



# **KYOGLÉ COUNCIL**

## **ORDINARY MEETING AGENDA**

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

ON 11 MARCH 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 Ordinary Meeting to be held at the Kyogle Council Chambers, on Monday 11 March 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 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

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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

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### 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.

# ORDINARY MEETING AGENDA

Monday 11 March 2013

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**ITEM 1      APOLOGIES**

**ITEM 2      OPENING PRAYER**

**ITEM 3      TRADITIONAL LANDS ACKNOWLEDGEMENT**

**ITEM 4      DECLARATION OF INTERESTS**

Nil.

**ITEM 5      QUESTION TIME**

Nil.

**ITEM 6      PUBLIC ACCESS**

A request for public access has been received from:

- Kyogle Together

**ITEM 7      CONFIRMATION OF MINUTES**

**7.1 CONFIRMATION OF ORDINARY MINUTES**

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**Summary/Purpose**

A copy of the Minutes for the Ordinary Meeting held on 11 February, 2013 are 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 11 February, 2013 be adopted.



## **Attachments**

1. Minutes of the Ordinary meeting held on 11 February, 2013 (Separately attached)

### **ITEM 8 MAYORAL MINUTE**

Nil.

### **ITEM 9 NOTICES OF MOTION**

#### **9.1 NOTICE OF MOTION; COUNCILLOR DANIELLE MULHOLLAND - PERMANENT SPEED LIMITS IN FRONT OF BARKERS VALE SCHOOL & SURROUNDING RESIDENCES**

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#### **Summary/Purpose**

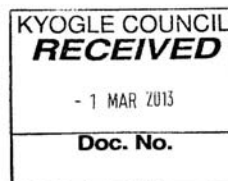
This item presents to Council a Notice of Motion received from Councillor Danielle Mulholland for the Ordinary meeting to be held on 11 March 2013.

#### **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 next Ordinary Meeting of Council I will move;**

That Council supports a request from the Barkers Vale Public School to introduce permanent speed limits in front of the school and surrounding residences and that a request be sent to Council's Road and Traffic Committee for consideration.

Signed: .....

Date: 1 March 2013

Note:

1. The Notice of Motion must be signed and delivered to the General Manager before 12 noon on the Tuesday preceding the meeting.

### Recommendation

For Council determination.

## **9.2 NOTICE OF MOTION - COUNCILLOR DANIELLE MULHOLLAND; GRIEVE'S CROSSING BRIDGE, THE RISK**

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### **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 next Ordinary Meeting of Council I will move;**

That Kyogle Council call for a report into the options and associated costs of repair and replacement of Bridge No. 59-1056 (Grieve's Crossing Bridge) at The Risk.

Signed: ..... 

Date: 4 March 2013

Note:

1. The Notice of Motion must be signed and delivered to the General Manager before 12 noon on the Monday preceding the meeting.

### **Recommendation**

For Council determination.

### **9.3 NOTICE OF MOTION - COUNCILLOR JANET WILSON; PROPOSAL FOR FUNDING FROM THE ANZAC CENTENARY PROGRAM 2014-2018**

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#### **Summary/Purpose**

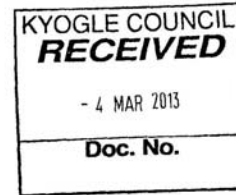
This item presents to Council a Notice of Motion received from Councillor Janet Wilson for the Ordinary meeting to be held on 11 March 2013.

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

- Governance and Community Service

#### **Report**

A copy of the Notice of Motion follows;



## NOTICE OF MOTION

### Background

"On 24 April 2012, the Prime Minister, Julia Gillard, and the Minister Assisting the Prime Minister on the Centenary of Anzac, Warren Snowdon, announced that the Government will provide \$83.5 million over seven years to implement the Anzac Centenary Program 2014 – 2018.

The package of commemorative events and initiatives is based on the recommendations of the National Commission and has been developed in consultation with the Anzac Centenary Advisory Board.

### **Anzac Centenary Working Groups Announced**

On 9 February 2012, the Minister Assisting the Prime Minister on the Centenary of Anzac, Warren Snowdon, announced the membership of the groups that will support the Anzac Centenary Advisory Board.

The group members are Australians from all walks of life and include historians, business leaders, Vice Chancellors, singers, teachers, artists and Victoria Cross recipients.

The groups are in the areas of:

- education and curriculum;
- military and cultural history;
- business;
- ceremonial and commemorations;
- youth; and
- engagement with state, territory and local government."

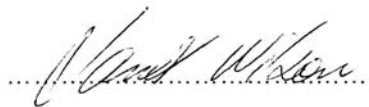
(Extracts from press release)

At this stage, the guidelines have not been announced but they are due shortly.

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

That council begin to develop a proposal for funding from the ANZAC Centenary Funding to upgrade the KMI hall( including the Foyer) to accommodate future activities of the creative industries by providing exhibition, display, storage and meeting spaces which support the cultural life of Kyogle .

Signed:



Date:

4 March 2013

Note:

1. The Notice of Motion must be signed and delivered to the General Manager before 12 noon on the Monday preceding the meeting.

## **Recommendation**

For Council determination.

**ITEM 10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil.

**ITEM 11 DELEGATES REPORTS**

Nil.

**ITEM 12 INFORMATION PAPERS**

**12.1 COUNCIL RESOLUTIONS REQUIRING ACTION**

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**Summary/Purpose**

This report presents to Council a list of Council resolutions requiring action as at 28 February 2013.

**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 the Council resolutions requiring action report be received and noted.

**Attachments**



1. Council resolutions requiring action as at 28 February 2013. (Separately attached)

## **12.2 FINANCIAL REPORT JANUARY 2013**

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### **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 February, 2013. 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 the information contained in the Monthly Finance Report – February 2013 be received and noted.

**Attachments**

1. Councillors Travel
2. Financial reports

## **12.3 MINUTES OF CORPORATE & COMMUNITY SERVICES COMMITTEE MEETING 25 FEBRUARY 2013**

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### **Summary/Purpose**

This report presents the minutes of the Corporate & Community Committee meeting held 25 February 2013.

### **Report**

The minutes of the meeting appear below:

#### **Kyogle Council**

**Unconfirmed Minutes of the Corporate & Community Services Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle on 25 February, 2013.**

#### **PRESENT**

Cr. Ross Brown (Mayor in the Chair), Cr Janet Wilson and Cr Chris Simpson.

#### **IN ATTENDANCE**

The General Manager, the Executive Manager Administration & Community, Fleet and Depot Co-ordinator and the Personal Assistant to Planning & Environmental Services.

#### **MEETING COMMENCEMENT**

The Mayor declared the meeting open at 2.31 p.m.

#### **ITEM 1 APOLOGIES**

An apology was received from Cr Danielle Mulholland

#### **RESOLVED**

Moved Councillor Chris Simpson, seconded Councillor Janet Wilson.

That the apology be accepted.

**CARRIED**

FOR VOTE – Chris Simpson, Janet Wilson, Ross Brown  
ABSENT. DID NOT VOTE – Danielle Mulholland, Robert Dwyer

#### **ITEM 2 OPENING PRAYER**

The Mayor read the opening prayer.

#### **ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Mayor acknowledged that the meeting was being held on the Traditional Lands of the Bundjalung people.

#### **ITEM 4 DECLARATION OF INTERESTS**

Nil.

#### **ITEM 5 REPORTS**

##### **5.1 COST OF ADDITIONAL HOURS - ROXY GALLERY COORDINATOR**

###### **RESOLVED**

Moved by Councillor Chris Simpson, seconded by Councillor Janet Wilson.

That the report on the expansion of hours for the Roxy Gallery Coordinator be received and noted.

**CARRIED**

FOR VOTE – Chris Simpson, Janet Wilson, Ross Brown  
ABSENT. DID NOT VOTE – Danielle Mulholland, Robert Dwyer

###### **RESOLVED**

A motion was moved by Councillor Janet Wilson, seconded Councillor Chris Simpson

That the Committee recommends to Council that the Roxy Gallery Coordinator hours be extended to 21 hours per week within the context of the 2013-14 budget.

**CARRIED**

FOR VOTE – Chris Simpson, Janet Wilson, Ross Brown  
ABSENT. DID NOT VOTE – Danielle Mulholland, Robert Dwyer

##### **5.2 PLANT BUDGET REPORT - JANUARY 2013.**

###### **RESOLVED**

Moved by Councillor Janet Wilson, seconded by Councillor Chris Simpson

That the Plant Budget Report be received and noted.

**CARRIED**

FOR VOTE – Chris Simpson, Janet Wilson, Ross Brown  
ABSENT. DID NOT VOTE – Danielle Mulholland, Robert Dwyer

###### **MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 2.49 p.m.

###### **Recommendation**

That the Minutes of the Corporate and Community Services Committee meeting held 25 February 2013 be received and noted.

## **12.4 SUMMERLAND WAY PROMOTIONAL COMMITTEE MEETING FEBRUARY 2013**

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### **Summary/Purpose**

This report provides to Council the minutes of the Summerland Way Promotional Committee meeting held at Kyogle on February 15, 2013.

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

- Roads and Infrastructure
- Economic Development

### **Report**

The minutes of the meeting appear in the attachments to the business paper.

### **Recommendation**

That the minutes of the Summerland Way Promotional Committee meeting held on February 15, 2013 be received and noted.

### **Attachments**

1. Minutes of Summerland Way Promotional Committee meeting February 15, 2013

**ITEM 13 GENERAL MANAGER 'S REPORT**

**ITEM 13A TECHNICAL SERVICES REPORT**

**13A.1 BORDER RANGES RALLY 2013**

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**Summary/Purpose**

This report presents a submission by the Gold Coast Tweed Motorsporting Club seeking Council's support for their annual Border Ranges Rally.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Report**

The Gold Coast Tweed Motorsporting Club has been running the Border Ranges Rally out of Woodenbong for a number of years. For the upcoming 2013 event they have proposed to expand the event to include stages based around Kyogle and a service park at Kyogle Showgrounds. This is in addition to the stages that have run previous years around the Woodenbong area.

As outlined in the attached submission the Gold Coast Tweed Motorsporting Club are requesting that Council supplies traffic control services and assistance with the preparation of the Hillyards Road Spectator Site. Also attached is the draft Event Overview and the Proposed Schedule for the 2013 Border Ranges Rally.

There appears to be no significant issues with the route proposed. Approval of the event is an operational process subject to consultation with NSW Police and other agencies which will be done through the LEMC.

**Budget & Financial Aspects**

As part of its Financial Assistance/Donations budget in 2012/13 Council allocated an amount of \$6,000 for this item. Due to the proposed expansion of the 2013 Border Ranges Rally, the cost to provide traffic control could be as high as \$20,000.

The estimated cost to provide services requested at the Hillyards Road Spectator point is \$5,000.

**Recommendation**

1. That the report on the proposed Border Ranges Rally 2013 be received and noted.

2. That Council agree in principle to the holding of the 2013 Border Ranges Rally Event.
3. That Council considers the inclusion of a \$10,000 budget for costs associated with the 2013 Border Ranges Rally as part of the development of the 2013/14 budget.
4. That Council's maintenance program be developed to ensure that each of the rally roads have a patch grade in the four weeks prior to the event.

### **Attachments**

1. Gold Coast Tweed Motorsporting Club submission
2. Draft Event Overview
3. Proposed Schedule for 2013 Border Ranges Rally (all separately attached)

**13A.2 TECHNICAL SERVICES COMMITTEE MEETING 25 FEBRUARY 2013**

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**Summary/Purpose**

This report presents the minutes of the Technical Services Committee meeting held 25 February, 2013.

**Community Strategic Plan Item(s)**

- Roads and Infrastructure

**Report**

The minutes of the meeting appear below;

**Kyogle Council**

**Unconfirmed Minutes of the Technical Services Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on February 25, 2012.**

**PRESENT**

Cr Ross Brown (Mayor in the Chair), Cr John Burley and Cr Lindsay Passfield.

**IN ATTENDANCE**

Cr Chris Simpson, The General Manager, the Executive Manager Urban Assets, the Acting Executive Manager Infrastructure Works and the Personal Assistant to Technical Services.

**MEETING COMMENCEMENT**

The Mayor declared the meeting open at 3:02pm

**ITEM 1 APOLOGIES**

An apology was received from Maggie Creedy.

**RESOLVED**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.

That the apology be accepted.

**CARRIED**

**ITEM 4 DECLARATION OF INTERESTS**

Nil.

**ITEM 5 REPORTS**

**5.1 WORKS REPORT**

**Committee's Recommendation**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.



That the Works Report be received and noted.

The motion was put to the vote and was CARRIED unanimously.

#### **Committee's Recommendation**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.

That a report be brought to Council identifying suitable locations for depth indicators and flood warning signage with associated costing.

The motion was put to the vote and was CARRIED unanimously.

### **5.2 QUARRIES REPORT**

#### **Committee's Recommendation**

Moved Councillor John Burley, seconded Councillor Lindsay Passfield.

That the quarries report be received and noted.

The motion was put to the vote and was CARRIED unanimously.

### **5.3 REQUEST TO EXTEND ROAD NETWORK - LOFTS PINNACLE ROAD**

#### **Committee's Recommendation**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.

1. That the report on the Request to Extend Road Network – Lofts Pinnacle Road be received and noted.
2. That Council authorises the General Manager to lodge an application to transfer the Crown Road to Council for Lofts Pinnacle Road up to the boundary of Lot 83 DP 755711.
3. That Council program Lofts Pinnacle Road for maintenance grading of the road between 1km and 2.5km from Kyogle Road within six months of the completion of the transfer of the Crown Road to Council.

The motion was put to the vote and was CARRIED unanimously.

### **5.4 BRIDGE NAMING - BAKERS BRIDGE**

#### **Committee's Recommendation**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.

1. That the report on Bridge Naming be received and noted.
2. That the name "Bakers Bridge" be adopted for the bridge at chainage 5.11km on Dyraaba Road.

The motion was put to the vote and was CARRIED unanimously.

### **5.5 NAMING OF NEW ROADS - CAWONGLA VIEWS ESTATE**

## **Committee's Recommendation**

Moved Councillor Lindsay Passfield, seconded Councillor John Burley.

1. That the report on Naming of New Roads – Cawongla Views Estate be received and noted.
2. That Council advertises for submissions from the public on the proposed road naming listed below;

**Road No.**

TBD

**Current Road Name or Description of Route**

The northernmost new road off Oxbow Road created as part of Stage 1 of Development Application 2011-45

**Proposed Road Name**

Blue Gum Place

**Reason**

Newly constructed road

**Road No.**

TBD

**Current Road Name or Description of Route**

The southernmost new road off Oxbow Road created as part of Stage 1 of Development Application 2011-45

**Proposed Road Name**

Silky Oak Place

**Reason**

Newly constructed road

The motion was put to the vote and was CARRIED unanimously.

## **MEETING CLOSURE**

There being no further business the Mayor declared the meeting closed at 3:21 p.m.

## **Recommendation**

1. That a report be brought to Council identifying suitable locations for depth indicators and flood warning signage with associated costing.
2. That Council authorises the General Manager to lodge an application to transfer the Crown Road to Council for Lofts Pinnacle Road up to the boundary of Lot 83 DP 755711.
3. That Council program Lofts Pinnacle Road for maintenance grading of the road between 1km and 2.5km from Kyogle Road within six months of the completion of the transfer of the Crown Road to Council.
4. That the name "Bakers Bridge" be adopted for the bridge at chainage 5.11km on Dyraaba Road.
5. That Council advertises for submissions from the public on the proposed road naming listed below;

**Road No.**

TBD

**Current Road Name or Description of Route**

The northernmost new road off Oxbow Road created as part of Stage 1 of Development Application 2011-45

**Proposed Road Name**

Blue Gum Place

**Reason**

Newly constructed road

**Road No.**

TBD

**Current Road Name or Description of Route**

The southernmost new road off Oxbow Road created as part of Stage 1 of Development Application 2011-45

**Proposed Road Name**

Silky Oak Place

**Reason**

Newly constructed road

## ITEM 13B PLANNING SERVICES REPORT

### 13B.1 DEVELOPMENT APPLICATIONS RECEIVED, DETERMINED AND OUTSTANDING FOR THE PERIOD 1 FEBRUARY 2013 TO 28 FEBRUARY 2013

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#### Report

2007/161

Property: Lot 1 DP 529272 Fairy Mount Parish, Rous County  
Address: Kyogle Rd Kyogle  
Applicant/Owner: Newton Denny Chapelle / GF & CJ Rogers  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Applicant to advise

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2010/58

Property: Lot 1 DP 17828 Fairy Mount Parish, Rous County.  
Address: Greer St Kyogle  
Applicant/Owner: GM Project Development & Management / C Viel & RC Endres  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting additional information

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2011/20

Property: Lot 13 DP 1081723 Fairy Mount Parish, Rous County.  
Address: Kyogle Rd Homeleigh  
Applicant/Owner: Coastline Building Certification / PJ & SJ Owen  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting additional information

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2011/102

Property: Lot 11 DP 1058287 Fairy Mount Parish, Rous County.  
Address: Andrew Street Kyogle  
Applicant/Owner: DW McNamara / McNamara & Tierney Pty Ltd  
Proposal: Change of use for landscaping/storage  
Received: Referred To DMP For Comment  
Status: Awaiting additional information

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2011/181

Property: Lot 51 DP 755719 Loadstone Parish, Rous County.  
Address: Gradys Creek Road Gradys Creek  
Applicant/Owner: Newton Denny Chapelle / SM Sherman  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting applicant's response to Council's letter

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2012/34

Property: Lot 11 DP 792536 Geneva Parish, Rous County.  
Address: Old Cob-O-Corn Road Horse Station Creek  
Applicant/Owner: Newton Denny Chapelle / PD & HA Grills  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2012/36

Property: Lot 11 DP 1058438 Boorabee Parish, Rous County.  
Address: Doohans Road Boorabee Park  
Applicant/Owner: JL Winslade  
Proposal: Dwelling As Built  
Received: Referred To DMP For Comment  
Status: Owner to provide information

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2012/39

Property: Lot 1 DP 122685 Boorabee Parish, Rous County.  
Address: Taveners Road Little Back Creek  
Applicant/Owner: MG Hughes  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2012/43

Property: Lot 2 DP 709493 Capeen Parish, Rous County.  
Address: Duck Creek Road Duck Creek  
Applicant/Owner: Riordans Consulting Surveyors / SR Barrett  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting response to information request

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2012/53

Property: Lot 1 DP 1132969 Hanging Rock Parish, Rous County.  
Address: Lofts Pinnacle Road Lillian Rock  
Applicant/Owner: Newton Denny Chapelle / TJ & LR Morris & NW & P Shedden  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting applicant's response to Council's letter

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2012/55

Property: Lot 21 DP 835051 Fairy Mount Parish, Rous County.  
Address: Summerland Way Kyogle  
Applicant/Owner: Kyogle Showground Trust / Kyogle Council  
Proposal: Kyogle Bazaar  
Received: Referred To DMP For Comment  
Status: Awaiting additional information from Applicant

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2012/63

Property: Lot 1 DP 445231 Wiangaree Parish, Rous County.  
Address: Collins Creek Road New Park  
Applicant/Owner: AD Hill

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Proposal:	Dwelling
Received:	Referred To DMP For Comment
Status:	Awaiting additional information from applicant
<hr/>	
2012/66	
Property:	Lot 13 DP 1112691 Wiangaree Parish, Rous County.
Address:	Summerland Way Kilgra
Applicant/Owner:	Newton Denny Chapelle / JE & BW Creighton
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Approved subject to conditions
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2012/69	
Property:	Lot 13 DP 1013228 Fairy Mount Parish, Rous County.
Address:	Green Pigeon Road Green Pigeon
Applicant/Owner:	PC & WL Poussart
Proposal:	Ecotourism / Health Retreat
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2012/70	
Property:	Lot 2 DP 263202 Jiggi Parish, Rous County.
Address:	Oxbow Road Cawongla
Applicant/Owner:	L Trantino & DM Trantino
Proposal:	Multiple Occupancy
Received:	Referred To DMP For Comment
Status:	Meeting held with applicant; awaiting additional information
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2012/74	
Property:	Lot 103 DP 1018683 Loadstone Parish, Rous County.
Address:	Fernhill Drive Gradys Creek
Applicant/Owner:	Newton Denny Chapelle / Ozwide Formwork Pty Ltd & AJ Parker
Proposal:	Subdivision & Dwelling house
Received:	Referred To DMP For Comment
Status:	Additional information received: Referred to Department of Planning
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2012/75	
Property:	Lot 72 DP 714059 Bonalbo Parish, Buller County.
Address:	Farm Road Bonalbo
Applicant/Owner:	Newton Denny Chapelle / R Karni & CL Miller
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting advice from Department of Planning
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2012/76	
Property:	Lot 3 Sec 4 DP 759111 Donaldson Parish, Rous County.
Address:	Lindsay Street Woodenbong
Applicant/Owner:	LK Whitford & GR English / KL Whitford
Proposal:	Bed & breakfast accommodation
Received:	Referred To DMP For Comment
Status:	Awaiting additional information from Applicant
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2012/79

Property: Lot 101 DP 781824 Fairy Mount Parish, Rous County.  
Address: Stratheden Street Kyogle  
Applicant/Owner: Bettina Pty Ltd / TE Calleja  
Proposal: Change of use  
Received: Referred To DMP For Comment  
Status: Awaiting additional information from Applicant

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2012/81

Property: Lot 103 DP 1173467 Hanging Rock Parish, Rous County.  
Address: Gabal Road Lillian Rock  
Applicant/Owner: BE Ransby & B Porter  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Referred to Rural Fire Service for concurrence

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2013/1

Property: Lot 17 DP 1172403 Fairy Mount Parish, Rous County.  
Address: Howard Court Kyogle  
Applicant/Owner: Unique Building Solutions / Nash Jarrett & Parrington  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2013/2

Property: Lot 1334 DP 793186 Hanging Rock Parish, Rous County.  
Address: Williams Road Lillian Rock  
Applicant/Owner: Newton Denny Chapelle / HP Byrne  
Proposal: Multiple Occupancy  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/3

Property: Lot 80 DP 6317 Fairy Mount Parish, Rous County.  
Address: Colin Street Kyogle  
Applicant/Owner: PA Lewis / PA Lewis & LL Woodrow  
Proposal: Dwelling  
Received: Referred To DMP For Comment  
Status: Approved subject to conditions

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2013/4

Property: Lot 101 DP 1113957 Capeen Parish, Buller County.  
Address: Clarence Way Bean Creek  
Applicant/Owner: Riordans Consulting Surveyors / RS Pierce  
Proposal: Subdivision  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/5

Property: Lot 13 DP 1016377 Geneva Parish, Rous County.  
Address: Afterlee Road Horse Station Creek  
Applicant/Owner: Riordans Consulting Surveyors / DK, HA & CJ Perry  
Proposal: Subdivision  
Received: Referred To DMP For Comment

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Status:	Awaiting DMP Comments
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2013/6	
Property:	Lot 20 DP 755744 Toonumbar Parish, Rous County.
Address:	Crossleys Road Afterlee
Applicant/Owner:	Riordans Consulting Surveyors / BK Perry
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2013/7	
Property:	Lot 2 DP 298392 Etrick Parish, Rous County.
Address:	Afterlee Road Afterlee
Applicant/Owner:	C Moore
Proposal:	Dwelling
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2013/8	
Property:	Lot 1 DP 709445 Dyraaba Parish, Rous County.
Address:	Theresa Creek Road Theresa Creek
Applicant/Owner:	BW Walker / BW & LG Walker
Proposal:	Dwelling additions
Received:	Referred to DMP For Comment
Status:	Awaiting DMP Comments
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2013/9	
Property:	Lot 1 DP 572171 Geneva Parish, Rous County.
Address:	Daleys Lane Geneva
Applicant/Owner:	Newton Denny Chapelle / GB, RJ & RA Daley
Proposal:	Subdivision
Received:	Referred o DMP For Comment
Status:	Awaiting DMP Comments
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2013/10	
Property:	Lot 92 DP 755706 Etrick Parish, Rous County.
Address:	Brown Knob Road, Eden Creek
Applicant/Owner:	Newton Denny Chapelle / R & JJ Hibbens
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2013/11	
Property:	Lot 11 DP 1105782 Runnymede Parish, Rous County.
Address:	13174 Summerland Way, Kyogle
Applicant/Owner:	Riordans Consulting Surveyors / CA & KA Woosley & DB Page
Proposal:	Subdivision
Received:	Referred To DMP For Comment
Status:	Awaiting DMP Comments
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2013/12	
Property:	Lot 312 DP 1115305 Peacock Parish, Buller County.
Address:	Peacock Creek Road, Gorge Creek
Applicant/Owner:	GJ Faulks / Faulks Holdings Pty Ltd



Proposal: Private Cemetery and Boundary Adjustment  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/13

Property: Lot 84 DP 755719 Loadstone Parish, Rous County.  
Address: Gradys Creek Road, The Risk  
Applicant/Owner: North Coast Asset Management /Department of School Education  
Proposal: Removal of Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/14

Property: Lot 1 DP 358872 Roseberry Parish, Rous County.  
Address: Summerland Way, Grevillia  
Applicant/Owner: LW Hoffman / Ladeb Pty Ltd  
Proposal: Replacement of Service Station & Dwelling  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/15

Property: Lot 21 DP 846492 Jiggi Parish, Rous County.  
Address: Cawongla Road, Cawongla  
Applicant/Owner: A Gautsch / A & G Gautsch-Rutter  
Proposal: Bed & Breakfast Accommodation  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

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2013/16

Property: Lot 2 DP 210310 Hanging Rock Parish, Rous County.  
Address: Lilly Pilly Lane, Barkers Vale  
Applicant/Owner: GM Louttit / GM Louttit  
Proposal: Dwelling Additions  
Received: Referred To DMP For Comment  
Status: Awaiting DMP Comments

## Recommendation

1. That, with the exception of the following items in which Councillors ..... and ..... have declared an interest,

- Cr..... 10B.1 Development Applications  
Received, Determined and Outstanding DA.../... - Reason for Declaration  
-
- Cr.....10B.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 1 February 2013 to 28 February 2013 be received and noted.

2. That the information contained in the report Development Applications Received, Determined and Outstanding for the period 1 February 2013 to 28 February 2013 only in relation to DA./... and DA./.... In which Councillors ..... have declared an interest be received and noted.

## **13B.2 WOODENBONG CARAVAN PARK**

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### **Summary/Purpose**

In response to a question put forward by Councillor Lindsay Passfield at the Ordinary Meeting of February 11, 2013, this report aims to present options for management and administration of Crown Reserve 81500 and the operation of the Woodenbong caravan park.

### **Background Information**

The Woodenbong caravan park and camping ground is situated on part of Crown Reserve 81500 (L 7008 DP 751059) that is owned and administered by the NSW Department of Primary Industries, Catchments and Lands. This crown reserve is an approximately 17ha parcel that also accommodates a sports ground, school agricultural plot, public toilets and picnic facilities and the Council operated Woodenbong pool. The caravan park is currently operated by the Woodenbong Progress Association. There is an existing development consent for the caravan park issued by Council. There are no current s68 approvals in place for operational aspects of the caravan park.

Crown Reserves are managed in accordance with the *Crown Lands Act 1989*. During 2009 in association with the State Land and Property Management Authority, Council developed a Crown Reserves Strategic Plan to guide management of the crown reserves in its LGA. Council's Crown Reserves Strategic Plan recommends that with respect to Crown Reserve 81500 that the tenures for all users be formalised. The Strategy also recommends that Reserve 81500 be added to the Council-managed Trust (Gateway to the Rainforest Reserves Trust). The Gateway to the Rainforests Reserve Trust is a Trust that is to be established and administered by Council to manage a number of key Crown Reserves in the LGA. The Trust and its governance and operational protocols have not yet been established due to staff resource constraints.

## Report

Planning and Environmental Services have sought advice from NSW Department of Primary Industries, Catchments and Lands on options to enable the Woodenbong Progress Association to formalise tenure of the area occupied by the caravan park.

The Department has advised that its preferred option is for Council to seek re-appointment as trustee of the reserve by adding Reserve 81500 to the portfolio of the Gateway to the Rainforests Trust. Council would need to make a resolution in its capacity as the appointed Manager of the Gateway to the Rainforests Trust to add Reserve 81500 to the Trust portfolio and ask the Minister to approve and make necessary arrangements to gazette its addition.

The Department considers that management of Reserve 81500 by the Gateway to the Rainforest Reserves Trust is a crucial first step to resolving the significant liability issues associated with the Progress Association activities on the reserve and will expand regulatory powers and clarify roles. The Department has advised that resolution of the long outstanding risk management issues involving community involvement on the reserve should take precedence over the village-based plan of management proposed in the Crown Reserves Strategic Plan.

The Department has advised that if the Reserve were to be brought under the management of the Gateway to the Rainforests Reserve Trust, management or operational options for the caravan park include;

1. A lease or licence to the Progress Association (or other operator) from the Crown (with consent of the Trust). The lessee/licensee retains all income. Rental would be at market value however where appropriate a community rebate may be applied. A net benefit to the reserve would need to be demonstrated. The onus would be on the lessee to ensure that all necessary planning requirements, approvals, insurance etc are in place. The lessee would be liable for local government rates and charges applying to the lease area.
2. A lease or licence to the Progress Association (or other operator) from the Trust. Terms are at the discretion of the Trust however Ministers consent is required. A net benefit to the Trust would need to be demonstrated. The onus would be on the lessee/licensee to ensure that all necessary planning requirements, approvals, insurance etc are in place. A lessee would be liable for local government rates and charges applying to the lease area.
3. The Trust operates the camping ground and uses the income to cover maintenance and development of the reserve. It is the responsibility of the Trust to ensure that all necessary approvals are in place. If necessary the Trust can consider a management contract with the Progress Association (or other operator) to operate the camping ground.

In accordance with the Crown Land management principles, any income derived from the caravan park should directly benefit the reserve. Therefore, any lease or

licence options require a business case that demonstrates a net benefit to the reserve.

Further discussion is required with the Progress Association and the Department of Primary Industries, Catchments and Lands to agree on a preferred approach for the management of Reserve 81500 and the Department has indicated its willingness to meet with Council.

### **Recommendation**

That the report Woodenbong Caravan Park be received and noted.

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

### **13C.1 WASTE VOUCHERS AND KERBSIDE RECYCLABLES PICK UP**

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#### **Summary/Purpose**

This report aims to present to Council the cost of providing three annual waste dumping vouchers to ratepayers who do not have a kerbside collection service and an annual free recyclables pick service to households who currently have a garbage service.

#### **Previous Council Consideration**

At its Ordinary Meeting of February 11, 2013 Council resolved;

- 1. That a report be provided to the March Ordinary Council meeting outlining the cost of including three vouchers with the first rate notice of the year to every household that does not currently have a garbage service, each voucher to the value of \$30.*
- 2. That a report be provided by to the March Ordinary Council Meeting outlining the cost of providing one free kerbside pick-up per year of recyclable rubbish to householders that currently have a garbage service.*

#### **Background Information**

Kyogle Council operates four waste facilities within its LGA: two landfills and two transfer stations. The two landfill facilities currently operate under environmental licences issued by the Environment Protection Authority of NSW. Under these environmental licences Council is required to pay a levy to the State Government on each ton of waste sent to landfill. The intent of the levy is to encourage resource

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recovery and recycling and reuse of waste materials. The levy paid by Council is currently \$42.40 per ton, from July 2013 the levy will increase by \$10 per ton. Operation of the waste facilities and transport and compaction of waste cost an additional \$66 per ton of waste. Therefore, the cost of disposing of one ton of waste at Council's landfill facilities is currently \$108.40.

Kyogle Council employs the services of Solo-Waste for kerb-side collection of waste and recycled materials through a split 240 litre bin system. Ratepayers who receive this service are charged \$416.00 per year. This money pays for the collection service and disposal in the landfill.

## **Report**

1. The estimated cost of including three vouchers with the first rate notice of the year to every household that does not currently have a garbage service, each voucher to the value of \$30.

### Cost

The cost of implementing the proposal would be the cost of managing and disposing of each ton of waste, currently \$108.40, multiplied by the number of rate payers who do not receive a garbage collection service (2092), multiplied by the potential amount of waste that would be received from voucher holders.

Three vouchers to the value of \$30.00 would allow each rate payer to dispose of approximately 1.2 tons of waste per year. Multiplying this by \$108.40 per ton equates to approximately \$130.08 dollars a year.

When this figure is multiplied by the 2092 rate payers who do not have a kerb-side collection service the figure is \$272,127.36. Therefore, the estimated potential cost to Council of introducing the voucher proposal is \$272,127.36 per year.

### Current benefits to self-haul disposal

Council currently offers a 50% reduction in waste disposal fees to people who self-haul waste to Councils facilities if the person can prove that 50% or more of their load can be recycled. People who self-haul are also able to dispose of e-waste, waste oils, batteries, ferrous and non-ferrous metals, CFLs, dry recyclables, waste tyres and plastics.

### Illegal dumping

Planning and Environment is aware that illegal dumping is an issue in the Kyogle LGA as it is in other LGAs. There are a number of policy options to reduce illegal dumping including making legal waste disposal as convenient and cost effective as possible however, this will never stop all illegal dumping.

2. The estimated cost of providing one free kerbside pick-up per year of recyclable rubbish to householders that currently have a garbage service.

### Cost

If the collection was conducted by Council staff, Workplace, Health and Safety requirements mean that a mini-excavator would be required to load deposited material. This would require 1 x traffic controller, one truck and driver and one mini-excavator and driver. The estimated cost would be as follows:

Persons 3x \$45 per/hour=\$135.00 /hour

Truck @ \$50.00 /hour

Excavator @ \$55.00 /hour

Total hourly rate for collection =\$240.00 /hour.

If it is assumed each pickup would take approximately 6 minutes and there are approximately 2212 premises in the LGA which would be eligible for the service, the cost could potentially be \$53,088.00 per year. This proposal would also generate costs associated with managing and storing the material at Council's facilities. Any material that could not be recycled would generate costs associated with the EPA waste levy and landfilling.

#### Potential issues

Contamination of recyclables when left at kerb side is generally higher than domestic collection services which may mean a significant proportion of collected material would require sorting or disposal to landfill. Additionally, it is considered there is the potential for people from outside the proposal area to deposit waste or recyclables at kerbside during clean up period. The scheme would need to clearly and strictly mandate the type and size of goods and materials to be deposited on the kerb to avoid these issues.

### **Budget & Financial Aspects**

Both proposed schemes carry financial implications for Council as identified above.

### **Recommendation**

1. That the Waste Vouchers and Kerbside Recyclables Pickup report be received and noted.
2. That Council investigate initiatives to manage waste and resource recovery in the most cost effective manner.

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

### **13D.1 REVIEW OF VEHICLE POLICY**

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#### **Summary/Purpose**

This report presents the reviewed Vehicle Policy to Council for adoption.

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

- Governance and Community Service

#### **Background Information**

The Vehicle Policy was last reviewed in 2011

#### **Previous Council Consideration**

In October 2012 a Sunset Committee to review the policy was established.

Councillor Robert Dwyer  
Councillor Chris Simpson  
Councillor Danielle Mulholland  
Councillor Michael Reardon.  
General Manager  
Director Corporate and Community Services  
Plant and Depots Coordinator  
2 Staff representatives (nominated by the General Manager Derryn Nix and Graham Love)

#### **Report**

The review committee has met twice and prepared a new draft policy.

A review of the policy was necessary due to changes in Fringe Benefit Tax (FBT) legislation and because there were clauses in the Local Government (State) Award 2010 that were not reflected in the policy.

The changes in the FBT legislation mean that additional contributions need to be paid by staff so that the Council is not subject to additional FBT costs. The new method of calculation will mean that a flat 20% of the purchase price will be payable each year by council as FBT.

It is also important to note that if the contribution made by staff for private use exceeds the FBT liability then no FBT is payable by Council on the vehicle. This enables the staff contribution to be used to fund private running costs.

Award provisions in relation to vehicles also need to be considered. The Award states that it is only possible to increase rates payable by staff by 10% or movement in CPI whichever is highest.

The Committee agreed that there is a need to be a focus on the type of vehicles purchased. As the FBT is now a flat 20%, there is a need to reduce the amount spent on vehicles and this will in turn reduce FBT payable.

It was discussed at the meeting buying less expensive vehicles such as Holden Captiva. It was also noted that there is a need to give staff appropriate notice of changes to the policy and contribution levels.

The new contributions are based on the purchase price multiplied by 20% for new employees or vehicle users.

For existing employees the fees are to be increased by 10% each year (Award requirement) until such a time as they catch up to the new calculation method. The annual increases will be applied from July 1 each year.

#### Summary of Changes to Policy

Page 5- Changed Senior Staff definition to Executive Staff to reflect changes to structure

Page 7 – Changed reference to Senior staff

Page 10 - Changed section on contributions calculation

Page 10- On-call Staff – this section of the policy was incorrect. It was intended to apply to staff who “do not” have an agreement for commuter use. The correct wording has now been added

Page 13 – Added Award Provisions in the variation section

Page 17 – 10.3.1 Giving Notice – added Award provision

Page 20 – Added table based on new calculation.

Also included note that for existing employees contributions are in line with Award provisions

The draft policy has been presented to the staff Consultative Committee and following general discussion about the report, the Committee agreed:

1. That the Draft Vehicle Policy be received and noted.
2. That the definition of commuter use be amended to:

“Commuter Use” Relates solely to travel by an employee between their home and place of work. Minor infrequent additional use may be permitted.

3. That supervisors should advise employees that are asked to use their private vehicle for work purposes and claim for kilometres travelled they should hold comprehensive insurance on the vehicle and make a certificate of currency available to Council.



The change to the definition of commuter use has been considered and the policy has been amended to include the definition of commuter use as it appears in the FBT legislation.

### **Recommendation**

1. That Draft amended Vehicle Policy be adopted.

### **Attachments**

1. Draft Vehicle Policy

### **Note**

At the Ordinary meeting held on 12 November, 2012, Council resolved:

That Council pro-actively engages relevant industries, community groups or other identified stakeholders on any policy publicly available for comment.

That the identification of those groups mentioned within the above recommendation be identified by Councillors with advice from Council staff when the policy is recommended to be placed on public display.

**Summary/Purpose**

This report presents the reviewed Model Privacy Management Plan to Council for adoption.

**Community Strategic Plan Item(s)**

- Governance and Community Service

**Background Information**

The Privacy and Personal Information Protection Act 1998( the “PIIPA”) requires all councils to prepare a Privacy Management Plan outlining their policies and practices to ensure compliance with the requirements of that Act.

In particular, the object of the plan is to inform:

- The community about how their personal information will be used, stored and accessed after it is collected by the Council; and
- Council staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

The Division of Local Government prepared a Model Privacy Management Plan for Local Government. Council initially adopted the Model Privacy Management Plan in 2000.

**Report**

The Act provides for the protection of personal information by means of 12 Information Protection Principles. Those principles are listed below:

- Principle 1 - Collection of personal information for lawful purposes
- Principle 2 - Collection of personal information directly from the individual
- Principle 3 - Requirements when collecting personal information
- Principle 4 - Other requirements relating to collection of personal information
- Principle 5 - Retention and security of personal information
- Principle 6 - Information about personal information held by agencies
- Principle 7 - Access to personal information held by agencies
- Principle 8 - Alteration of personal information
- Principle 9 - Agency must check accuracy of personal information before use
- Principle 10 - Limits on use of personal information
- Principle 11 - Limits on disclosure of personal information
- Principle 12 - Special restrictions on disclosure of personal information

The Privacy Management Plan outlines how Kyogle Council will incorporate the 12 Information Protection Principles into its everyday functions.

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The information provided by the Department states that:

The Model Privacy Management Plan for Local Government has been prepared in consultation with the Office of the Privacy Commissioner and the Local Government and Shires Association of NSW, has been updated to:

- Incorporate the requirements of the Health Records and Information Privacy Act 2002 (the HRIP Act) which commenced on September 1, 2004
- Include references to the Government Information (Public Access) Act 2009 (GIPA Act), which commence July 1, 2010.

The Privacy Management Plan is a document that informs the community about how their personal information will be used, stored and accessed after it is collected by Council. It also informs staff of their obligations in relation to handling personal information and when they can and cannot disclose, use or collect it.

### **Recommendation**

That Council adopt the new Model Privacy Management Plan (January 2013) for Local Government.

### **Attachments**

1. Privacy Management Plan

### **Note**

At the Ordinary meeting held on 12 November, 2012, Council resolved:

That Council pro-actively engages relevant industries, community groups or other identified stakeholders on any policy publicly available for comment.

That the identification of those groups mentioned within the above recommendation be identified by Councillors with advice from Council staff when the policy is recommended to be placed on public display.

**13D.3 MINUTES OF INTERNAL AUDIT COMMITTEE MEETING 28  
FEBRUARY 2013**

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**Summary/Purpose**

This report presents the minutes of the Internal Audit Committee Meeting held 28 February 2013.

**Report**

The minutes of the meeting appear below:

**Kyogle Council**

Unconfirmed Minutes of the Internal Audit Committee Meeting held in the Council Chambers, Stratheden Street, Kyogle, on 28 February 2013.

**PRESENT**

Cr. D Mulholland (Chair), Cr. Chris Simpson, Mr Andrew Stevens and Mr John Watkins.

**IN ATTENDANCE**

Carol O'Neill 4.00 pm to 4.10 pm  
Mr Geoff Dwyer – Thomas Noble and Russell

**ELECTION OF CHAIR**

**RESOLVED**

Mr Andrew Stevens, seconded Mr John Watkins

That Councillor Danielle Mulholland be elected as chair.

**CARRIED**

FOR VOTE – Unanimous vote

The Chairperson declared the meeting open at 4.02 pm.

**ITEM 1 APOLOGIES**

Nil

**ITEM 2 OPENING PRAYER**

The Chairperson read the opening prayer.

**ITEM 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Chairperson read the traditional lands acknowledgement.

**ITEM 4 DECLARATION OF INTERESTS**

Nil.

**ITEM 5 REPORTS**

5.1 2013/2014 AUDIT STRATEGY

**RESOLVED**

Cr Chris Simpson, seconded Cr Danielle Mulholland

That the Committee endorse the Preliminary Audit Strategy for the year ending 30 June 2013

**CARRIED**

FOR VOTE – Unanimous vote

**RESOLVED**

Cr Chris Simpson, seconded John Watkins

That the GM provide a report to the internal audit committee on the progress of the implementation of the recommendations with regard to Review of adequacy of the budgetary process - internal audit report.

**CARRIED**

FOR VOTE – Unanimous vote

**RESOLVED**

John Watkins, Seconded by Andrew Stevens

The charter be adopted subject to changes to Audit Committee Charter, s3.1 "the audit committee shall comprise of a minimum of three members."

**CARRIED**

FOR VOTE – Unanimous vote

**RESOLVED**

Danielle Mulholland, Seconded by Chris Simpson

That a report be provided in relation to the controls around tied funding (allocation and acquittal of funds).

**CARRIED**

FOR VOTE – Unanimous vote

**5.2 REVIEW OF AUDIT COMMITTEE CHARTER**

**RESOLVED**

John Watkins, Seconded by Andrew Stevens

That the Internal Audit Committee charter be adopted subject to changes to Audit Committee Charter, s3.1 "the audit committee shall comprise of a minimum of three members."

**5.3 COUNCIL RESOLUTIONS REQUIRING ACTION**

**RESOLVED**

Andrew Stevens, Seconded by Chris Simpson

That a review of outstanding council resolutions be undertaken to either action, reaffirm or remove.

**CARRIED**

FOR VOTE – Unanimous vote

#### **5.4 GENERAL BUSINESS**

##### **RESOLVED**

John Watkins seconded Andrew Stevens

The Council provide an update on the external audit management letter correction sheet.

**CARRIED**

FOR VOTE – Unanimous vote

##### **RESOLVED**

Danielle Mulholland, seconded by Andrew Stevens

It is requested that Council consider engaging an independent consultant to deliver an education program on Integrated Planning with a financial management component to all Councillors.

**CARRIED**

FOR VOTE – Unanimous vote

Next meeting to be held March 28, 2013 at 4 pm.

##### **MEETING CLOSURE**

There being no further business the Chairperson declared the meeting closed at 5.25 pm.

#### **Recommendation**

1. That the Minutes of the Internal Audit Committee meeting 28 February 2013 be received and noted.
2. That the GM provide a report to the internal audit committee on the progress of the implementation of the recommendations with regard to Review of adequacy of the budgetary process - internal audit report.
3. The charter be adopted subject to changes to Audit Committee Charter, s3.1 "the audit committee shall comprise of a minimum of three members."
4. That a review of outstanding council resolutions be undertaken to either action, reaffirm or remove.
5. The Council provide an update on the external audit management letter correction sheet.
6. That Council consider engaging an independent consultant to deliver an education program on Integrated Planning with a financial management component to all Councillors.

**13D.4 KYOGLE TOGETHER - RELOCATION OF KYOGLE COMMUNITY GYM**

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**Summary/Purpose**

This item presents to Council correspondence from Kyogle Together seeking further support to relocate the Kyogle Community Gym to the Kyogle pool grounds.

**Report**

A report on this matter will be distributed prior to the Ordinary meeting.

**Attachments**

1. Correspondence from Kyogle Together

## **ITEM 13E COMMUNITY SERVICES REPORT**

### **13E.1 REVIEW OF COMMUNITY ENGAGEMENT POLICY**

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#### **Summary/Purpose**

This report provides the updated Community Engagement Policy for adoption.

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

- Governance and Community Service

#### **Previous Council Consideration**

At the December 2012 Ordinary Council meeting, Council resolved to defer adoption of the Community Engagement Policy until the February 2013 Ordinary meeting.

#### **Report**

From various sources, including the community survey, it is clear that many in the community want more information from Council about key projects, to have their say about Council activities and be more involved in the decision making process.

Council is committed to engaging with the community to:

- Better meet the needs of the community.
- Tap into local knowledge and expertise.
- Have a more informed community.
- Encourage and enable community participation in the decision making
- improve the relationship with the community.

This policy sets out a series of community engagement principles and lists the various means of community engagement that are to be considered.

The Community Engagement Policy has been reviewed and overall, the policy meets the needs of Council with only minor change required. The following changes have been made.

- Minor formatting changes
- Page 7 - Included radio and television in the dot point relating to paid advertisement
- Page 7 - Included reference to interest groups/persons in section referring to using direct letters



- Page 8 - New point to use social media sites
- Page 8 - New point engage external party to facilitate discussion/decisions.

At the December meeting it was discussed that the policy required further sections to be added regarding implementation and review.

Additional sections have now been added to the policy relating to implementation and review and outline how the success of the policy will be measured.

### **Recommendation**

That the amended Community Engagement Policy be adopted.

### **Note**

At the Ordinary meeting held on 12 November, 2012, Council resolved:

That Council pro-actively engages relevant industries, community groups or other identified stakeholders on any policy publicly available for comment.

That the identification of those groups mentioned within the above recommendation be identified by Councillors with advice from Council staff when the policy is recommended to be placed on public display.

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

Nil.

**ITEM 14 URGENT BUSINESS WITHOUT NOTICE**

Nil.

**ITEM 15 QUESTIONS FOR NEXT ORDINARY MEETING**

Nil.

**ITEM 16 CONFIDENTIAL BUSINESS PAPER**

**16.1 TENDER FOR SUPPLY OF 6 X 4 ROAD PAVEMENT PATCHING TRUCK:  
TENDER NO. 2012/13-002**

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**Reason for Confidentiality**

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

- (d) commercial information of a confidential nature

**16.2 CONTRACTUAL CONDITIONS OF SENIOR STAFF**

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**Reason for Confidentiality**

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

- (a) personnel matters concerning particular individuals
-

APPENDIX / ATTACHMENTS

# KYOGLE COUNCIL



# ATTACHMENTS

## ORDINARY COUNCIL MEETING

ON 11 MARCH 2013

12.2 FINANCIAL REPORT JANUARY 2013

**COUNCILLORS TRAVEL EXPENSES**  
Feb-13

COUNCILLOR NAME	KLMS CLAIMED		CURRENT KM RATE	AMT REIMBURSED	
	MONTHS	YTD		MONTH	YTD
R. Brown	0	0	0.74	0.00	0.00
C. Simpson	0	0	0.74	0.00	0.00
J. Wilson	0	0	0.74	0.00	0.00
J. Burley	0	0	0.74	0.00	0.00
M. Creedy	0	691	0.74	406.50	406.50
R. Dwyer	0	0	0.74	0.00	0.00
D. Mulholland	0	1,468	0.74	1,086.00	1,086.32
M. Reardon	0	0	0.74	0.00	0.00
L. Passfield	560	2,897	0.64	358.40	1,729.38
<b>Total</b>	<b>560</b>	<b>5,056</b>		<b>1,850.90</b>	<b>3,222.20</b>

**Notes**

- (1) The above figures represent amounts actually paid.
- (2) The amounts paid in the current month will relate to claims for travel in prior months
- (3) Some councillors may have claims outstanding for more than one month.

# **Kyogle Council**



**Financial Reports  
28 February, 2013**

**Rates Statement  
Statement of Bank Balances  
Summary of Investments**

**NOTE: All Financial Data presented is unaudited at the date of  
presentation to Council**

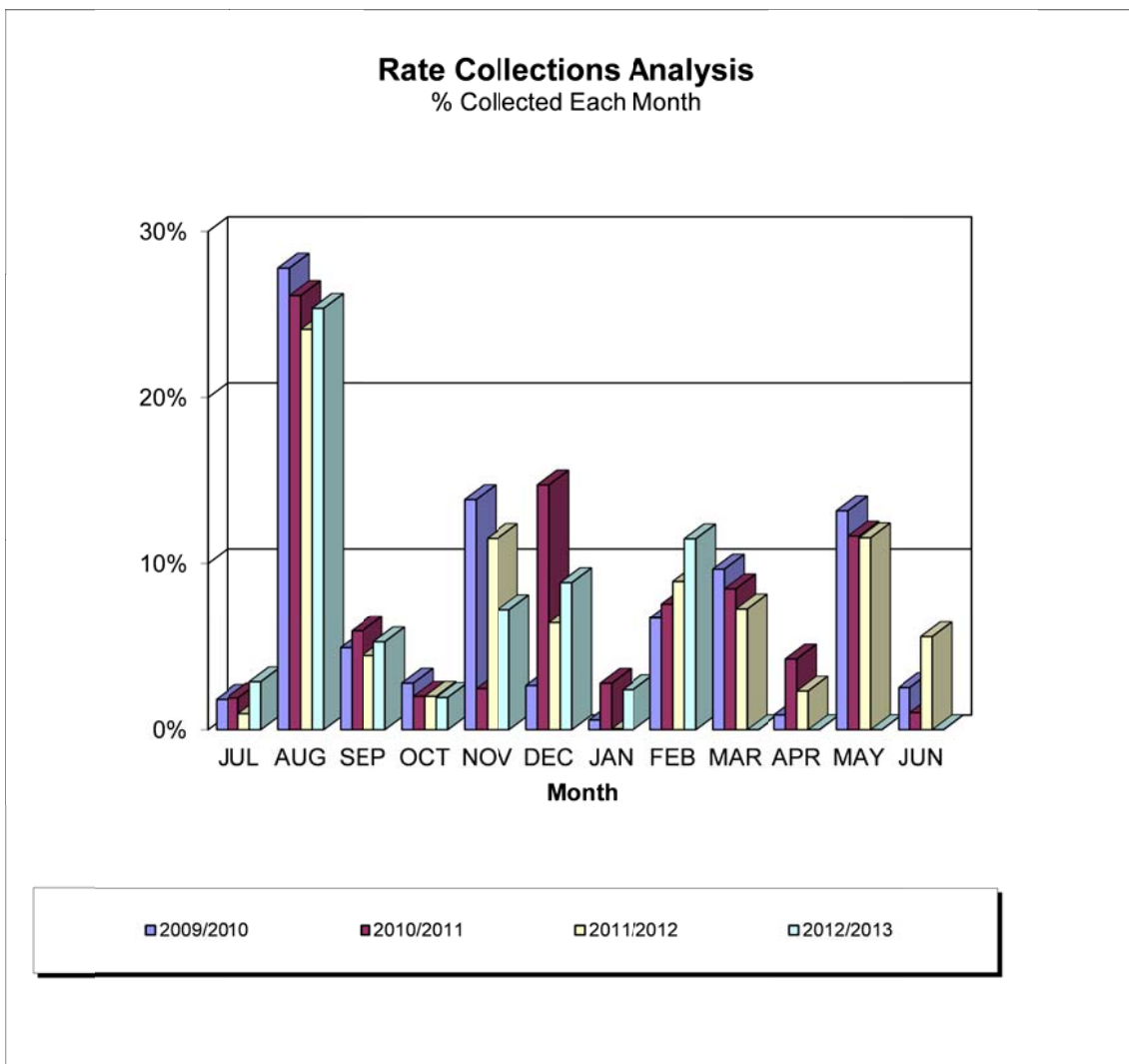
## KYOGLE COUNCIL RATES STATEMENT AS AT 28 FEBRUARY 2013

	ARREARS 1-Jul-12	NET CHARGES 2012-2013	PAYMENTS	OUTSTANDING BALANCE	PERCENTAGE COLLECTED
RATES, SERVICES AND INTEREST	1,264,571.25	7,332,837.18	5,625,527.58	2,971,880.85	65.43%

PRESENTED TO COUNCIL MARCH 2013

**Note:**

Some ratepayers have made arrangements, whilst others are at different stages of legal action.



<b>KYOGLE COUNCIL</b>	
<b>STATEMENT OF BANK BALANCES</b>	
FUND	CLOSING BANK BALANCE 27-Feb-13
<b>GENERAL FUND</b>	
UNRESTRICTED	974,397.75
INTERNALLY RESTRICTED	4,444,000.00
STATE HIGHWAYS	1,354,542.84
QUARRIES	1,022,843.99
PLANT	6,750,348.22
EXTERNALLY RESTRICTED	1,113,000.00
	15,659,132.80
<b>RESTRICTED</b>	
WATER SUPPLIES	453,329.56
SEWERAGE SYSTEMS	716,575.45
DOMESTIC WASTE	32,864.07
ORDINARY TRUST	9,103.79
	1,211,872.87
<b>CONSOLIDATED FUNDS</b>	<b>16,871,005.67</b>

<b>KYOGLE COUNCIL</b>	
<b>STATEMENT OF BANK BALANCES</b>	
FUND	CLOSING BANK BALANCE 31-Jan-13
<b>GENERAL FUND</b>	
UNRESTRICTED	989,816.60
INTERNALLY RESTRICTED	4,444,000.00
STATE HIGHWAYS	1,700,439.17
QUARRIES	1,029,368.97
PLANT	6,617,160.25
EXTERNALLY RESTRICTED	1,113,000.00
	15,893,784.99
<b>RESTRICTED</b>	
WATER SUPPLIES	387,482.70
SEWERAGE SYSTEMS	631,989.62
DOMESTIC WASTE	(33,849.26)
ORDINARY TRUST	7,468.79
	993,091.85
<b>CONSOLIDATED FUNDS</b>	<b>16,886,876.84</b>



## KYOGLE COUNCIL

### SUMMARY OF INVESTMENTS AS AT 28/02/13

	BANK	TYPE	TERM	AMOUNT	RATE P.A.	DUE DATE
1	SUNCORP METWAY	TERM DEPOSIT	90 DAYS	2,000,000.00	4.55%	March 12, 2013
2	SUNCORP METWAY	TERM DEPOSIT	32 DAYS	1,400,000.00	4.00%	March 18, 2013
3	BANKWEST	TERM DEPOSIT	31 DAYS	3,000,000.00	4.05%	March 25, 2013
4	COMMONWEALTH	TERM DEPOSIT	59 DAYS	1,500,000.00	4.25%	April 6, 2013
5	COMMONWEALTH	TERM DEPOSIT	59 DAYS	1,500,000.00	4.25%	April 6, 2013
6	BANKWEST	TERM DEPOSIT	60 DAYS	1,500,000.00	4.10%	April 16, 2013
7	COMMONWEALTH	TERM DEPOSIT	90 DAYS	2,000,000.00	4.15%	April 28, 2013

12,900,000.00

**PRESENTED TO COUNCIL ON MARCH 11, 2013**

I hereby certify that the above investments have been made in accordance with section 625 of the Local Government Act, 1993, the Local Government ( General ) Regulation 2005 and Councils Investment Policy.

( GLENN ROSE )  
RESPONSIBLE ACCOUNTING OFFICER