



# **KYOGLÉ COUNCIL**

## **EXTRAORDINARY COUNCIL MEETING AGENDA**

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

ON MONDAY 28 OCTOBER 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 28 October, 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 | Notices of Motion                 |
| Item 6 | Reports from General Manager      |

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.

# COUNCIL MEETING AGENDA

Monday 28 October 2013

## INDEX TO BUSINESS PAPER

ITEM	PRECIS	PAGE
ITEM 1	APOLOGIES	Error! Bookmark not defined.
ITEM 2	OPENING PRAYER	Error! Bookmark not defined.
ITEM 3	TRADITIONAL LANDS ACKNOWLEDGEMENT	Error! Bookmark not defined.
ITEM 4	DECLARATION OF INTERESTS	Error! Bookmark not defined.
ITEM 5	NOTICES OF MOTION	5
5.1	NOTICE OF MOTION – COUNCILLOR LINDSAY PASSFIELD, FAR NORTH COAST WEEDS	5
5.2	NOTICE OF MOTION – COUNCILLOR DANIELLE MULHOLLAND, FAR NORTH COAST WEEDS	7
ITEM 6	GENERAL MANAGER'S REPORT	9
6.1	PRESENTATION FROM THE AUDITORS	9
6.2	2012-2013 FINANCIAL STATEMENTS	10
6.3	NSW LOCAL INFRASTRUCTURE RENEWAL SCHEME	13
APPENDIX / ATTACHMEN TS		

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

**ITEM 5      NOTICES OF MOTION**

- 5.1            **NOTICE OF MOTION -- COUNCILLOR LINDSAY PASSFIELD,  
FAR NORTH COAST WEEDS**
- 

**Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor Lindsay Passfield for the Extraordinary meeting to be held on 28 October 2013.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Report**

A copy of the Notice of Motion follows;



NOTICE OF MOTION



I, Councillor Lindsay Passfield, hereby give notice that at the Extraordinary Meeting of Council to be held on Monday 28 October, 2013, I will move;

That the Mayor be appointed to Far North Coast Weeds.

Signed: *L. Passfield* Date: *17 Oct 13*  
Signed: *M. Brown* Date: *17/10/13*  
Signed: *Janet Wilson* Date: *18/10/13*

Councillor comments:

**Recommendation**

For Council determination

**5.2 NOTICE OF MOTION -- COUNCILLOR DANIELLE MULHOLLAND,  
FAR NORTH COAST WEEDS**

---

**Summary/Purpose**

This item presents to Council a Notice of Motion received from Councillor Danielle Mulholland for the Ordinary meeting to be held on 11 March 2013.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Report**

A copy of the Notice of Motion follows;



NOTICE OF MOTION



I Councillor Danielle Mulholland hereby give notice that at the Extraordinary Meeting of Council to be held on Monday 28 October, 2013, I will move:

That an ordinary ballot be held to determine Council's representative on the Far North Coast Weeds Committee.

Signed: *[Signature]* Date: 17/10/13  
Signed: *[Signature]* Date: 17 OCT 13  
Signed: *[Signature]* Date: 17/10/13

Councillor comments:

**Recommendation**

For Council determination.



## **ITEM 6      GENERAL MANAGER 'S REPORT**

### **6.1   PRESENTATION FROM AUDITORS 2012-2013 FINANCIAL STATEMENT**

---

#### **Summary/Purpose**

This report introduces a presentation from Council's Auditors, Thomas Noble & Russell on the 2012/2013 Financial Statements.

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

- Governance and Community Service

#### **Report**

Mr Geoff Dwyer from Thomas Noble & Russell will provide a presentation and answer questions from Councillors.

#### **Recommendation**

That the Presentation from Council's Auditors Thomas, Noble & Russell on the 2012/2013 Financial Reports be received and noted.

## 6.2 2012 2013 FINANCIAL STATEMENTS

---

### Summary/Purpose

The purpose of this report is to present to Council, the Financial Statements for the year ended 30 June 2013 for adoption.

### Background Information

#### Legislative Requirements

Section 413(1) of the Local Government Act 1993 requires a Council to prepare financial reports for the year and refer them for audit within two months of the close of that accounting period. Under Section 413(2), the reports must include:

- A general purpose financial report;
- Any other matter prescribed in the regulations; and
- A statement in the approved form by the council as to its opinion on the general purpose financial report.

The Local Government (General) Regulation and the Local Government Code of Accounting Practice and Financial Reporting set out the format that these reports are to follow. They also require Council to include:

- A special purpose financial report;
- A statement in the approved form by the council as to its opinion on the special purpose financial report; and
- Special Schedules to meet the requirements of government and statistical bodies.

### Report

#### General Purpose Financial Reports

These reports have been distributed to Councillors under separate cover. These reports will be presented to the public at a later meeting.

The general purpose financial reports have been compiled on a consolidated basis in accordance with the Local Government Code of Accounting Practice and Financial Reporting and in accordance with current Australian Accounting Standards.

The general purpose financial reports are supported by a number of notes to the accounts, and a statement of significant accounting policies.

Council is also required to make a statement on its general purpose financial report under Section 413(2)(c) of the Local Government Act 1993. The Statement must be made by resolution of Council and be signed by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer. The Financial Statement

must be attached to the Financial Statements and be forwarded to the Council's Auditor for their attention. The report must indicate:

1. Whether the reports present fairly the Council's operating result and financial position for the year; and
2. Whether or not the reports accord with Council's accounting and other records

#### Significant Accounting Policies

Included as Note 1 to the general purpose reports are the proposed Significant Accounting Policies. These "policies" are broad statements which outline the approaches and practices adopted by Council during the accounting period. These policies must be adopted by Council along with the Financial Reports.

The policies presented do not represent any significant departure from practices adopted in previous years.

#### Special Purpose Financial Reports

The special purpose financial reports must be completed for all business activities of Council. Council's business activities must be nominated as either category 1 (gross operating turnover over \$2 million) or category 2 (gross operating turnover less the \$2 million).

Council is also required to make a statement on its special purpose financial report. The Statement must be made by resolution of Council and be signed by the Mayor, one other Councillor, the General Manager and the Responsible Accounting Officer. The Statement must be attached to the special purpose financial reports and be forwarded to the Council's Auditor for their attention. The report must indicate

1. Whether the reports present fairly the operating result and financial position of each of Council's declared Business Activities for the year; and
2. Whether or not the reports accord with Council's accounting and other records

#### Conclusion

The financial reports have been compiled in accordance with the Local Government Act, 1993 and the associated regulations, the Local Government Asset Accounting Manual, The Local Government Code of Accounting Practice and Financial Reporting and the Australian Accounting Standards.

#### **Recommendation**

That Council:

1. Adopts the 2012/2013 General Purpose Financial Report;
2. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the General Purpose Financial Report;
3. Adopts the 2012/2013 Special Purpose Financial Report;

4. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the Special Purpose Financial Report.

### **Attachments**

1. 2012/2013 Financial Statements (Draft document)

## 6.3 NSW LOCAL INFRASTRUCTURE RENEWAL SCHEME

---

### Summary/Purpose

This report is to provide information on an offer of funding from the NSW Government through the Local Infrastructure Renewal Scheme or LIRS.

### Community Strategic Plan Item(s)

- Waste & Water

### Background Information

The LIRS scheme was implemented by the NSW Government in 2011 as part of its Local Infrastructure Backlog Policy. The LIRS provides a 3% interest subsidy to assist Councils to cover the cost of borrowings associated with the delivery of critical infrastructure.

### Report

In December 2012 Council lodged an application for funding under Round 2 of the LIRS, for the Kyogle Water Supply Augmentation. Council was notified that it had been successful in August 2013 through the Department of Premier and Cabinet, Division of Local Government. Council now has a formal Agreement that is required to be executed under Council seal as part of the requirements of the LIRS. A copy of the Agreement is included in the attachments to this report.

The LIRS subsidy provides for reimbursements of the 3% interest subsidy payments on the loan of \$2,000,000, with a total value of \$345,109 over the ten year life of the loan.

### Budget & Financial Aspects

The LIRS subsidy is to be applied to the \$2,000,000 loan planned for the Water Fund in the 2014/15 financial year. The loan, and the associated LIRS subsidy, is included in Council's Long Term Financial Plan and in the budgets and borrowings contained in Council's 2013/14 Operational and Delivery Plan. There are no budget amendments necessary with the acceptance of the LIRS funding, as this subsidy was included in the budget preparation.

### Recommendation

1. That the report on the NSW Local Infrastructure Renewal Scheme be received and noted.
2. That Council authorises the Mayor and General Manager to sign the Local Infrastructure Renewal Scheme Funding Agreement for Kyogle Water Supply Augmentation.

3. That Council authorises the Common Seal to be affixed to the Local Infrastructure Renewal Scheme Funding Agreement for Kyogle Water Supply Augmentation.

### **Attachments**

1. LIRS Agreement Kyogle Water Supply Augmentation