expenditure for each of the four operational quarries for the year to date, including stock on hand and a brief description of current activities relating to quarries.

#### **Budget & Financial Aspects**

This report is provided for information only and any budgetary issues that may be identified as a result of these reports will be dealt with during the regular quarterly budget review process.

#### **Recommendation**

That Council receives and notes the report, *Works Program Progress Report*.

#### **Attachment**

Works Program Progress Report June 2016.

**ITEM 13 GENERAL MANAGER'S REPORT**

**ITEM 13A TECHNICAL SERVICES REPORT**

**13A.1 MINUTES OF THE LOCAL TRAFFIC COMMITTEE**

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES**

**CONTACT: DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

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**Summary/Purpose**

This report presents the minutes of the Local Traffic Committee Meeting held 23 June 2016.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Background Information**

**Previous Council Consideration**

At the ordinary meeting held 8 February 2016, Council resolved to give Gold Coast Tweed Motorsporting Club in principle support for the Border Ranges Rally to be held 27 August 2016 and the Yowie Country Rally to be held 22 October 2016. It was resolved that Council;

- 1. Receives and notes the report, Gold Coast Tweed Motorsporting Club 2016 Events.*
- 2. Agree in principle to the holding of the 2016 Border Ranges and Yowie Country Rallies.*
- 3. Through its maintenance program ensures each of the rally roads have a patch grade 4 weeks prior to and after the event if required.*
- 4. Assist with the mailing of road closure letters to residents along the road proposed to be closed."*

**Report**

The minutes of the meeting appear below

***Kyogle Council***

***Unconfirmed Minutes of the Local Traffic Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, 23 June 2016.***

***PRESENT***

*Cr Chris Simpson (Chair), Jeff Breen (Executive Manager Infrastructure Works), Derryn Nix (Engineer: Infrastructure Works) and Ken Smith (representing Thomas George MP).*

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## **IN ATTENDANCE**

*The Personal Assistant to Infrastructure Works and Urban and Assets.*

## **MEETING COMMENCEMENT**

*The Chair declared the meeting open at 9.48am*

### **ITEM 1 APOLOGIES**

*Thomas George MP - represented by Ken Smith*

*Senior Constable Robert Clark - unable to attend meeting, but had submitted feedback from New South Wales Police regarding the Border Ranges Rally and the Yowie Country Rally.*

### **ITEM 2 OPENING PRAYER**

*The Chair read the opening prayer.*

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

*The Chair acknowledged that the meeting was being held on the Traditional Lands of the Bundjalung people.*

### **ITEM 4 REPORTS**

#### **4.1 PROPOSED EVENT - KYOGLE BILLYCART BONANZA**

*Moved Jeff Breen, seconded Ken Smith*

#### **Recommendation to Council**

- 1. That approval be given for temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday, 4 September 2016 between the hours of 7am and 4pm in accordance with the minor works application submitted 19 May 2016 by Kyogle Association for Christian Education Incorporated.*

*The motion was put to the vote and was **CARRIED**.*

#### **4.2 PROPOSED EVENTS - BORDER RANGES RALLY & YOWIE COUNTRY RALLY**

*Approval and conditions from New South Wales Police for the Border Ranges Rally and Yowie Country Rally were tabled and are attached to the minutes of the meeting.*

*Moved Derryn Nix, seconded Jeff Breen.*

#### **Recommendation to Council**

- 1. That Council endorse application of the event Border Ranges Rally on 26 and 27 August 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.*
- 2. That Council endorse application of the event Yowie Country Rally on 22 October 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.*

The motion was put to the vote and was **CARRIED**.

## **5. GENERAL BUSINESS**

### ***Pedestrian safety in Kyogle urban area***

*The Committee discussed the location of pedestrian crossings between Kyogle Public School and the main street. There are currently no north to south crossings of Summerland Way to support the east to west pedestrian crossing between the public school and high school. Of particular concern is the intersection with Wyangarie Street due to multiple considerations regarding traffic and pedestrian safety.*

*Proterra has been engaged to produce "DESIGN REPORT - Kyogle Pedestrian Crossings". The draft of this report was tabled for the interest of those present. The final report will be presented to the next meeting of the Local Traffic Committee.*

*There was general agreement with the installation of a pedestrian refuge on Anzac Drive to provide a safe crossing between Anzac Park and the railway viaduct through to Geneva Street.*

### **MEETING CLOSURE**

*There being no further business the Chair declared the meeting closed at 10.33am*

### **Recommendation**

That Council:

1. Receives and notes the report, *Minutes of the Local Traffic Committee*.
2. Approve the temporary closure of Summerland Way, Stratheden Street and Groom Street on Sunday 4 September 2016 between the hours of 7am and 4pm in accordance with the minor works application submitted 19 May 2016 by Kyogle Association for Christian Education Incorporated.
3. Endorse the application of the event Border Ranges Rally on 26 and 27 August 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.
4. Endorse the application of the event Yowie Country Rally on 22 October 2016 in accordance with the event plan submitted by Gold Coast Tweed Motorsporting Club and subject to compliance with conditions by New South Wales Police and Kyogle Council.

### **Attachments**

1. NSW Police conditions for Border Ranges Rally
2. NSW Police conditions for Yowie Country Rally

## 13A.2 KYOGLE SES BUILDING EXTENSIONS

**REPORT BY: ASSETS AND INFRASTRUCTURE SERVICES**

**CONTACT: DIRECTOR ASSETS AND INFRASTRUCTURE SERVICES**

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### Summary/Purpose

This report is to provide Council with information on proposed extensions to the Kyogle SES building which are to be funded 100 per cent by the SES.

### Community Strategic Plan Item(s)

- Governance and Community Service

### Background Information

The Kyogle SES has raised a significant amount of money over many years of fundraising and wishes to use this money to expand the existing SES building in Etrick Street. The existing building is owned by Kyogle Council, as is the usual arrangement between councils and the SES across the state.

### Report

The proposed SES building extension is exempt development under *clause 48(1) of the State Environmental Planning Policy (Infrastructure)*. As such, no development consent is required.

The building extensions have been designed and engineering certifications and technical specifications prepared by an external consultant.

### Budget & Financial Aspects

The project is to be fully funded by the SES, however the project will be managed by Council as it will result in a Council asset being created. At present there is no allocation in the budget to cover the costs of the works, or to recognise the capital contribution from the SES towards the project. It is proposed to amend the adopted budget to include the same amount of income and expenditure to cover the cost of the construction works, with Council staff managing the project at no charge to the SES.

### Recommendation

That Council;

1. Receives and notes the report, *Kyogle SES Building Extensions*.
2. Update the capital works budget for Emergency Services to include an additional capital income and additional capital expenditure of \$163,600 (ex GST) to allow the construction of the extensions to the Kyogle SES building.



## **Attachments**

1. Plans of the proposed SES building extension.

## ITEM 13B PLANNING SERVICES REPORT

### 13B.1 DEVELOPMENT APPLICATIONS DETERMINED AND OUTSTANDING FOR THE PERIOD 1 JUNE 2016 TO 30 JUNE 2016

REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES  
CONTACT: DIRECTOR OF PLANNING AND ENVIRONMENTAL SERVICES

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#### Summary/Purpose

This item presents to Council the Development Applications determined and outstanding for the period 1 June 2016 to 30 June 2016.

#### Report

There are two separate listings provided in the attachments to this report;

##### 1. Development Applications Outstanding

This lists all development applications that had not yet been determined at the time this report was prepared. This listing includes any development applications received in the period since the last report. Each development application has been given an "Application Status" in the listing as follows;

- **Recent Lodgement** - those received during the period since the last report
- **Awaiting info from applicant** – Council has requested additional information in order to be able to determine the application
- **Finalising** – applications where a determination has been drafted and is expected to be issued in the period before the next report

##### 2. Development Applications Determined

This lists all development applications that have been determined since the last time this report was prepared.

#### Recommendation

That Council:

1. With the exception of the following items in which Councillors ..... and ..... have declared an interest,
  - Cr..... 13B.1 Development Applications Determined and Outstanding DA.../... - Reason for Declaration -
  - Cr.....13B.1 Development Applications Determined and Outstanding DA.../... - Reason for Declaration -

Receive and note the information contained in the report Development Applications Determined and Outstanding for the period 1 June 2016 to 30 June 2016.

2. Receives and notes the information contained in the report Development Applications Determined and Outstanding for the period 1 June 2016 to 30 June
-

2016 only in relation to DA../... and DA../.... In which Councillors ..... have declared an interest.

**Attachments**

Development applications determined and outstanding June 2016

**13B.2 PLANNING PROPOSAL TO AMEND THE KYOGLE LOCAL ENVIRONMENTAL PLAN 2012 TO PERMIT DEVELOPMENT OF CARAVAN PARKS IN ZONES RU1 AND RU2 AND AMEND THE KYOGLE DEVELOPMENT CONTROL PLAN 2014 TO PROVIDE DEVELOPMENT GUIDELINES APPLICABLE TO CARAVAN PARKS**

**REPORT BY: PLANNING AND ENVIRONMENTAL SERVICES**  
**CONTACT: DIRECTOR PLANNING AND ENVIRONMENTAL SERVICES**

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### **Summary/Purpose**

The purpose of this report is to present to Council a proposed amendment to the *Kyogle Local Environmental Plan 2012* (KLEP) to permit the development of caravan parks with the consent of Council in Zones RU1 Primary Production and RU2 Rural Landscape. An associated amendment to the *Kyogle Development Control Plan 2014* (KDCP) is also proposed.

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

- Economic Development
- Environmental and Planning

### **Previous Council Consideration**

Council has not considered this matter specifically before however, at its meeting of 9 November 2015 Council considered a proposal to amend the KLEP to allow for 'camping grounds' and 'eco-tourist facilities' and 'farm-stay accommodation' in Zone RU1. At this meeting Council resolved:

1. *That Council reiterate its support for the planning proposal to amend the Kyogle Local Environmental Plan 2012 to permit the development of camping grounds, eco-tourist facilities and farm stay accommodation in Zone RU1 Primary Production with the consent of Council, and to increase the maximum number of permissible bedrooms for farm stay accommodation and bed and breakfast accommodation.*
2. *That pursuant to section 59(1) of the Environmental Planning and Assessment Act 1979, Council request Parliamentary Counsel's Office to prepare a draft legal instrument.*
3. *That upon receiving from Parliamentary Counsel's Office a draft LEP amendment and an Opinion that the plan can be made, Council exercise its delegation and Council's delegate make the plan and request NSW Planning and Environment to carry out notification of the making of the plan.*
4. *That pursuant to Part 3 Division 3 Clause 21(1)(b) of the Environmental Planning and Assessment Regulation 2000 Council approve the associated amendments to Kyogle Development Control Plan 2014.*
5. *That in conjunction with a notice advising commencement of the LEP amendment, public notice of the approval of the DCP provisions be given in the Richmond River Express Examiner, pursuant to Part 3 Division 3 Clause 21(2) of the Environmental Planning and Assessment Regulation 2000.*

## Background Information

Council has previously resolved to broaden the range of permissible tourist accommodation development types in Zones RU1 and RU2. Since that time further consideration of the demand for various types of tourist and visitor accommodation has revealed a need to provide opportunities for development of facilities to accommodate caravans. While caravan parks are presently permissible in urban and village zones, it is considered reasonable to allow caravan parks in rural areas in line with the ability to develop camping grounds.

Neighbouring Councils' LEPs variously allow caravan parks in Rural Zones; Lismore City and Richmond Valley permit caravan parks in Zone RU1, Tweed Shire permits caravan parks in Zone RU2 but not in Zone RU1.

## Report

### 1. Description of proposed amendments to KLEP

The proposed amendments to the KLEP are summarised as follows:

- 1) *Amend the Land Use Table in relation to Zones RU1 and RU2 to include 'caravan parks' as development that is permissible with consent.*

There are no changes proposed to the mapping of the KLEP.

### 2. Description of proposed amendments to KDCP

Chapter 1 of the KDCP provides development guidelines for non-residential development in Zones RU1, RU2, RU3 and RU4. Part 4 of this Chapter includes guidelines for tourist and visitor related development such as camping grounds, restaurants or cafes and function centres. These provisions include guidelines that seek to:

- avoid land use conflict;
- avoid development on good quality agricultural land;
- avoid unacceptable exposure to natural hazards;
- avoid unacceptable environmental impacts, and;
- ensure development has appropriate services and infrastructure, including adequacy of road access.

The existing guidelines are relevant and applicable to assessment of development applications for caravan parks and consequently it is proposed to amend Section 4.1 of Chapter 1 of the DCP to state that this section also applies to caravan parks. There are no other changes required or proposed for the KDCP.

### 3. Intended development outcomes

Rural locations are not considered to be a desirable place for development of clustered low cost housing such as that provided by certain caravan parks. Therefore, the proposed amendment to the LEP is not intended to permit the development of caravan parks with permanent or long-term sites; the intention is to permit development of caravan parks for short-term stays by tourists and visitors.

This will be controlled through the development assessment process. *State Environmental Planning Policy 21 - Caravan Parks* applies to the assessment of development applications for caravan parks; the SEPP allows a determining authority to approve caravan parks for short-term or long-term sites, or both.

If a caravan park gains development consent under the *Environmental Planning and Assessment Act 1979*, there is a further approval required under s.68 of the *Local Government Act 1993* to operate that caravan park. Provisions for approval of operation of a caravan park are stipulated in the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005* and these include provisions that allow Council to preclude the use of caravan parks as long-term places of residence.

### **Budget & Financial Aspects**

There are no major budget implications for the proposed LEP and DCP amendments. The proposed amendments are to be undertaken by existing Council staff resources within existing budget allocations.

### **Recommendation**

That Council:

1. Receives and notes the report on the proposed amendment of the KLEP and KDCP to permit development of caravan parks with the consent of Council on rural zoned land.
2. Amend the KLEP through the preparation of a Planning Proposal in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EPAA) to include 'caravan parks' as development that is permissible with consent in Zones RU1 and RU2.
3. Authorise the General Manager to finalise the Planning Proposal consistent with the contents of the report to Council and submit the Planning Proposal to the Department of Planning and Environment (the Department) for review and Gateway Determination.
4. On receipt of a Gateway Determination to proceed with the LEP amendment, authorise the General Manager to make any necessary changes to the Planning Proposal in accordance with the requirements of the Department and proceed with the LEP amendment process in accordance with the provisions of Part 3 Division 4 of the EPAA including community and agency consultation.
6. Prepare an amendment to the KDCP in accordance with the provisions of Part 3 Division 6 of the EPAA to add 'caravan parks' to the applicable development types in Part 4 of Chapter 1 *Non-residential development in Zones RU1, RU2, RU3 and RU4*.
7. Conduct the public exhibition of the draft KDCP in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*.
8. Review the draft KDCP in light of any submissions made during public exhibition.
9. Be presented with a further report following the conclusion of the public consultation stage and consideration of any submissions received for the LEP and DCP amendments.

## **Division**

Under section 375A of the *Local Government Act 1993*, a division is required to be called to record that manner in which all councillors have voted whenever a planning decision is to be made in relation to a development application, planning instrument or development control plan. The section of the Act applies to a Council decision regarding the matter referred to in this report.

## ITEM 13C ENVIRONMENT SERVICES REPORT

Nil.

## ITEM 13D CORPORATE SERVICES REPORT

### 13D.1 COUNCILLOR FEES - LOCAL GOVERNMENT REMUNERATION TRIBUNAL

**REPORT BY: OFFICE OF THE GENERAL MANAGER**

**CONTACT: GENERAL MANAGER**

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#### Summary/Purpose

This report requires a determination on the level of Councillor remuneration for the 2016/2017 financial year.

#### Community Strategic Plan Item(s)

- Governance and Community Service

#### Report

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

The tribunal has determined that an increase of 2.5% in fees for councillors and mayors as appropriate with effect from 1 July 2016.

Sections 248 and 249 of the Local Government Act require councils to fix and pay an annual fee based on the tribunal's determination. If Council does not fix a fee, then the minimum must be paid.

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

The appropriate fees for Kyogle Council for 2016/2017 are as follows:

	Minimum	Maximum
Councillor Annual Fee	\$8,540	\$11,290
Mayoral Fee	\$9,080	\$24,630

The fees paid for the 2015/2016 were:

Councillor Annual Fee: \$11,010  
Mayoral Fee: \$24,030

Council has previously adopted the maximum remuneration rates.

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## **Budget & Financial Aspects**

There is an annual budget allocation for Councillor Fees.

## **Recommendation**

That Council:

1. Receives and notes the report, *Councillor Fees - Local Government Remuneration Tribunal*.
2. Adopts the following Councillor and Mayoral fees for 2016/2017:

Councillor Annual Fee:	\$11,290
Mayoral Fee:	\$24,630

## 13D.2 MINUTES OF THE INTERNAL AUDIT COMMITTEE

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### Summary/Purpose

This report presents the Minutes of the Internal Audit Committee meetings held on 26 May, 2016 and 23 June 2016 is included for adoption.

### Community Strategic Plan Item(s)

- Governance and Community Service.

*Confirmed Minutes of the Internal Audit Committee Meeting held in the Kyogle Council Chambers, Stratheden Street, Kyogle, on 26 May 2016 at 3.02pm.*

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#### **PRESENT**

*Mr Andrew Stevens (Chairperson), Ms Belinda Eggins, Councillor Janet Wilson.*

#### **IN ATTENDANCE**

*General Manager David Tuxford, Executive Manager Administration and Community Carol O'Neill, Geoff Dwyer Thomas Noble and Russell, PA to the General Manager (minutes taker).*

#### **ITEM 1 OPENING PRAYER**

*Councillor Janet Wilson read the opening prayer.*

#### **ITEM 2 TRADITIONAL LANDS ACKNOWLEDGEMENT**

*Councillor Janet Wilson read the traditional lands acknowledgement.*

*Mr Andrew Stevens resumed the chair.*

#### **ITEM 3 APOLOGIES**

*Nil*

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

*Nil.*

#### **ITEM 5 REPORTS**

#### **1.5.1 MINUTES OF THE INTERNAL AUDIT COMMITTEE FOR 22 MARCH 2016**

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*Moved by Belinda Eggins, seconded by Janet Wilson.*

*That the Internal Audit Committee confirms the minutes of the meeting held 22 March 2016.*

**CARRIED**

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FOR VOTE - Unanimous

## **2.5.2 2015/2016 AUDIT STRATEGY**

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### **RECOMMENDED**

Moved by Janet Wilson, seconded by Andrew Stevens.

That the Committee:

1. *Accepts the Audit Strategy of the External Auditors.*
2. *Endorses the strategy as a tool to meet the requirements of the Act.*
3. *Requests that the timing of its meetings are dovetailed with the processes of the external audit.*

**CARRIED**

FOR VOTE - Unanimous

## **3.5.3 INTERNAL AUDIT COMMITTEE PRIORITIES**

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### **RECOMMENDED**

Moved by Andrew Stevens, seconded by Belinda Eggins.

That the General Manager continue to provide regular reports to the Internal Audit Committee on the progress of:

- *Kyogle Council Workplace Health and Safety Policy and Management System;*
- *Kyogle Council Risk Management Policy and Management System with the report to include the cost of external resources being used.*

That the Internal Audit Committee continues its focus on the following areas for review:

- *Kyogle Council's adopted policies and management documentation*
- *Kyogle Council's decision making structures, including focus groups and current committees*

**CARRIED**

FOR VOTE - Unanimous

### **RECOMMENDED**

Moved Andrew Stevens, seconded by Janet Wilson.

That at the next meeting the Charter of the Internal Audit Committee be reviewed and that the General Manager circulate a copy of the charter with any proposed changes prior to the meeting.

**CARRIED**

FOR VOTE - Unanimous

## **5.4 NEXT MEETING DATE**

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*The next meeting to be held on 23 June 2016 at 3pm.*

### **MEETING CLOSURE**

*There being no further business Mr Stevens declared the meeting closed at 4.04pm*

***Unconfirmed Minutes of the Internal Audit Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on Thursday 23 June 2106 at 1pm.***

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### **PRESENT**

*Mr Andrew Stevens (Chairperson), Ms Belinda Eggins, Councillor Janet Wilson.*

### **IN ATTENDANCE**

*General Manager David Tuxford, Executive Manager Administration and Community Carol O'Neill, PA to the General Manager (minute taker).*

### **ITEM 1 OPENING PRAYER**

*Councillor Janet Wilson read the opening prayer.*

### **ITEM 2 TRADITIONAL LANDS ACKNOWLEDGEMENT**

*Councillor Janet Wilson read the traditional lands acknowledgement.*

*Mr Andrew Stevens resumed the chair.*

### **ITEM 3 APOLOGIES**

*Nil*

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

*Nil*

### **ITEM 5 REPORTS**

#### **4.5.1 MINUTES OF THE INTERNAL AUDIT COMMITTEE FOR 26 MAY 2016**

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### **RECOMMENDED**

*Moved by Councillor Janet Wilson, seconded by Belinda Eggins.*

*That the Internal Audit Committee confirms the minutes of the meeting held 26 May 2016.*

**CARRIED**

*VOTE - Unanimous*

## **5.5.2 REVIEW OF INTERNAL AUDIT COMMITTEE CHARTER**

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### **RECOMMENDED**

*Moved by Andrew Stevens, seconded by Councillor Janet Wilson.*

*The Committee requests that Council provide it with a Draft Audit Committee Charter in line with appendix 2 of the NSW Premier and Cabinet's Internal Audit Guidelines (September 2010) and that the draft be circulated to committee members for comment, changes and adoption.*

**CARRIED**

*VOTE - Unanimous*

### **NEXT MEETING DATE**

*October 2016 - potential dates to be circulated.*

### **MEETING CLOSURE**

*There being no further business the chair declared the meeting closed at 1.55pm.*

### **Recommendation**

That Council receives and notes the minutes of the Internal Audit Committee meetings held 26 May 2016 and 23 June 2016.

## 13D.3 POLICY REVIEW

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: MANAGER CORPORATE SERVICES (GOVERNANCE)**

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### Summary/Purpose

This report presents to Council a list of policies recommended to be revoked by Council following a review of the existing Policy Register against the Governance Policy. The policies recommended to be revoked have been approved by the Internal Audit Committee as part of the review process.

### Community Strategic Plan Item

- Governance and Community Service

### Background Information

A review of the Governance Policy was undertaken by the Internal Audit Committee to provide a framework for the grouping of policies and to ensure that there was a distinction between Council-adopted policy and internal procedures that should be implemented at the discretion of the General Manager as part of his/her role. The amended Governance Policy was adopted by Council at its Ordinary Meeting held on 11 April 2016.

Section 3.1 of the Governance Policy states;

*Whenever policies are reviewed or new policies drafted, a clear distinction is to be made between what is policy intent, and what are the procedures required for the implementation of the policy intent. Policies presented to Council for adoption should not include procedures, unless there is a statutory requirement for the procedures to be included, such as with the Code of Conduct and the procedures for the administration of the Code of Conduct.*

*Procedures required for implementation of policy are operational matters and are to be adopted by the General Manager as internal operational documents. All such procedures are considered operational in nature and are not required to be presented to Council for adoption. Nothing prevents any such procedures being made publically available, as deemed appropriate by the General Manager.*

### Report

In line with the revised Governance Policy, a review of existing policies has been undertaken and the following current policy documents have been identified as being operational in nature and therefore are not required to be Council-adopted policies. This list has been reviewed and agreed upon by the Internal Audit Committee and appears below:

- Complaint Handling Policy

- Consultative Committee Policy
- Email and Internet Usage Policy
- Employee Benefits Policy
- Harassment and Bullying Policy
- Human Resources Strategy Policy (incorporated in Workforce Plan)
- Non-smoking Policy
- Occupational Health and Safety Disciplinary Policy
- Records Management Policy
- Rehabilitation Policy
- Skatepark Policy
- Social Media Policy
- Swimwear Policy
- Vehicle Policy

The scope of each of these documents is within the delegations of the General Manager. As such, the establishment, review and implementation of appropriate procedures and guidelines should remain the responsibility of the General Manager rather than the elected Council. It is therefore recommended that these currently Council-adopted policies be formally revoked by Council. It is then up to the General Manager to establish operational procedures to cover these areas.

This report was presented to the Council meeting held on Tuesday 14 June 2016, where Council resolved the following two separate motions:

*That Council receives and notes the report, Policy Review.*

*That Council workshop the policy review before it revokes any policies.*

A Council workshop was held on Monday 27 June 2016, where the revocation of the policies was discussed and the general consensus was that staff report back to Council on revoking listed policies.

## **Recommendation**

That Council:

1. Receives and notes the report, *Policy Review*.
2. Revokes the following policies that have been identified as being operational in nature and therefore are not required to be Council-adopted policies:
  - Complaint Handling Policy
  - Consultative Committee Policy
  - Email & Internet Usage Policy
  - Employee Benefits Policy
  - Harassment & Bullying Policy
  - Human Resources Strategy Policy
  - Non-smoking Policy
  - Occupational Health & Safety Disciplinary Policy
  - Records Management Policy
  - Rehabilitation Policy

- Skatepark Policy
  - Social Media Policy
  - Swimwear Policy
  - Vehicle Policy
3. Places copies of General Manager-approved policies on Council's web site as deemed appropriate by the General Manager in line with section 3.1 of the adopted Governance Policy.

### **Attachments**

Copies of the listed policies have been previously provided to Councillors.



## **ITEM 13E COMMUNITY SERVICES REPORT**

Nil.

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

### **13F.1 STATEWIDE MUTUAL FUND**

**REPORT BY: GENERAL MANAGER**

**CONTACT: GENERAL MANAGER**

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#### **Summary/Purpose**

The purpose of this report is to advise Council of correspondence sent to Statewide Mutual Fund to enable Council to tender the management of its insurance portfolio. Council is a member of the Mutual Fund and must give 12 months' notice to the Mutual Fund if membership is to be withdrawn.

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

- Governance and Community Service

#### **Background Information**

The Statewide Mutual Fund is a local government self-insurance fund established approximately 20 years ago for which Jardine Lloyd Thompson (JLT) is the fund manager. The Deed of Establishment for the NSW Local Government (Jardine Lloyd Thompson) Mutual Liability Scheme, dated 22 March 1994, (the Deed) appoints Jardine Lloyd Thompson to manage the scheme and does not provide for periodic tender of the scheme manager. This arrangement is contrary to achieving the most competitive outcome for Council.

To enable Council to tender the management of its insurance portfolio, it is advised that in accordance with Clause 10.3 of the Deed, Council must give notice of its intention to retire from all funds managed under the scheme, effective 30 June 2017.

Insurance policies held under this fund are as follows:

- Liability scheme
- Property Mutual scheme
- Crime scheme
- Councillors' and Officers' cover
- Motor vehicle

This matter was discussed at the Councillor workshop held on Monday 27 June 2016 and as discussed, a report would be presented to the next Council meeting to advise Council of the action taken.

A letter has been sent to the Executive Officer of Statewide Mutual advising Statewide Mutual that Council is giving notice of its intention to retire from all funds managed under the scheme, effective 30 June 2017, and to tender the management of its insurance portfolio.

This action does not preclude Statewide Mutual from responding to the tender when it is advertised and if successful, would provide a fresh start to Council's relationship with the Mutual.

Workers compensation insurance is provided by StateCover Mutual Limited which has been operating since 2001 as a specialised insurer for Workers Compensation. No change to this arrangement is being recommended at this stage.

### **Budget & Financial Aspects**

There is no change to the 2016/17 adopted operational plan as a result of this report.

### **Recommendation**

That Council receives and notes the report, *Statewide Mutual Fund*.

## 13F.2 FAR NORTH COAST WEEDS

**REPORT BY: GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### Summary/Purpose

The purpose of this report is to advise Council of correspondence received from NSW Office of Local Government's Acting Chief Executive, Mr Tim Hurst, regarding the outcome of Rous County Council's proposal under section 383 of the *Local Government Act 1993* to merge Far North Coast County Council (FNCC), Richmond River County Council (RRCC) and Rous County Council. The basis of the proposal was that FNCC and RRCC be dissolved and their functions transferred to Rous County Council. As a consequence, Kyogle Council and Tweed Shire Council would no longer be constituent councils of Rous County Council.

The Minister for Local Government recommended the proposal to the Governor and a proclamation was subsequently made to effect the merger on 1 July 2016. The operation of the proclamation will reinstate Kyogle Council as the local control authority for its area under the *Noxious Weeds Act 1993* effective 1 July 2016.

### Community Strategic Plan Item(s)

- Governance and Community Service
- Environmental and Planning

### Background Information

At its meeting on 8 December 2014, Council considered a proposal to merge FNCC, RRCC and Rous County Council. In relation to that proposal Council resolved as follows:

1. *That Council receives and notes the report on County Council Merger.*
2. *That Council supports the adoption of a management structure that incorporates all the existing functions of the current Rous Water, Far North Coast Weeds and Richmond River County Councils and provides the flexibility to accommodate the management and delivery of regional initiatives.*
3. *That Council supports the proposal of a service level agreement arrangement with the new structure for the provision of noxious weeds management services.*

The need for reform of the county councils was confirmed through various independent external assessments and reports over a number of years. It was proposed that the integration of the counties was the most economic and effective way to rationalise and consolidate three separate administrations and governance frameworks into one.

Following a unanimous agreement for change by member councils in the region as well as from each county council, a proposal to merge the counties was prepared and put to the Minister for Local Government in 2014.

## **Advantages of service level agreement approach**

Council identified that there was substantial merit in the three counties merging. In particular, it was acknowledged that a service level agreement with the merged entity would provide Kyogle Council with the opportunity to enhance its capacity to control its costs and determine and manage service levels with respect to noxious weed services. Council would be able to collaborate closely with FNCC and at the same time determine where and how its funds would be spent in relation to services delivered in its area.

FNCC has a long history and proven track record as a local control authority and that substantial depth of experience and expertise within its workforce will be absorbed into the merged entity.

The service level agreement approach will enable Council to access that expertise and ensure that it meets its obligations as the local control authority for its area under the *Noxious Weeds Act 1993*.

Preliminary discussions were held on Friday 24 June 2016 with the General Manager from Rous County Council to discuss a service level agreement arrangement.

The meeting proved to be very productive with a draft service level agreement between the two councils now being prepared.

## **Requirements as to transfer of rights, assets and liabilities**

The proclamation effecting the merger includes a mechanism for the transfer of assets, rights and liabilities as a consequence of the merger. In relation to the former FNCC, it provides as follows: ‘...The assets, rights and liabilities of the former Far North Coast County Council are transferred to Rous County Council or Kyogle Council or Tweed Shire Council as determined by agreement between Rous County Council, Kyogle Council and Tweed Shire Council’.

Where the councils are unable to agree ‘...then any one or more of them may apply to the Minister to determine the assets, rights and liabilities of Far North Coast County Council that are to be transferred from Far North Coast County Council to any of them’.

It is important that Council progress discussions regarding this matter. However, it is proposed that the priority action at this point is to finalise the service level agreement and establish certainty of service continuity as early in the new financial year as possible.

Following completion of that action, attention should then turn to the matter of asset transfer.

## **Budget & Financial Aspects**

The 2016/17 budget allocation for noxious weeds management for services delivered by FNCC for the period is \$125,201. It is proposed that these funds will be reallocated for the purpose of service delivery under the proposed service level agreement.

## Recommendation

That Council:

1. Receives and notes the report, *Far North Coast Weeds*.
2. Delegate to the General Manager the authority to negotiate a service level agreement between Kyogle Council and Rous County Council for the provision of noxious weeds management services for Kyogle Council that will meet its obligations as the local control authority for its area under the *Noxious Weeds Act 1993* within the current budget allocation provided in Council's adopted Operational Plan for 2016/2017.
3. Advise Rous County Council of its decision.
4. Advise the NSW Office of Local Government of its decision.

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### **Summary/Purpose**

This report is seeking to obtain a resolution of Council to provide priority projects for consideration by Regional Development Australia Northern Rivers in its regional plan.

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

- Governance and Community Service
- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning
- Waste & Water

### **Background Information**

At the NOROC meeting held on 3 June 2016, the Chair of RDA Northern Rivers, Don Page, attended the meeting to provide an overview of the focus of RDA for the remainder of 2016. Also attending the meeting was Alex Smith, the new CEO of RDA Northern Rivers, who is replacing Ben Redden.

Don Page spoke about the future direction of RDA including the funding that will be available for local projects. Mr Page advised that RDA needed to identify the top 10 projects for the region in its regional/strategic plan and if projects were not identified in the plan, there was not much hope that they would be funded. He asked for each council to identify its top three priorities for funding so these could be considered in the list of top 10 regional projects.

At a further meeting with the new CEO of RDA, he again reiterated the importance of councils putting forward their list of projects as soon as possible.

### **Report**

The list of projects provided below was prepared by staff and discussed at a Councillor workshop on 27 June 2016. It was agreed that the list of projects was to be presented to the July meeting of Council to adopt the proposed top three priority projects before sending the list to the CEO of RDA.

#### **1. “First Mile” Industry Transport Links**

Local and regional road transport backlog improvements to serve existing and growing local industries. Projects would likely need to be jointly funded by Council and other tiers of Government. Allows for the inclusion of similar projects from other LGA's.

## **2. Sewering of Unsewered Villages**

Construction of new sewerage systems to service villages without reticulated sewer. Allows for the inclusion of villages from other LGAs. Specific priorities for Kyogle LGA are already identified in the LTFP assuming 50 per cent external funding. These are Tabulam, Wiangaree and Mallanganee.

## **3. Tourism and Visitor Connectivity**

Improvements to roads and trails used to access national parks and state forests by visitors and tourists and locals alike. Projects would likely need to be jointly funded by Council and other tiers of Government. Allows for the inclusion of similar projects from other LGA's including the "Rail Trail" development.

## **4. Summerland Way Corridor Development (East of Mount Lindesay Deviation)**

Development of the Summerland Way corridor to allow use as alternate heavy vehicle route to the Pacific Highway and provide connections to rail freight, local industry and the Bromelton State Development Area in Queensland. Projects would likely be funded by the State Government, but some may need to be jointly funded by Council. Allows for the inclusion of related projects from other LGA's.

## **5. Public Transport Integration**

Projects to enhance the availability of public transport and the integration with adjoining areas and existing services. Projects would likely be funded by the State Government, but some may need to be jointly funded by Councils. Allows for the inclusion of priority projects from other LGA's.

## **6. Affordable Housing Developments**

A series of residential housing developments aimed at addressing the need for seniors, aging in place, disability and respite care, and affordable housing. Projects would likely be funded by the State Government in partnership with commercial developers, but some may need to be jointly funded by Councils. Allows for the inclusion of priority projects from other LGA's. Specific projects could include;

- Development of an over 55's village in Kyogle
- Independent living units in Bonalbo and Woodenbong

## **Budget & Financial Aspects**

As per the advice from Don Page mentioned earlier, RDA needed to identify the top 10 projects for the region in its regional/strategic plan and if projects were not identified in the plan, there was not much hope that they would be funded.

## **Recommendation**

That Council;

1. Receives and notes the report, *Regional Development Australia Priorities*.
2. Advises Regional Development Australia Northern Rivers that Council's top three priorities for consideration in the regional/strategic plan are;
  - a) Summerland Way Corridor Development (East of Mount Lindesay Deviation)
  - b) "First Mile" Industry Transport Links
  - c) Affordable Housing Developments

## **13F.4 DICK SMITH HISTORIC SITE INFORMATION BAY**

**REPORT BY: OFFICE OF THE GENERAL MANAGER**  
**CONTACT: GENERAL MANAGER**

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### **Summary/Purpose**

The purpose of this report is to update Council on the proposal to develop an Historic Site Information Bay to commemorate the 25<sup>th</sup> anniversary celebration of Dick Smith and John Wallington's historic trans-continental balloon flight across Australia, which landed near the village of Tabulam.

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

- Governance and Community Service
- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning

### **Background Information**

The 25<sup>th</sup> anniversary of Dick Smith and John Wallington's historic transcontinental balloon flight across Australia, which landed near the village of Tabulam, will be recognised on 18 June 2018. In 1994, Council invited Mr Smith to return to his landing site to unveil a memorial plaque on the actual landing site. A finger board sign was erected on Tabulam Road to indicate that this was Dick Smith's Landing site.

Again in 2014 on the invitation of Council's Mayor, Dick Smith and John Wallington returned to Tabulam to celebrate the 21<sup>st</sup> anniversary of this historic event. At this celebration, it was suggested that a permanent display in the form of a roadside information bay be established to recognise the significant and historic achievement; both men were agreeable to the idea.

### **Report**

At present, the site is marked with a finger board sign and it is difficult to see the memorial stone in the paddock. The paddock is private land and raises the issue of trespass for people wishing to get a better view.

The development of a roadside information bay would attract more visitors to the area and eliminate the issue of trespass. Due to the national historic significance of the site, there are a number of funding opportunities that could be explored through relevant funding bodies.

Mr Smith apparently was very approving of the idea for an 'Historic Site Information Bay' and indicated that he may assist with funding the project once estimates were produced. The information bay may provide a point of interest and could encourage more visitors to Tabulam.



At the time of the 21<sup>st</sup> anniversary celebration, the then property owner was acceptable to an information bay being erected as it would encroach onto his land. Unfortunately the property has since changed ownership and if Council would like to pursue the project, permission would need to be gained from the current owner.

An alternative would be for Council to replace the finger board sign that indicates the site of the balloon landing and make representations to the Roads and Maritime Service (RMS) to incorporate information on the Dick Smith landing site into the Tabulam Bridge reconstruction project. The costs associated with this option could be covered under Council's existing maintenance budget.

### **Budget & Financial Aspects**

The estimated cost of developing a roadside information bay next to the actual landing site (option 1) is \$150,000 and would include: off road access to allow for 14.5m bus and 12.5m turning radius; a carpark, an 8mx2m interpretive display; a resin or concrete balloon basket display; and road signage. This amount does not take into account any acquisition costs that may be associated with this project.

The costs associated with replacing the finger board sign and incorporating the information on the Dick Smith land site into the Tabulam Bridge reconstruction project (option 2) could be covered under Council's existing maintenance budget.

### **Recommendation**

That Council:

1. Receives and notes the report, *Dick Smith Historic Site Information Bay*.
2. Proceed with option 2 and make representations to the RMS to incorporate information on the Dick Smith landing site into the Tabulam Bridge reconstruction project.

**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

**ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING**

**ITEM 16 CONFIDENTIAL BUSINESS PAPER**

Nil.

# KYOGLE COUNCIL



# ATTACHMENTS

## ORDINARY COUNCIL MEETING

ON MONDAY 11 JULY 2016