



# **KYOGLÉ COUNCIL**

## **COUNCIL MEETING AGENDA**

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

ON MONDAY, 9 FEBRUARY, 2015

Commencing at 5.00 p.m.

**GENERAL MANAGER: ARTHUR PIGGOTT**

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, 9 February, 2015 at 5.00 p.m.

#### 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

ARTHUR PIGGOTT  
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.

(ARTHUR PIGGOTT),  
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 9 February 2015**

## **INDEX TO BUSINESS PAPER**

<b>ITEM</b>	<b>PRECIS</b>	<b>PAGE</b>
ITEM 1	APOLOGIES	3
ITEM 2	OPENING PRAYER	3
ITEM 3	TRADITIONAL LANDS ACKNOWLEDGEMENT	3
ITEM 4	DECLARATION OF INTERESTS	3
ITEM 5	QUESTION TIME	3
ITEM 6	PUBLIC ACCESS	3
ITEM 7	CONFIRMATION OF MINUTES	3
7.1	CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING HELD ON 8 DECEMBER 2014	3
7.2	CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING HELD ON 21 JANUARY 2015	5
ITEM 8	MAYORAL MINUTE	6
ITEM 9	NOTICES OF MOTION	6
9.1	RESCISSION MOTION; CRS CREEDY, DWYER & WILSON - SIMPKINS CREEK RADIO REPEATER	6
9.2	NOTICE OF MOTION -- CR JOHN BURLEY; KYOGLE SHOW TRUST HOT WATER SYSTEM	8
9.3	NOTICE OF MOTION -- CR CHRIS SIMPSON; AMEND LONG TERM FINANCIAL PLAN TO REPLACE BRIDGES IDENTIFIED FOR CLOSURE	10
9.4	NOTICE OF MOTION -- CR LINDSAY PASSFIELD; INVESTING POTENTIAL SAVINGS IN INFRASTRUCTURE BACKLOG	14
ITEM 10	QUESTIONS WITH NOTICE FROM COUNCILLORS	16
ITEM 11	DELEGATES REPORTS	16
ITEM 12	INFORMATION PAPERS	16
12.1	COUNCIL RESOLUTIONS REQUIRING ACTION	16

12.2	FINANCIAL REPORT -- JANUARY 2015	18
ITEM 13	GENERAL MANAGER'S REPORT	20
ITEM 13A	TECHNICAL SERVICES REPORT	20
13A.1	HEARDS BRIDGE, GRADYS CREEK ROAD	20
13A.2	BARRETT'S BRIDGE, DUCK CREEK ROAD	22
ITEM 13B	PLANNING SERVICES REPORT	25
13B.1	DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 27 NOVEMBER 2014 TO 30 JANUARY 2015	25
ITEM 13C	ENVIRONMENT SERVICES REPORT	27
ITEM 13D	CORPORATE SERVICES REPORT	27
13D.1	DECEMBER 2014 QUARTERLY BUDGET REVIEW	27
13D.2	REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN	31
13D.3	AMENDED DELIVERY PROGRAM 2014/2018 OPERATIONAL PLAN 2014/2015	32
13D.4	INTERNAL AUDIT COMMITTEE	35
November 2012		36
ITEM 13E	COMMUNITY SERVICES REPORT	38
ITEM 13F	GENERAL MANAGER'S REPORT	38
ITEM 14	URGENT BUSINESS WITHOUT NOTICE	38
ITEM 15	QUESTIONS FOR NEXT ORDINARY MEETING	38
ITEM 16	CONFIDENTIAL BUSINESS PAPER	38
APPENDIX / ATTACHMENTS		Error! Bookmark not defined.

- 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 ORDINARY MEETING HELD  
ON 8 DECEMBER 2014**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

**Summary/Purpose**

A copy of the Minutes for the Ordinary Meeting held on 8 December 2014 is included in the attachments to the business paper.

**Community Strategic Plan Item(s)**

- Governance and Community Service

**Recommendation**

That the Minutes of the Ordinary Meeting held on 8 December 2014 be adopted.

**Attachments**

1. Minutes of the Ordinary meeting held on 8 December 2014 (separately attached).
-





## **7.2 CONFIRMATION OF THE MINUTES OF THE EXTRAORDINARY MEETING HELD ON 21 JANUARY 2015**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

### **Summary/Purpose**

A copy of the Minutes for the Extraordinary Meeting held on 21 January 2015 is included in the attachments to the business paper.

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

- Governance and Community Service

### **Recommendation**

That the Minutes of the Extraordinary Meeting held on 21 January 2015 be adopted.

### **Attachments**

1. Minutes of the Extraordinary meeting held on 21 January 2015 (separately attached).

**ITEM 8      MAYORAL MINUTE**

Nil.

**ITEM 9      NOTICES OF MOTION**

**9.1   RESCISSION MOTION; CRS CREEDY, DWYER & WILSON - SIMPKINS  
CREEK RADIO REPEATER**

**REPORT BY:   GENERAL MANAGER'S OFFICE**

**CONTACT:     GENERAL MANAGER ARTHUR PIGGOTT**

---

**Summary/Purpose**

This report is provided in response to a Rescission Motion from Councillors Janet Wilson, Maggie Creedy, and Robert Dwyer received on 28 January 2015.

**Community Strategic Plan Item(s)**

- Governance and Community Service
- Roads and Infrastructure
- Environmental and Planning

**Report**

A copy of the Rescission Motion follows;



## RESCISSION MOTION

I, Councillors Janet Wilson, Maggie Creedy, and Robert Dwyer hereby give notice to rescind the following decision carried at the 8 December 2014 Ordinary Meeting:

That Council advise Transgrid that it is not prepared to grant the subject easement at this time because the interests and concerns of the neighbouring ratepayer have not been adequately addressed.

**And be replaced by the following:**

That Council accepts \$35,000 plus professional costs from TransGrid to establish an easement for the erection of a radio repeater on Richmond Range Road

Signed: *Maggie Creedy*

Signed: *Robert Dwyer*

Signed: *Janet Wilson*

Date: 28/1/2015.

Note:

1. The Rescission Motion must be signed and delivered to the General Manager before 12 noon on the Monday preceding the meeting.
2. The Rescission Motion must be signed by three members (Sec 372(4)) and must be delivered to the General Manager prior to the motion being acted upon.

### Recommendation

That Council determine the Rescission motion.

## **9.2 NOTICE OF MOTION -- CR JOHN BURLEY; KYOGLE SHOW TRUST HOT WATER SYSTEM**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

### **Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor John Burley for the Ordinary meeting to be held on 9 February 2015.

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

- Village Life
- Governance and Community Service

### **Report**

A copy of the Notice of Motion follows;



## NOTICE OF MOTION

**I Councillor, John Burley, hereby give notice that at the next Ordinary Meeting of Council I will move;**

That the Kyogle Show Trust be allocated a total of \$2450 for the purchase and installation of a zip boiler unit and a hot water heater.

Signed:

*J. Burley*

Date:

*28-01-2015*

### **Councillor comments:**

The Kyogle Show Trust run a number of events however the hot water system currently in the canteen does not work efficiently nor does it heat rapidly during periods of high usage which is not cost effective.

The Kyogle Show Trust wish to install a new 250 litre hot water heater in the switch room and a 5 litre boiler unit in the Canteen area. Labour, materials and the purchase of the units are included in the figure above.

Although the current Futures Funding has been virtually exhausted, the Futures Fund has some monies outstanding from previous years which have rolled over into 2014/2015. The \$2450 could be sourced from this rolled over funding.

### **Recommendation**

Not required. Outlined in Notice of Motion.

### **9.3 NOTICE OF MOTION -- CR CHRIS SIMPSON; AMEND LONG TERM FINANCIAL PLAN TO REPLACE BRIDGES IDENTIFIED FOR CLOSURE**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

#### **Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor Chris Simpson for the Ordinary meeting to be held on 9 February, 2014.

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

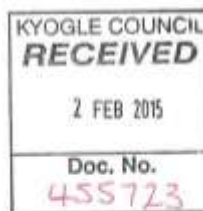
- Governance and Community Service
- Roads and Infrastructure

#### **Notice of Motion**

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



## NOTICE OF MOTION



**I Councillor Chris Simpson hereby give notice that at the next Ordinary Meeting of Council I will move;**

That Kyogle Council replace the seven (7) bridges that are listed to be *CLOSED* in the Long Term Financial Plan and amend the plan accordingly.

The bridges are: Alcorns Bridge on Ferndale Road; Andrews Bridge on Williams Road; Montgomerys Bridge on Iron Pot Creek Road; Mitchell Bride on Williams Road; Crane Bridge on Old Tweed Road; Baileys Bridge on Baileys Bridge Road and Hainleys Bridge on Culmaran Creek Road.

**Signed:**

*P. T. Simpson*

**Date:**

*2/2/2015*

### **Councillor comments:**

I was elected to Council on the platform of roads, bridges and safety within our community. Closing these bridges will have a drastic detrimental long term effect on our community.

### **Staff comments**

At the Ordinary Meeting of Council, 8 December 2014 Council resolved the following;

Councillor Lindsay Passfield moved, seconded by Councillor Janet Wilson:

1. That Council receives and notes the report, Long Term Financial Plan.
2. That Council adopts the Long Term Financial Plan 2015/2034 as per the advertised draft.
3. That Council amends the Delivery Program 2013-2017 and Operational Plan 2013-2014 as required to reflect the adopted Long Term Financial Plan 2015/2034 and place the amended documents on public display for a period of not less than 28 days.

4. That Council applies to IPART for a Special Variation –

Financial Year	15/16	16/17	17/18	18/19	19/20
General Rates (above rate pegging)	8.04 %	3.2%	3.2%	3.2%	3.2%
Storm Water Management Charges (above rate pegging)	250%	0.7%	0.7%	0.7%	0.7%

FOR VOTE - Janet Wilson, John Burley, Lindsay Passfield, Danielle Mulholland, Michael Reardon, Maggie Creedy  
 AGAINST VOTE - Ross Brown, Chris Simpson, Bob Dwyer

The Office of Local Government's Meetings Practice Note states the following in regard to changing decisions;

**PART 6 - RESCISSION MOTIONS**

**6.1 Changing earlier decisions**

**6.1.1 How can councils change earlier decisions?**

Councils are able to change their decisions by way of a later decision. A motion to rescind or alter a resolution is the usual means of changing a council resolution. These motions must be notified in accordance with the Act (s.372(1)) and council's Meeting Code. Section 372(4) of the Act requires notice of a rescission motion to have the signatures of three (3) councillors if less than three (3) months has passed since the original resolution was made.

The motion conflicts with parts 1, 2 and 3 of the 8 December 2014 resolution and less than 3 months have passed since the original resolution. Therefore a notice of a rescission motion, signed by three Councillors should have been made prior to the notice of motion.

**Bridge Closures**

When the LTFP was being developed there were workshops held with Councillors to discuss the options to achieve long term sustainability of Kyogle Council. The income that Council receives, and is projected to receive, did not support the existing levels of service being provided or the asset management strategies that were in place.

One of the agreed strategies to address the funding shortfall was to provide a lesser level of service including not replacing nominated bridges once they were past their useful life i.e. routine maintenance is ineffective.



The bridges nominated for closure were considered on the basis of traffic, cost, alternate routes, etc. Attached is a list of the nominated bridges and considerations.

The cost to replace these bridges with single lane, conventional concrete bridges is \$4.5 million (2015 dollars). This represents 10% of the infrastructure backlog.

Note that Cranes Bridge on Old Tweed Road has been closed since 2006 following flood damage.

### **Recommendation**

That the Notice of Motion be ruled out of order by the Chair as it does not comply with Section 372 of the Local Government Act 1993.

### **Attachments**

Documents supporting nominated bridge closures.

#### **9.4 NOTICE OF MOTION -- CR LINDSAY PASSFIELD; INVESTING POTENTIAL SAVINGS IN INFRASTRUCTURE BACKLOG**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

##### **Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor Lindsay Passfield for the Ordinary meeting to be held on 9 February 2015.

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

- Governance and Community Service
- Roads and Infrastructure

##### **Report**

A copy of the Notice of Motion follows;



## NOTICE OF MOTION

KYOGLE COUNCIL <b>RECEIVED</b>
2 FEB 2015
Doc. No. 455906

I Councillor Lindsay Passfield hereby give notice that at the next Ordinary Meeting of Council I will move;

1. That Council holds a workshop before the March meeting of Council and that Management brings a report to the April 2015 meeting of Council on the potential to generate savings by changing the organisational structure
2. That Management brings a report to the March 2015 meeting of Council on the potential to, and implications of, abolishing the Futures Fund and Self Help Fund and redirecting uncommitted funds to infrastructure maintenance and replacement

Signed:

*L. Passfield*

Date:

2 FEB 15

### Councillor Comment:

Both of these motions are intended to identify savings which can be spent on Council's infrastructure backlog.

### Recommendation

Not required. Outlined in Notice of Motion.

**ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil.

**ITEM 11 DELEGATES REPORTS**

Nil.

**ITEM 12 INFORMATION PAPERS**

**12.1 COUNCIL RESOLUTIONS REQUIRING ACTION**

**REPORT BY: GENERAL MANAGER'S OFFICE**  
**CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

**Summary/Purpose**

This report presents to Council a list of Council resolutions requiring action as at 31 January 2015.

**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.

**Attachments**

1. Council resolutions requiring action as at 31 January 2015 (separately attached).



## 12.2 FINANCIAL REPORT -- JANUARY 2015

**REPORT BY: ADMINISTRATION AND COMMUNITY  
CONTACT: ACTING EXECUTIVE MANAGER ADMINISTRATION AND  
COMMUNITY JOHN WATKINS**

---

### **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 28 January, 2015. 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 information contained in the Monthly Financial Report – January 2015.

**Attachments**

1. Councillors Travel
2. Financial reports

**ITEM 13 GENERAL MANAGER'S REPORT**

**ITEM 13A TECHNICAL SERVICES REPORT**

**13A.1 HEARDS BRIDGE, GRADYS CREEK ROAD**

**REPORT BY: INFRASTRUCTURE WORKS**

**CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN**

---

**Summary/Purpose**

This report is to provide Council with an update on Heards Bridge on Gradys Creek Road.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Background Information**

Heards Bridge is a timber bridge located at chainage 5.064km on Gradys Creek Road. The existing bridge is a 24.3m, 2-span, single lane structure and currently has a 20t load limit in place

**Report**

On Wednesday 28 January 2015 a report was received by Council that Heards Bridge had suffered a collapse. An investigation revealed that the cross head on the central span had collapsed with the girders resting on the cross head bracing. The bridge was closed immediately.

An inspection of the bridge in early 2014 had revealed a structural issue with this member and a 20 tonne load limit was applied.

It is proposed to repair the bridge by replacing the cross head and driving galvanised steel relieving piles. Some other minor repairs will be undertaken at the same time which will extend the life of the bridge by at least 15 years.

Cost estimate for the work including extra signage and maintenance on Simes Road is \$78,500.

The bridge is expected to be reopened by 20 February 2015.

Closure information is on Council's web site, MyRoadInfo and all emergency services have been notified. Detour signage is in place.



## **Budget & Financial Aspects**

The 2014/15 budget had an allocation of \$300,000 to replace Boyles Bridge, Lynches Creek. This bridge is likely to receive other funding and \$220,000 of the original allocation has been reallocated to the replacement of Bagshaws Bridge on Connells Road. The remaining \$80,000 is recommended to be allocated to the repair of Heards Bridge. There will be no net change to the budget.

## **Recommendation**

1. That Council receives and notes the report, Heards Bridge, Gradys Creek Road.
2. That Council allocate the remaining \$80,000 on Boyles Bridge to the repairs on Heards Bridge.

## 13A.2 BARRETT'S BRIDGE, DUCK CREEK ROAD

**REPORT BY: INFRASTRUCTURE WORKS**

**CONTACT: EXECUTIVE MANAGER INFRASTRUCTURE WORKS JEFF BREEN**

---

### **Summary/Purpose**

This report is to provide Council with an update on Barrett's Bridge on Duck Creek Road.

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

- Roads and Infrastructure

### **Background Information**

Barrett's Bridge is a timber bridge located at chainage 9.785km on Duck Creek Road. The existing bridge is a 19.2m, 2-span, single lane structure and currently has a 20 tonne load limit in place. There are two further bridges on Duck Creek Road with load limits in place.

### **Report**

A comprehensive inspection on the structure was carried out on 24 June 2014 which included test boring structural members. At this inspection, the structure was found to be in poor condition. The following issues with the structure were identified:

- One girder in 1<sup>st</sup> span split
- Remaining girders in 1<sup>st</sup> span undersize
- The two centre piles in the pier in poor condition

Following this inspection, a 20 tonne load limit was applied to limit the risk of structural failure of the bridge and subsequent danger to the travelling public.

The current load limit on Duck Creek Road is causing issues with industry in the area, and in particular the harvesting of timber. A site meeting with concerned stakeholders was held in January 2015 to discuss possible options. During this inspection those present witnessed the performance of the structure under traffic; no one disputed the need for the load limit being in place.

No offers of contributions from affected heavy haulage stakeholders have been forthcoming as yet.

An ADF bridge has been allocated to this site. The allocated bridge is 25 m long to allow the bridge to be raised to minimise overtopping events.

*Option 1 Review the Load Limit and Seek Funding*

---

A review of the load limit on individual spans may be undertaken. Instead of a 20 tonne load limit applied to the whole bridge, the review may result in, say, a 15 tonne load limit per span.

A thorough assessment will be required prior to changing the load limit, however it is likely to be of minimal assistance due to issues with the pier.

This assessment is proposed to be conducted in-house, however if a third party assessment of the imposed load limit was required this would cost between \$10,000 and \$15,000.

No funding for the replacement of the bridge is allocated specifically in the 2014/15 Operational Plan however there is funding allocated for matching successful applications to the Federal Government's Bridge Replacement Program.

An application for funding for the replacement of Barretts Bridge is planned for the 2015/16 financial year.

#### *Option 2 Major Maintenance*

The estimated cost to carry out maintenance is \$85,000 for the bridge work and \$30,000 if a side track is required. The work would take approximately three weeks to complete.

Works will include the replacement of the four girders in span 1 and replacement of the pier.

The cost of this work cannot be covered in the current maintenance budget; further funds will be required.

#### *Option 3 Borrow/Provide Funds to Replace with ADF Bridge*

Barrett's Bridge is one of the 13 ADF bridges procured by Council. Based on estimates and progress with Campbells Bridge on Sextonville Road, the approximate cost to replace the bridge will be \$350,000 including road works associated with raising the bridge level.

The cost to carry out the major maintenance work is \$85,000 (excluding a bypass) with an annualised maintenance cost over the next 10 years of \$5000 pa. Total cost of upgrade and maintenance over the next 10 years is estimated to be \$135,000 in 2015 dollars.

External borrowing rates are currently around 6% with interest on investments held of around 3.2%. Interest paid on an external loan over 10 years at 6% is approximately \$265,000. Interest lost on provision of internal funds over a 10 year period at 3.2% is approximately \$130,000. These borrowings are not included in the approved Operational and Delivery Plan.

#### *Summary*

Barretts Bridge is not programmed to be replaced within the next 4 years unless external funding is realised. The bridge is on the top 30 priority replacement list and there is an ADF bridge allocated to this site.

The economic benefits to Kyogle Council are marginal when using internal funds to totally fund the replacement however there is significant potential economic benefit to some residents upstream of the bridge. It is estimated that there is a \$2 million timber resource in this area which cannot be transported over the bridge.

### **Budget & Financial Aspects**

The recommended actions will be subject to budgetary approval by Council

### **Recommendation**

1. That Council receives and notes the report, Barretts Bridge, Duck Creek Road.
2. That Council apply for funding from the Federal Government's Bridge Replacement Program or other relevant funding source and replace Barretts Bridge when funding becomes available.

**ITEM 13B PLANNING SERVICES REPORT**

**13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 27 NOVEMBER 2014 TO 30 JANUARY 2015**

**REPORT BY PLANNING AND ENVIRONMENT  
CONTACT ACTING EXECUTIVE MANAGER PLANNING AND ENVIRONMENT LACHLAN BLACK**

---

**Summary/Purpose**

This item presents to Council the Development Applications received, determined and outstanding for the period 27 November, 2014 to 30 January, 2015.

**Report**

Listings attached.

**Recommendation**

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

The information contained in the report Development Applications Received, Determined and Outstanding for the period 27 November, 2014 to 30 January, 2015 be received and noted.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 27 November, 2014 to 30 January, 2015 only in relation to DA.../... and DA.../.... In which Councillors ..... have declared an interest be received and noted.

**Attachments**

1. Development applications received, determined and outstanding for December 2014/January 2015
-



## **ITEM 13C ENVIRONMENT SERVICES REPORT**

Nil.

## **ITEM 13D CORPORATE SERVICES REPORT**

### **13D.1 DECEMBER 2014 QUARTERLY BUDGET REVIEW**

---

#### **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
- Roads and Infrastructure
- Village Life
- Economic Development
- Environmental and Planning
- Waste & Water

#### **Background Information**

##### Legislative Requirements

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

- (1) Not later than 2 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.

Section 407 of the Local Government Act 1993 which previously required the General Manager to report to Council on the extent which performance targets set by the Management Plan have been achieved during that quarter has been repealed.

## **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 Division has developed a set of minimum requirements and sample templates to assist councils in meeting their obligations as set out in legislation. The templates will facilitate progress reporting against the original and revised annual budgets at the end of a quarter.

The budget review documentation provided to Council will consist of a combination of the new Quarterly Budget Review Statement (QBR) as issued by the DLG. This will include;

Statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBR;

Budget Review Income and Expenses Statement

Budget Review Capital Budget

Budget Review Cash and Investments position

Budget Review Key Performance Indicators; and, Budget Review Contracts and Other Expenses

Councillors have also been provided with a document showing a report on the budget Management Plan. The document incorporates any adjustments made in previous reports to Council (eg. Revotes)

At the February 2012 Ordinary Meeting Council considered the Minutes of the Internal Audit Committee. One of the recommendations was in relation to the way the Quarterly Budget Review information is presented. Council resolved that:

1. That a written report be submitted with the Quarterly Budget Review when year to date Actuals vary from Original Budget by 10% or more.
2. That all Financial Reports presented to Council show:
  - a. the Original Budget figure as including revotes;
  - b. both Original and amended Budget figures; and
  - c. variances, both by period and cumulative, to Original Budget.

This information has again been incorporated into this review.

The documents for this quarterly review have again been presented in an amended format in accordance with this resolution.



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

Conclusion:

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

**Recommendation**

1. That the December 2014, Quarterly Budget/Management Plan Review Statement was received and noted.
2. That Council approve the variation of estimates contained in the table below:

<b>STATEMENT OF SIGNIFICANT VARIANCES DECEMBER QUARTER BUDGET REVIEW</b>		
<b>DETAILS</b>	<b>QUARTERLY ADJUSTMENT</b>	
	<b>INCOME</b>	<b>EXPENSES</b>
Community Buildings - Capital Grants & Contributions	17,000	
Community Buildings - Construction		17,000
Bridges - Contributions	27,500	
Bridges - Maintenance		27,500
Urban & Assets Administration - Recoveries		(68,862)
Plant Operations - Income	17,500	
Plant Operations - Sales	12,500	
Plant Operations - Purchases		30,000
<b>Totals</b>	74,500	5,638
	<b>Net Adjustment</b>	<b>68,862</b>

**Attachments**

1. December 2014 Budget Review (attached separately)



**Summary/Purpose**

This report presents the six monthly review of the Delivery Plan and Operational Plan to Council for information.

**Community Strategic Plan Item(s)**

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

**Background Information**

Under the Integrated Planning and Reporting requirements, Section 404(5) of the Local Government Act states as follows:

**Delivery Program**

“The general manager must ensure that regular progress reports are provided to council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months”

**Report**

The review information is included as a separate attachment to this report and provides an overview of all the programs included in the Delivery Program and the Operational Plan.

**Recommendation**

That Council receives and notes the 31 December, 2014, review of the Delivery Program and Operational Plan.

**Attachments**

1. Delivery/Operational Program Report as at 31 December, 2014 – separate attachment

**13D.3            AMENDED DELIVERY PROGRAM 2014/2018 OPERATIONAL  
PLAN 2014/2015**

**REPORT BY: GENERAL MANAGER  
CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

**Summary/Purpose**

This report presents the amended Delivery Program 2014/2018 and Operational Plan 2014/2015 as a result of Council's adoption of the Long Term Financial Plan 2015/2034 in December 2014. The amended Program and Plan has been on public display for the required 28 days with no submissions being received.

**Community Strategic Plan Item(s)**

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

**Background Information**

As part of the NSW Government's Integrated Planning and Reporting Framework, Councils are required to prepare and adopt a Delivery Program 2014/2018 and Operational Plan 2014/2015. This framework also requires the preparation and adoption of a Long Term Financial Plan (LTFP). With the adoption of the 20 year LTFP 2015/2034 in December 2014, that included the Special Variation, the existing Delivery Program and Operational Plan needed updating to include the revised figures for the future year's Capital Works and Operational Budgets that were included in the LTFP.

The Special Variation application must be lodged with IPART by Monday, 16<sup>th</sup> February 2015 and one of the required documents is the Delivery Program 2014/2018 and Operational Plan 2014/2015 as amended by the LTFP.

**Previous Council Consideration**

After extensive consultation with the local community in relation to the draft 20 year Long Term Financial Plan, Kyogle Council at its Ordinary Meeting of December 8, 2014 resolved by resolution number 081214/19;

*That Council adopts the Long Term Financial Plan 2015/2034 as per the advertised draft.*

*That Council amends the Delivery Program 2013-2017 and Operational Plan 2013-2014 as required to reflect the adopted Long Term Financial Plan 2015/2034 and place the amended documents on public display for a period of not less than 28 days.*

*That Council applies to IPART for a Special Variation [as per the adopted LTFP]–*

<i>Financial Year</i>	<i>15/16</i>	<i>16/17</i>	<i>17/18</i>	<i>18/19</i>	<i>19/20</i>
<i>General Rates (above rate pegging*)</i>	<i>8.04 %</i>	<i>3.2%</i>	<i>3.2%</i>	<i>3.2%</i>	<i>3.2%</i>
<i>Storm Water Management Charges (above rate pegging#)</i>	<i>250%</i>	<i>0.7%</i>	<i>0.7%</i>	<i>0.7%</i>	<i>0.7%</i>

*\*Rate Pegging assumed at 2.3% per year*

*#Rate Pegging for the Stormwater Charge is 0% for 2015/16 based on the fixed \$25 Stormwater Charge, then assumed at 2.3% rate pegging based on transfer to Special Rate in 2015/16*

## **Report**

This version of the Delivery Program 2014/2018 and Operational Plan 2014/2015 has been updated to reflect the budget provisions in the adopted Long Term Financial Plan 2015/2034, in accordance with the resolutions of Council. The changes made to this document include the following sections;

- Capital Works Projects/Asset Replacement
- Action Plans and Budgets

The following sections of the document remain as per the original document adopted in June 2014;

- Executive Summary
- Vision, Missions, & Values
- The Kyogle Council Area
- Councillors
- Organisational Structure
- Revenue Policy/Pricing Methodology
- Financial Management
- Financial Assistance/Donations
- Business or Commercial Activities

The amended Delivery Program 2014/2018 and Operational Plan 2014/2015 were placed on public display for a period of 28 days ending on Friday, 30 January 2015. Some minor changes to correct additions, etc. have been made to the attached document that were not included in the advertised copy.

## **Submissions**

Four submissions have been received within the comments period covering a range of subjects in relation to the Delivery Program 2014/18 and the amended Long Term

Financial Plan. A copy of the received submissions are provided to Councillors for their information as a confidential attachment to this report.

### **Recommendation**

That Council adopts the amended Delivery Program 2014/2018 and Operational Plan 2015/2015 as attached.

### **Attachments**

1. Amended Delivery Program 2014/2018 and Operational Plan 2014/2015
2. Submissions received on the amended Delivery Program 2014/2018 and Operational Plan 2014/2015 for Councillors only.

## **13D.4 INTERNAL AUDIT COMMITTEE**

**REPORT BY: ADMINISTRATION AND COMMUNITY  
CONTACT: GENERAL MANAGER ARTHUR PIGGOTT**

---

### **Summary/Purpose**

This report seeks a resolution of Council regarding the membership of the Internal Audit Committee.

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

- Governance and Community Service

### **Background Information**

An Internal Audit Committee was established by Council in December 2010.

The Division of Local Government (DLG) Internal Audit Guidelines (September 2010) describe internal audit as follows:

Internal audit is described as 'an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations.

It helps an organisation accomplish its objectives by bringing a systematic disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

Internal audit's role is primarily one of providing independent assurance over the internal controls and risk management framework of the council.

Management has primary day-to-day responsibility for the design, implementation, and operation of internal controls.

Internal audit has no direct involvement in day-to-day operations, but it has a direct functional relationship with the General Manager and the council. An effective internal audit function should evaluate and monitor the adequacy and effectiveness of the internal control framework as a minimum.

Risk management is also an essential part of a council's management and internal control framework. It looks at what risks the council may face and the best way to address these risks. Assessment and management of risk is central to determining internal audit activities.

Internal audit's core competencies are in the area of internal control, risk and governance.

Typically, internal audit's scope will include some or all of the following areas:

- Reliability and integrity of financial and operational information
- Effectiveness and efficiency of operations and resource usage
- Safeguarding of assets
- Compliance with laws, regulations, policies, procedures and contracts
- Adequacy and effectiveness of the risk management framework.

### **Previous Council Consideration**

In December 2010 Council resolved to establish an Internal Audit Committee. The Membership of the Committee was to be 1 Councillor (excluding the Mayor) and 2 independent members, at least one with financial expertise

At the October 2012 meeting Council resolved to expand the membership to include two Councillors (Clr Mulholland and Clr Simpson)

### **November 2012**

Moved by Councillor Lindsay Passfield, seconded by Councillor Danielle Mulholland

.

1. That the report on the Internal Audit Committee was received and noted
2. That the membership of the Internal Audit Committee be two (2) Councillors (excluding the Mayor) and 3 independent members, at least one with financial expertise
3. That Mr Andrew Stevens and Mr John Watkins be appointed to the Internal Audit Committee up to and including 31 December 2014 (subject to their acceptance)
4. That Council call for a public expression of interest for an additional independent member for the Internal Audit Committee

### **September 2014**

At the September Council Meeting Councillors Mulholland and Creedy were appointed to the Internal Audit Committee.

### **October 2014**

A report was presented advising Cr Creedy has reconsidered her position and no longer wishes to be a member of the Internal Audit Committee.

After reviewing the guidelines issued by the Division of Local Government regarding membership, it is evident that a Councillor other than the Mayor is required.

At the October meeting Clr Wilson was appointed to the Committee and it was also resolved that the Internal Audit Committee be requested to provide a report detailing the improvements they have been able to generate within Council's financial management practices.



## **Report**

The Chairperson of the Committee John Watkins submitted a letter resigning from his position on the Committee on December 4, 2014. In response to Councils request for a report on improvements made the chairperson suggested that Council refer to the minutes. All minutes have been presented to Council.

Both the community representative appointments were until December 31, 2014. This means that there is currently not a committee and new members need to be appointed.

## **Budget & Financial Aspects**

Community members are paid a negotiated attendance fee and are entitled to claim for travel.

## **Recommendation**

That Council:

1. Receives and notes the report on the Internal Audit Committee Membership
2. Offer Mr Andrew Stevens an extension on his membership to December 2016.
3. Advertise the vacant Community position/s.
4. Consider all applications received at a further meeting.

**ITEM 13E COMMUNITY SERVICES REPORT**

Nil.

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

Nil.

**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

**ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING**

**ITEM 16 CONFIDENTIAL BUSINESS PAPER**

Nil.