



# **KYOGLÉ COUNCIL**

## **EXTRAORDINARY MEETING AGENDA**

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

**ON MONDAY, 26 AUGUST, 2013**

**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 Extraordinary Meeting to be held at the Kyogle Council Chambers, on Monday, 26 August, 2013, 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 | Reports from General Manager      |
| Item 6 | 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

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Adopted by Council on October 21, 1991.  
Resolution 91 /G 1159

Note: Council Policy is for the Mayor or Chairperson to lead the Council Meeting in the Prayer at the start of the first Meeting of the day.

**Council acknowledges that this meeting is being held on the Traditional Lands of the Bundjalung people and we acknowledge elders, both past and present.**

Adopted by Council on 11 December 2006.  
Resolution 111206/21

## DISCLAIMER

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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.

# EXTRAORDINARY COUNCIL MEETING AGENDA

Monday, 26 August, 2013

## INDEX TO BUSINESS PAPER

ITEM	PRECIS	PAGE
ITEM 1	APOLOGIES	2
ITEM 2	OPENING PRAYER	2
ITEM 3	TRADITIONAL LANDS ACKNOWLEDGEMENT	2
ITEM 4	DECLARATION OF INTERESTS	2
ITEM 5	GENERAL MANAGER 'S REPORT	2
5.1	JUNE 2013 QUARTERLY BUDGET REVIEW	2
5.2	REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN	5
5.3	COMMUNITY STRATEGIC PLAN REVIEW	6
ITEM 6	CONFIDENTIAL BUSINESS PAPER	8
6.1	KYOGLE FLOOD MODIFICATION AND WATER SUPPLY AUGMENTATION	8
APPENDIX / ATTACHMENTS		9

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

Nil.

**ITEM 5      GENERAL MANAGER 'S REPORT**

**5.1    JUNE 2013 QUARTERLY BUDGET REVIEW**

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**Summary/Purpose**

This report arises out of the statutory requirement to conduct a review of budget performance and a review against targets identified in the Management Plan 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 requires the General Manager to report to Council on the extent which performance targets set by the Management Plan have been achieved during that quarter.

## **Report**

This quarter sees the continuation of the revised reporting format, the Quarterly Budget Review Statement for NSW Local Government issued by the Division of Local Government NSW Department of Premier and Cabinet.

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 (QBRS) as issued by the DLG as well as other additional information. This will include;

- 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;
- 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 combined budget and 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 about 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 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 June 2013, Quarterly Budget/Delivery Plan Review Statement be received and noted.
2. That the funds identified as revotes in the June 2013 budget review and shown in the attached table be incorporated into the 2013/2014 budget.

**Attachments**

1. June 2013 Budget Review Statement (separate attachment)
2. Table showing revotes to be included in the 2013/2014 budget (separate attachment)
3. Explanations of budget variances (separate attachment)



## 5.2 REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN

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### 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 30 June 2013 review of the Delivery Program and Operational Plan.

### Attachments

1. Delivery/Operational Program Report as at 30 June 2013 – separate attachment

## 5.3 COMMUNITY STRATEGIC PLAN REVIEW

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### Summary/Purpose

This report seeks a resolution to commence procedures associated with the review of Council's Community Strategic Plan.

### Community Strategic Plan Item(s)

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

### Background Information

At the June 2013 Ordinary Council Meeting, Council endorsed the current 2025 Community Strategic Plan.

The Plan was formulated with the input, ideas and views of key stakeholders in the community, Kyogle's elected representatives and Council's senior management.

The purpose of the plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals.

Part of the process is to consider the issues and pressures that may affect the community and the level of resources that will realistically be available to achieve its aims and aspirations

Council must prepare and implement a Community Engagement Strategy based on social justice principles for engagement with the local community in developing and reviewing the Community Strategic Plan.

There is no standard format for the Community Engagement Strategy. It is up to each council to decide how the Strategy will be developed and implemented. There is however a general requirement to identify stakeholders and plan methods of engaging each of these groups.

How this is done will depend on the individual characteristics of the community, its existing relationship with Council and the time and resources available for the process.

It is often challenging to involve the community in planning processes, but it is important for the long-term success of the Community Strategic Plan that as many community members as possible are involved in its development.

## **Report**

The recent Sustainability and Benchmarking Report issued by the NSW Treasury Corporation (TCorp) dated March 2013, considered (based upon historic financial information and the most recent Long Term Financial Plan) Kyogle Council to be in a weak financial position primarily due to an asset funding shortfall.

The TCorp report recommended:

- Further improvements to the Long Term Financial Plan.
- The community's view on desired service levels need to be defined and agreed and incorporated into future editions of its Asset Management and Long Term Financial Plans
- Council is aware that if funding levels cannot be increased then reduced service levels will need to be agreed in consultation with the community and that Council will have to manage the associated risks involved

Additionally, the NSW Independent Local Government Review Panel in their draft report "Future Directions for NSW Local government – Twenty Essential Steps" dated April 2013 recommends that Kyogle Council consider amalgamation with Lismore and/or Richmond Valley Council(s).

It is therefore appropriate for Council, in consultation with our community, to review the basis of these recommendations and consider what action (if any) should be taken.

Staff has prepared a Draft Community Engagement Strategy along with other supporting information.

Stage One of the engagement process as outlined in the Strategy involves meeting with and distributing information to the Community in order to obtain feedback on current community views and priorities.

Attached to this report is a copy of the documentation prepared by staff.

## **Recommendation**

That Council adopt the "Sustaining our LGA" Community Engagement Strategy.

## **Attachments**

1. Draft "Sustaining our LGA" Community Engagement Strategy (separate attachment)

**ITEM 6      CONFIDENTIAL BUSINESS PAPER**

**6.1   KYOGLE FLOOD MODIFICATION AND WATER SUPPLY AUGMENTATION**

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**Reason for Confidentiality**

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage