



KYOGLÉ COUNCIL

COUNCIL MEETING AGENDA

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

ON MONDAY 8 MAY 2017

Commencing at 5pm.

GENERAL MANAGER: GRAHAM KENNETT

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 8 May 2017 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 |
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| Item 10 | Questions with Notice from Councillors |
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| Item 13 | Reports from General Manager |
| | A Assets and Infrastructure Services |
| | B Planning and Environment |
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| Item 14 | Urgent Business Without Notice |
| Item 15 | Questions for Next Ordinary Meeting |
| Item 16 | Confidential Business Paper |

GRAHAM KENNETT
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

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

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.

(GRAHAM KENNETT),
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 8 May 2017

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- 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

7.1 CONFIRMATION OF THE MINUTES OF THE 10 APRIL 2017 ORDINARY COUNCIL MEETING

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: GENERAL MANAGER

Summary/Purpose

A copy of the Minutes of the Ordinary Meeting held on 10 April 2017 is included in the attachments to the business paper.

Community Strategic Plan Item(s)

- Governance and Community Service

Recommendation

That Council adopt the Minutes of the Ordinary Meeting held on 10 April 2017.

Attachments

Minutes of the Ordinary Meeting held on 10 April 2017

ITEM 8 MAYORAL MINUTE

ITEM 9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - COUNCILLOR LINDSAY PASSFIELD; REVIEW OF SETTLEMENT STRATEGY

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: GENERAL MANAGER

Summary/Purpose

This item presents to Council a Notice of Motion received from Councillor Lindsay Passfield for the Ordinary meeting on 8 May 2017.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning

Report

A copy of the Notice of Motion follows:

NOTICE OF MOTION

KYOGLÉ COUNCIL RECEIVED
28 APR 2017
Doc. No. 547828

I Councillor PASSFIELD hereby give notice that at the next Ordinary Meeting of Council I will move; THAT COUNCIL INITIATE DISCUSSIONS WITH TENTERFIELD SHIRE COUNCIL TO RATIONALISE SETTLEMENT STRATEGIES ALONG THE BOUNDARY BETWEEN KYOGLE AND TENTERFIELD LOCAL GOVERNMENT AREAS ADJACENT TO THE VILLAGES OF WOODENBONG, URBENVILLE AND TABULAM.

Signed:

A. Passfield

Date:

28 APR 17

Note:

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

REPORT

KYOGLÉ COUNCILS' EXISTING SETTLEMENT STRATEGY HAS BEEN IN PLACE FOR A NUMBER OF YEARS AND IS DUE FOR REVIEW. UNFORTUNATELY IT HAS NOT RESULTED IN MUCH IF ANY DEVELOPMENT. ONE REASON FOR THIS BEING THE UNREALISTIC COUNCIL REQUIREMENTS FOR DEVELOPER FUNDED INFRASTRUCTURE UPGRADES. THE FACT IS THAT

EXISTING INFRASTRUCTURE CURRENTLY CARRIES FAR LESS TRAFFIC THAN IT DID TWO DECADES AGO WHEN THE DAIRY AND TIMBER INDUSTRIES WERE FLOURISHING. AND LOCAL POPULATIONS WERE HIGHER.

OVER RECENT YEARS TENTERFIELD SHIRE COUNCIL HAS FACILITATED THE DEVELOPMENT OF NINETEEN RURAL RESIDENTIAL LOTS ON EXISTING INFRASTRUCTURE TO THE WEST OF URBENVILLE. THIS HAS BROUGHT MANY NEW PEOPLE TO THE AREA AND STIMULATED THE LOCAL ECONOMY.

THERE ARE MANY SUITABLE SITES FOR SIMILAR DEVELOPMENTS ON BOTH SIDES OF OUR LOCAL GOVERNMENT BOUNDARY NEAR WOODENBONG, URBENVILLE AND TABULAM WITH ADEQUATE INFRASTRUCTURE.

Staff comment

Council has recently resolved, or tentatively proposed, to undertake a number of key initiatives which are expected to help facilitate a more contemporary review of its Local Growth Management Strategy. This includes a review of its Section 94 Developer Contributions framework in the 2017/18 financial year to more closely align with and compete with those of adjoining councils by adopting the less onerous Section 94A contribution schedule under the Environmental Planning and Assessment Act 1979. Other initiatives which have been flagged for Council consideration and inclusion into its proposed Annual Budget and Operational Plan for 2017/2018 include production of an Economic Development Prospectus in 2017/18 and an update of the Local Growth Management Strategy in 2018/19.

Adoption of the initiatives in the draft Annual Budget for 2017-2018 will enable the Council to proceed with the required studies and plan preparation to properly inform a review of its residential settlement requirements.

In addition, the region has recently been the subject of a revised Regional Plan which while seeking to protect productive agricultural lands, is also heavily focused on growth and prosperity for the region.

The Notice of Motion is regarded as being consistent and complimentary to the initiatives that the Council already has in hand and provides further focus for those initiatives. Specific matters pertaining to any locality can be addressed in a formal review process.

ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS

10.1 QUESTIONS FROM THE LAST COUNCIL MEETING

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: GENERAL MANAGER

Summary/Purpose

This report presents a response to questions raised by Councillors at the last Ordinary Council Meeting.

Community Strategic Plan Item(s)

- Governance and Community Service

Report

The following questions were raised at the last Council Meeting. The responses have been included.

Councillor Lindsay Passfield:

- *In Grevillia, Gorge Creek comes through the village and does a series of really sharp turns. One of those turns is getting close to eroding the Summerland Way. There has been about six metres of soil gouged out of creek bank. Can management have a look at the situation to see how it can be arrested before it becomes a major problem?*

Response: The site was inspected on 24 April with a representative from the Roads and Maritime Services (RMS). As a result of this site inspection, the issue has been handed to the RMS Geotechnical Department for further action. Council has not been further advised of actions, if any, the RMS propose to take.

Councillor Robert Dwyer:

- *I have had several phone calls and face-to-face consultations with people concerned about the line markings on Kyogle Road past Hurfords. All the straight stretch of road has been marked with double lines, preventing people from overtaking. People are concerned that if they get stuck behind a truck or caravan there and they can't overtake on the straight stretch, there are very few places people can safely overtake after that. My question is, who is responsible for the double line marking? It has never been double lines there before?*

Response: The line marking has been reviewed against the applicable standards and a section for overtaking can be installed on the straight immediately east of the Fawcetts Plains intersection. The remainder of the linemarking on these works is in accordance with AS1742-2 and will need to remain as is.

The changes to the linemarking to allow the overtaking area will be done in conjunction with other projects in the near future. No date has been set at this stage.

Recommendation

That Council receives and notes the report, *Questions from the Last Council Meeting*.

ITEM 11 DELEGATES REPORTS

Nil.

ITEM 12 INFORMATION PAPERS

12.1 MONTHLY FINANCE REPORT

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: MANAGER FINANCIAL SERVICES

Summary/Purpose

This report presents financial reports to Council for information.

Community Strategic Plan Item(s)

- Governance and Community Service

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 29 March 2017. 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.

(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 information contained in the Monthly Financial Report.

Attachment

Combined Financial Report

12.2 WORKS PROGRAM PROGRESS REPORT APRIL 2017

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: MANAGER FINANCIAL SERVICES

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
- Agriculture
- Village Life
- Visitor Attractions

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 Report

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 information contained in the Works Program Progress Report April 2017.

Attachment

Works Program Progress Report April 2017.

ITEM 13 GENERAL MANAGER'S REPORT

ITEM 13A ASSETS AND INFRASTRUCTURE SERVICES REPORT

13A.1 PROPOSED EVENT - 2017 YOWIE COUNTRY RALLY

REPORT BY: ASSETS AND INFRASTRUCTURE WORKS

CONTACT: ACTING DIRECTOR ASSETS AND INFRASTRUCTURE WORKS

Summary/Purpose

This report presents a submission from the Gold Coast Tweed Motorsporting Club seeking Council's support for the 2017 Yowie Country Rally proposed to be held in the Woodenbong area on 1 October 2017 to allow for consultation with affected property owners prior to consideration of an approval for the event to proceed.

Community Strategic Plan Item(s)

- Roads and Infrastructure
- Village Life
- Economic Development

Previous Council Consideration

At its 13 February 2017 Ordinary meeting, Council resolved:

That Council;

1. *Receives and notes the report, Border Ranges Rally Survey.*
2. *Invites the Gold Coast Tweed Motorsporting Club to submit a proposal for a future event to allow for consultation with affected property owners prior to consideration of an approval for the event to proceed.*

Report

The Gold Coast Tweed Motorsporting Club (GCTMC) ran the Border Ranges Rally in the Woodenbong area between 2006 and 2011 before expanding the event in 2013 and 2014 to include stages around Kyogle. The 2015 event was again based around Woodenbong, and two events were held in 2016; the Border Ranges Rally based around Kyogle, and the Yowie Country Rally based around Woodenbong and Urbenville. In 2017, the Gold Coast Tweed Motorsporting Club has proposed to run the Yowie Country Rally based around Woodenbong, while the Border Ranges Rally takes a hiatus with the possibility of a major rally event being based in Kyogle in 2018.

As outlined in the attached submission, the GCTMC is seeking approval from Council to hold the Yowie Country Rally in the Woodenbong area on Sunday, 1 October 2017. The club requests that Council provide traffic control services associated with the event and waive the fee for advertising road closures associated with the event. Attached is the draft overview for the event.

There appear to be no significant issues with the route proposed. Approval of the event is an operational process subject to consultation with the NSW Police and other agencies through the Local Traffic Committee and under staff delegations.

Budget & Financial Aspects

Council has a proposed budget of \$10,302 for the provision of traffic control to special event and the provision of these services to the Yowie Country Rally could be managed within this budget. The estimated cost to provide traffic control services to this year's event is \$3,880. This cost is based on Council providing three traffic controllers during the event, and side roads being manned by rally marshals.

GCTMC has asked for the advertising fee for the road closures associated with the event to be waived. This fee would be \$226.

Recommendation

That Council;

1. Receives and notes the report, *Proposed Event - 2017 Yowie Country Rally*.
2. Agrees in principle to the holding of the 2017 Yowie Country Rally to allow for consultation with affected property owners prior to consideration of an approval for the event to proceed.
3. Be presented with a further report after the initial consultation with affected property owners.

Attachments

1. Gold Coast Tweed Motorsporting Club submission
2. *2017 Yowie Country Rally Event Overview*
3. *2017 Yowie Country Rally Traffic Management Plan*
4. *Draft Notice of Road Closures*
5. *Application to Conduct Works in the Road Reserve*

ITEM 13B PLANNING AND ENVIRONMENTAL SERVICES REPORT

13B.1 DRAFT DISABILITY INCLUSION ACTION PLAN

REPORT BY: DIRECTOR PLANNING AND ENVIRONMENT

CONTACT: DIRECTOR PLANNING AND ENVIRONMENT

Summary/Purpose

This report proposes a draft *Disability Inclusion Action Plan* (DIAP) for public exhibition purposes. The DIAP has been prepared in keeping with guidelines set by Local Government NSW (LGNSW) and the NSW Department of Family and Community Services. Following public exhibition of the draft Plan and further formal adoption by Council, the plan is required to be sent to LGNSW for endorsement.

Community Strategic Plan Themes

- Governance and Community Service
- Ageing in place, disability services and respite care
- Visitor attraction
- Village life

Report

The preparation of a DIAP by all NSW local councils is a requirement of the *Disability Inclusion Act 2014* (the Act). Councils can prepare a standalone DIAP, integrate their DIAP directly into the integrated planning and reporting (IP&R) framework (eg preferable inclusion into the Council's Community Strategic Plan) or, if they have an existing Disability Action Plan, adapt it to meet the regulatory requirements.

A standalone plan has been opted to be prepared for the Kyogle local government area (LGA) on the basis that:

- The Community Strategic Plan has only recently been adopted by Council in December 2016; amendment of the CSP is an involved process and would likely require considerable rewriting of the document at a time when significant community 'sign-off' has already taken place;
- The Council does not have a formal Disability Action Plan;
- A standalone plan would enable specific concentration on disability inclusion strategies as well as an over-arching set of principles that can be readily integrated into the Council's existing practices, monitored and refined and ultimately incorporated into a revised CSP when the plan is next required to be reviewed by Council.

The draft DIAP has been prepared in accordance with the LGNSW template for a standalone DIAP. The plan is required to be finalised by July 2017. The draft DIAP addresses strategies and actions affecting four key focus areas, being:

1. Attitudes and behaviours
2. Liveable communities
3. Employment
4. Systems and processes

Relationship to Existing Council Plans

The DIAP, when finalised, is intended to compliment the Council's existing operational plans and policies. Key plans include its *Community Strategic Plan* and the *Pedestrian Access and Mobility Plan*. The key point of difference is with respect to the level of specificity that the DIAP has regarding strategies and actions that address the four focus areas required to be addresses by the State's guidelines and the provision of overarching disability inclusion principles for Council's activities.

DIAP Reference Group

The Council established an informal Reference Group to assist in the preparation of specific strategies and actions contained in the draft DIAP. The Reference Group consists of State agencies, disability service providers, people living with disabilities, and Council representatives.

Proposed Public Exhibition

Public exhibition of a draft DIAP is not a mandatory requirement of the plan preparation process. Nonetheless, it is proposed that the draft plan be publicly exhibited for a 14 day period to enable public feedback as well as comments from government agencies.

It is proposed that the Reference Group will have further opportunity to review the draft DIAP during and immediately after the public exhibition period prior to the matter being reported back to the Council in June 2017.

Recommendation

That Council:

1. Receives and notes the report, *Draft Disability Inclusion Action Plan*;
2. Publicly exhibits the draft Disability Inclusion Action Plan for a period of 14 days, seeking comment from interested persons.

Attachments

Draft Disability Inclusion Action Plan.

ITEM 13C GENERAL MANAGER'S REPORT

13C.1 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY

REPORT BY: GENERAL MANAGER'S DEPARTMENT

CONTACT: MANAGER CORPORATE SERVICES

Summary/Purpose

The purpose of this report is to present to Council an updated Payment of Expenses and Provision of Facilities for Councillors policy for adoption and placing on public exhibition. The report also provides a table of Council's adopted policies for information.

Community Strategic Plan Item(s)

- Governance and Community Service

Background Information

Section 252 of the Local Government Act 1993 (the Act) provides for the payment of expenses and provision of facilities as follows;

(1) Within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, the Deputy Mayor (if there is one) and the other Councillors in relation to discharging the functions of civic office.

(2) The policy may provide for fees payable under this Division to be reduced by an amount representing the private benefit to the Mayor or a Councillor of a facility provided by the council to the Mayor or Councillor.

(3) A council must not pay any expenses incurred or to be incurred by, or provide any facilities to, the Mayor, the Deputy Mayor (if there is one) or a Councillor otherwise than in accordance with a policy under this section.

(4) A council may from time to time amend a policy under this section.

(5) A policy under this section must comply with the provisions of this Act, the regulations and any relevant guidelines issued under section 23A.

Report

Public Exhibition/Consultation

Section 253 of the Act outlines the following requirements before a policy concerning expenses and facilities can be adopted or amended;

(1) A council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions.

(2) Before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.

(3) Despite subsections (1) and (2), a council need not give public notice of a proposed amendment to its policy for the payment of expenses or provision of facilities if the council is of the opinion that the proposed amendment is not substantial.

(4) (Repealed)

(5) A council must comply with this section when proposing to adopt a policy in accordance with section 252 (1) even if the council proposes to adopt a policy that is the same as its existing policy.

The policy has been reviewed to bring it into line with current guidelines and legislative requirements. The facilities and expenses covered by the policy have not been reduced in any areas, and the ability for Councillors to direct their fees to a compliant superannuation fund has been added.

Also attached to this report is a table of all council adopted policies for information. The prioritisation of the review of these policies will be an item at a future workshop.

Recommendation

That Council:

1. Receives and notes the report, *Payment of Expenses and Provision of Facilities for Councillors*.
2. Places the *Payment of Expenses and Provision of Facilities for Councillors* policy on public exhibition for 28 days, closing 5 June 2017 and seek submissions from the community on its content.

Attachments

1. Payment of Expenses and Provision of Facilities for Councillors Policy
2. Table of Council Adopted Policies

13C.2 FINALISATION OF THE PROCLAMATION WITH REFERENCE TO FAR NORTH COAST COUNTY COUNCIL ASSETS

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: GENERAL MANAGER

Summary/Purpose

The purpose of this report is to advise Council of correspondence received from Rous County Council General Manager Kym Lavelle regarding the finalisation of the proclamation merging Far North Coast County Council (FNCCC), Richmond River County Council (RRCC) and Rous County Council with reference to FNCCC assets.

Community Strategic Plan Item(s)

- Governance and Community Service
- Environment 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.

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 proclamation effecting the merger included a mechanism for the transfer of assets, rights and liabilities as a consequence of the merger. In relation to the former FNCC, it provided 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'*.

Previous Council Consideration

Council at its meeting on 11 July 2016, resolved:

That Council:

1. *Receives and notes the reports, Far North Coast Weeds and Delegation by Kyogle Council to Rous County Council.*
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.*
5. *Being a local control authority under the Noxious Weeds Act 1993 ('the Act') and pursuant to section 68 of that Act:*
 - a. *Delegate to Rous County Council the functions of Kyogle Council, as a local control authority, that are capable of being delegated under the Act to Rous County Council.*
 - b. *Delegate to the position of General Manager, Rous County Council the functions of Kyogle Council, as a local control authority, that are capable of being delegated under the Act to the position.*
 - c. *Delegate to the position of Manager Operations, Rous County Council the functions of Kyogle Council, as a local control authority, under sections 12, 18, 18A, 20, 36A, 41, 45 and 64 of the Act.*
 - d. *Delegate to Philip Courtney, Rous County Council the functions of Kyogle Council, as a local control authority, under sections 12, 18, 18A, 20(3), 36A, 45 and 64 of the Act.*
 - e. *Delegate to the positions of Senior Noxious Weeds Officer, Rous County Council and Noxious Weeds Officer, Rous County Council the functions of Kyogle Council, as a local control authority, under section 45 (excluding section 45(2)(b)) of the Act.*

Report

The 21 March 2017 letter included in the attachments provides the detail on the method of transfer of the assets held by the former Far North Coast County Council to the various stakeholders. The methodology applied has been reviewed and no issues were identified. This is now presented to Council for their consideration.

Also attached to the 21 March 2017 correspondence is the first of the six monthly service level reports from ROUS County Council under the Service Level Agreement for the provision of noxious weeds management services on behalf of Kyogle Council. These six monthly reports will be incorporated into Council's six monthly performance reporting in relation to the delivery program and operational plan for future periods.

Budget & Financial Aspects

The payment from ROUS County Council is proposed to be made prior to 30 June 2017 and as such this income has been included in the March quarterly budget review presented to Council in a separate report in the May 2017 Ordinary Meeting agenda. The income was not previously included in the 2016/17 budget.

Recommendation

That Council:

1. Receives and notes the report, *Finalisation of the Proclamation With Reference to Far North Coast County Council Assets* and the update of the status of the Service Level Agreement for Weed Biosecurity and Associated Services provided by Rous County Council for the period 1 July 2016 to 31 December 2016.
2. Accepts the amount of \$85,801.38 as full and final settlement of the dissolution of Far North Coast County Council and the General Manager be authorises to sign this acceptance.

Attachments

1. Letter Rous County Council - Finalisation of Proclamation Far North Coast County Council Assets

REPORT BY: GENERAL MANAGER'S DEPARTMENT
CONTACT: MANAGER FINANCIAL SERVICES

Summary/Purpose

This report arises out of the statutory requirement to conduct a review of budget following the close of each quarter.

Community Strategic Plan Item(s)

- Governance and Community Service

Background Information

Legislative Requirements

Clause 203 of the Local Government (General) Regulation 2005 requires that:

- (1) Not later than two months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A budget review statement must also include any information required by the Code to be included in such a statement.

Report

A quarterly budget review should act as a barometer of council's financial health during the year. It needs to adequately disclose council's overall financial position, provide sufficient information to enable informed decision making while ensuring transparency in decision making. It is also a means by which councillors can ensure that council remains on track to meet its objectives, targets and outcomes as set out in its management plan/operational plan.

The budget review documentation provided to Council consists of the Quarterly Budget Review Statement (QBRS) as prescribed by the Office of Local Government and a Statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBRS which includes;

- Budget Review Income and Expenses Statement
- Budget Review Capital Budget
- Budget Review Cash and Investments position
- Budget Review Key Performance Indicators

A summary of bank account balances is also attached to the Budget review report.

Conclusion:

The revised financial position of Council is considered to be satisfactory.

Recommendation

That Council:

1. Receives and notes the March 2017, Quarterly Budget Review Statement;
2. Approves the variation of estimates contained in the table below:

STATEMENT OF SIGNIFICANT VARIANCES
MARCH QUARTER BUDGET REVIEW

DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Governance - Employment Costs		(20,000)
Governance - Election Expenses		(20,000)
Governance - Advertising Costs		(12,000)
Administration - Office Expenses		(21,000)
Administration - Other		(6,000)
Personnel - Operating Revenue	(30,000)	
Personnel - Employment Costs		(93,800)
Personnel - Other		20,000
Personnel - Tools, Clothing & Signage		40,000
Finance - Rates Income	(38,000)	
Finance - Interest Income	38,000	
Finance - Operating Costs		(20,000)
Finance - Loan Interest		(303,330)
Finance - Loan Income	(10,000,000)	
Finance - Principal Repayments		(867,335)
Crown Reserves - Operating Revenue	(562)	
Crown Reserves - Operating Costs		1,500
Town Planning - Operating Revenue	5,500	
Town Planning - Operating Costs		5,500
Environmental Health - Operating Revenue	10,000	
Environmental Health - FNCCC Refund	85,801	
Environmental Health - Employment Costs		(20,000)
Environmental Health - Noxious Plants		(9,500)
Environmental Health - Sundries		4,500
Other Waste Management - Operating Revenue	3,400	
Other Waste Management - Collection Costs		(30,000)
Other Waste Management - NEWF Contribution		(867)
Economic Development - Grants	5,500	
Economic Development - Operating Costs		5,500
Public Libraries - Operating Revenue	2,600	
Public Libraries - Operating Costs		2,600
Regional Roads - Operating Revenue	(12,640)	
Regional Roads - Capital Expenditure MR 141		(191,433)
Regional Roads - Capital Expenditure MR 361		(25,296)
Regional Roads - Capital Expenditure MR 544		(141,137)
Regional Roads - Capital Expenditure Bridges		28,000
Urban Local Roads - Capital Expenditure		(41,262)
Rural Local Roads - Operating Costs		10,000
Rural Local Roads - Capital Expenditure		(120,000)
Bridges - Operating Costs		30,000
Bridges - Capital Expenditure		547,001
Emergency Services - RFS Contribution		106,800
Parks & Gardens - Operating Revenue	6,208	
Parks & Gardens - Capital Expenditure		7,390
Stormwater Management - Capital Expenditure		13,917
State Highways - Operating Revenue	550,000	
State Highways - Operating Costs		500,000
Quarries - Operating Revenue	35,000	
Quarries - Operating Costs		25,000
Water Fund - Operating Costs		5,000
Water Fund - Sale of House	5,000	
Sewer Fund - Operating Revenue	40,000	
Sewer Fund - Operating Costs		20,777
Domestic Waste Management - Operating Revenue	6,500	
Totals	(9,287,693)	(569,475)
	Net Adjustment	(8,718,218)

Attachment

March 2017 Budget Review

ITEM 14 URGENT BUSINESS WITHOUT NOTICE

ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING

ITEM 16 CONFIDENTIAL BUSINESS PAPER

Nil

APPENDIX / ATTACHMENTS

KYOGLE COUNCIL



ATTACHMENTS

ORDINARY COUNCIL MEETING

ON MONDAY 8 MAY 2017