



KYOGLÉ COUNCIL

EXTRAORDINARY COUNCIL MEETING AGENDA

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

ON MONDAY, 29 JUNE, 2015

Commencing at 5pm

ACTING 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 Extraordinary Council Meeting to be held at the Kyogle Council Chambers, on Monday, 29 June, 2015 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 | Reports from General Manager |
| Item 6 | Urgent Business Without Notice |

GRAHAM KENNETT
ACTING 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),
ACTING GENERAL MANAGER.

COUNCIL MEETING AGENDA

Monday 29 June 2015

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- ITEM 1 APOLOGIES**
- ITEM 2 OPENING PRAYER**
- ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**
- ITEM 4 DECLARATION OF INTERESTS**

ITEM 5 GENERAL MANAGER'S REPORTS

5.1 FIT FOR THE FUTURE RURAL COUNCIL TEMPLATE SUBMISSION FOR ADOPTION

REPORT BY: ACTING GENERAL MANAGER

CONTACT: ACTING GENERAL MANAGER GRAHAM KENNETT

Summary/Purpose

This report presents the Fit for the Future (Rural Council Template) submission to the Office of Local Government for adoption by the due date of 30th June 2015.

Community Strategic Plan Item(s)

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

Previous Council Consideration

Council adopted the Draft submission at an extraordinary meeting in May 2015 for placement on public display for 28 days, inviting the public to comment.

Report

Submissions

Submissions in relation to Council's Draft Fit for the Future Rural Council Proposal were invited through notices in the Express Examiner, Council's Web Site the Kyogle Council Newsletter and various Media Releases. The closing date for submissions was June 23, 2015. Copies of submissions received during the exhibition period have been provided to Councillors as confidential information and included in the attachments to this business paper as a separate report summarising submissions received and providing corresponding comments from staff on matters raised in these submissions.

Changes to Documents Adopted for Public Exhibition

Due to some alterations of the Long Term Financial Plan, as a result of changes made to the Delivery and Operational Plan, some figures within various tables were altered to ensure the correlation between these documents and the submission were consistent. There were also changes required to provide additional information required following the IPART assessment methodology being finalised.

The resultant changes were minor with the effected changes summarised as follows:

- Pages 5 & 6 – additional information added to dot points 3, 4, 5, 6 and 8.
- Pages 7 & 8 – additional information added to Strengths, Opportunities and Threats.
- Pages 9 & 10 – additional lines added to the Sustainability table to include performance figures for “General Fund with FAGs”.
- Pages 11 to 20 – the graphs were consolidated to improve readability and revised to include the additions of the FAGs to the Own Source Revenue graphs. The commentary was updated to include reference to the extra FAGs information being included and removed references to the graphs that were removed from the document.
- Page 43 & 44 – as per IPART’s final assessment methodology, extra information requirements were added to Template three – Rural Council Template. This included the addition of two extra years of performance ratio information (2014/15 and 2015/16) for all benchmarks and the addition of five extra years of performance ratio information (2020 to 2025) for the Operating Performance Ratio and Own Source Revenue. An additional information line was also included to reflect the effect of the inclusion of the FAGs on Council’s Own Source Revenue Ratio.

Recommendation

1. That Council receives and notes the report on Fit for the Future - Rural Council Proposal draft submission.
2. That Council adopts the Fit for the Future - Rural Council Proposal for Kyogle Council for submission to IPART by the 30th June 2015 due date.

Attachments

1. Fit for the Future - Rural Council Proposal for Kyogle Council.

5.2 DELIVERY PROGRAM 2015/19 & OPERATIONAL PLAN 2015/16 FOR ADOPTION

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

Summary/Purpose

This report presents the 2015/2019 Delivery Program and 2015/2016 Operational Plan for adoption following the period of public exhibition.

Community Strategic Plan Item(s)

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

Report

Making of Rates and Charges

Council must, after consideration of any submissions, formally make all rates and charges to enable levies to be effected.

It should be noted that the general rates advertised in the Revenue Policy have been calculated so as to include the IPART approved special rate variation for General Rates and the new Stormwater and Flood Special Rate, a total increase of 12.43% for the 2015/2016 rating year

Adoption of Fees

Fees may be charged under Section 608 for any services Council provides, other than a service provided, or proposed to be provided, on an annual basis for which it is authorised or required to make an annual charge under section 496 or 501 of the Act. In accordance with Section 610F of the Local Government Act 1993, the proposed fees for the various services provided or intended to be provided by Council over the period 1 July, 2015 to 30 June, 2016.

In the attached 2015/2016 Fees and Charges schedule all Statutory Fees that are set by legislation has been identified using a yellow highlight.

Borrowings

Outlined in the Revenue Policy of the Delivery Program and Operational Plan are details of borrowings proposed to be undertaken during the 2015/2016 year. The proposed borrowings for 2015/2016 includes a General Fund loan of \$10,000,000 which is detailed in Council's adopted Long Term Financial Plan and will be repayable over 10 years.

Section 621 of the Local Government Act 1993 authorises Council to borrow at any time for any purpose under the Act. Section 624 allows the Minister for Local Government to impose borrowing limitations or restrictions from time to time. Kyogle Council does not have any limitations or restrictions imposed by the Minister.

Submissions

Submissions in relation to Council's Draft Delivery Program 2015/2019 and Operational Plan 2015/2016 were invited through notices in the Express Examiner, Council's web site the Kyogle Council Newsletter and various media releases. The closing date for submissions was June 23, 2015. A total of six submissions were received covering both the Delivery Program and Operational Plan and Council's Fit for the Future submission.

Details of the matters raised in submissions and the staff responses are provided in a separate attachment to the report. Council also undertook a series of public meetings during the advertising period. The notes from those meetings held in Bonalbo, Woodenbong and Kyogle are also provided in a separate attachment to this report.

Changes to Documents Adopted for Public Exhibition

Delivery Program 2015/2019 and Operational Plan 2015/2016

- Page 7 – changed wording from “tried” to “has taken every opportunity” “to engage the community...”.
- Page 8 & 14 – replaced “General Manager Arthur Piggott” with Acting General Manager Graham Kennett”.
- Page 16 – Commercial Waste & Landfill Management Charges – Additional Commercial Waste Service – changes Rate Per Service from \$412.00 to \$414.00.

Fees and Charges 2015/2016

- Page 12 – Lifetime Registration Fees (Statutory Fee) – changed after advice of increase to the Companion Animals Regulation.

Compliance

Council has advertised its Draft Delivery Program 2016/2019/Operational Plan 2015/2016 in accordance with the provisions of Section 404 and 405 of the Local Government Act 1993, and has considered submissions to its draft documents in accordance with Sections 404 and 405 of that Act.

Recommendation

1. That Council adopt the amended Draft Delivery Program 2015/2019 and Operational Plan 2015/2016 incorporating any editing changes, alterations to strategies, budget estimates or fees and charges, as necessary to take affect to resolutions made during the consideration of this report;
2. That a Farmland Rate, to be known as the “Farmland Rate” of 0.315092 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$220.00 which is expected to yield 15% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

3. That a Residential Rate, to be known as the “Residential Rate” of 0.603587 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$220.00 which is expected to yield 44.7% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
4. That a Residential Rate, to be known as the “Residential – Kyogle” Rate of 0.853564 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$235.00 which is expected to yield 22.8% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
5. That a Residential Rate, to be known as the “Rural Residential Rate” of 0.442007 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$220.00 which is expected to yield 22.6% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Business Rate, to be known as the “Business Rate” of 0.438648 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$220.00 which is expected to yield 43.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
7. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.816068 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$235.00 which is expected to yield 15.1% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;

8. That a Stormwater and Flood Special Rate, to be known as the “Stormwater and Flood Residential” Rate of 0.0344 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the category of Residential and the sub-category of Residential - Kyogle in accordance with Sections 516 and 529 of the Local Government Act 1993, that is developed land and not able to be defined as vacant land subject to a minimum amount of \$86.00 in accordance with Section 548 of the Local Government Act 1993;
9. That a Stormwater and Flood Special Rate, to be known as the “Stormwater and Flood Business” Rate of 0.0344 cents in the dollar on the Land Value be now made for the rating year 1 July 2015 to 30 June 2016 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the category of Business and the sub-category of Business - Kyogle in accordance with Sections 518 and 529 of the Local Government Act 1993, that is developed land, not able to be defined as vacant land, subject to a minimum amount of \$86.00 in accordance with Section 548 of the Local Government Act 1993;
10. That the following Water Supply Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$107.00
• 20mm Connection	\$344.00
• 25mm Connection	\$538.00
• 32mm Connection	\$881.00
• 40mm Connection	\$1,376.00
• 50mm Connection	\$2,150.00
• 80mm Connection	\$5,504.00
• 100mm Connection	\$8,600.00
• Fire Service Connection	\$344.00

Consumption Charges

Consumption up to 200kL usage	\$1.50 per kL
Consumption above 200kL usage	\$1.90per kL
Home Dialysis allocation first 100 kL	no charge

9. That the following Residential Sewerage Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge	\$662.00
Vacant Annual Sewerage Charge	\$107.00

10. That the following Non Residential Sewerage Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of \$606.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• Vacant property	\$107.00
• 20mm Connection	\$261.00
• 25mm Connection	\$407.00
• 32mm Connection	\$668.00
• 40mm Connection	\$1,044.00
• 50mm Connection	\$1,631.00
• 80mm Connection	\$4,176.00
• 100mm Connection	\$6,525.00

Consumption Charges

\$1.03 per kl

11. That the following Trade Waste Charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers with pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$1.03

(b) Trade Waste – Dischargers without pre-treatment

Annual Trade Waste Fee	\$84.00
Re-inspection Fee	\$68.00
Consumption Charge	\$3.00/kL

(c) Trade Waste – Large dischargers (over 20kl/d)

Annual Trade Waste Fee	\$480.00
Re-inspection Fee	\$68.00
Excess mass charges	(detailed in Fees and Charges)

(d) Trade Waste – Discharges with a sewerage dump point

Annual Trade Waste Fee	\$588.00
Re-inspection Fee	\$68.00

12. That the following Domestic Waste Management charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 496 and Sections 501, 502 and 503 of the Local Government Act 1993;
- Waste Management Service availability charge \$50.00
(all rateable properties within the Kyogle LGA garbage collection service area)
 - Occupied Premises \$450.00
 - Additional Domestic Waste Service \$400.00
13. That the following Commercial and Other Waste charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 501 of the Local Government Act 1993;
- Commercial Properties \$464.00
 - Landfill Management Charge \$38.00
(all rateable properties outside the garbage collection area)
 - Additional Commercial Waste Service \$414.00
14. That the following On Site Sewerage Management charges be made for the rating year 1 July 2015 to 30 June 2016, in accordance with Section 501 of the Local Government Act 1993;
- OSMS Annual Charge \$39.00
15. That Council set the Rate of Interest, to apply for the rating year 1 July 2015 to 30 June 2016, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 6% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;
16. That Council adopt the Schedule of Fees and Charges contained in the Draft 2015/2016 Fees and Charges, as amended, in accordance with Sections 608, 609 and 610 of the Local Government Act 1993;
17. That Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

Attachments

1. Draft Delivery Program 2015/2019 and Operational Plan 2015/2016
2. Draft 2015/2016 Fees and Charges
3. Public Submissions Received on Delivery Program 2015/2019 and Operational Plan 2015/2016, and Council's Fit for the Future Rural Template Submission
4. Notes from the Public Meetings held at Woodenbong, Bonalbo and Kyogle on the Delivery Program 2015/2019 and Operational Plan 2015/2016, and Council's Fit for the Future Rural Template Submission

ITEM 6 URGENT BUSINESS WITHOUT NOTICE

KYOGLE COUNCIL



ATTACHMENTS

EXTRAORDINARY COUNCIL MEETING

ON MONDAY, 29 JUNE, 2015