



**I hereby give notice that an Ordinary Meeting of Council will be held on:**

**Date:** Monday, 9 October 2017  
**Time:** 5pm  
**Location:** Kyogle Council Chambers, Stratheden Street, Kyogle

# **AGENDA**

## **Ordinary Council Meeting**

**9 October 2017**

**Marcus Schintler  
Acting General Manager**



Dear Councillor,

In accordance with the provisions of the Local Government (General) Regulation 2005, you are hereby notified of the following Ordinary Council Meeting to be held at the Kyogle Council Chambers, on Monday 9 October 2017, at 5pm.

**DECLARATION OF PECUNIARY INTEREST**

Councillors and Senior Staff are reminded to consider whether a Pecuniary Interest exists in any matter on the Agenda for this Meeting or raised during the course of the Meeting. The term "Pecuniary Interest" should be extended to include possible "conflicts of interest" and immediately declared prior to discussion of the Agenda item. Where a direct or indirect pecuniary interest exists, the member must refrain from commenting on or voting on the subject matter and must leave the Chamber.

**BUSINESS**

- |         |   |
|---------|---|
| Item 1  | Apologies                                   |
| Item 2  | Opening Prayer                              |
| Item 3  | Traditional Lands Acknowledgement           |
| Item 4  | Declaration of Interests                    |
| Item 5  | 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 | Assets and Infrastructure Services Reports  |
| Item 14 | Environmental and Planning Services Reports |
| Item 15 | General Manager's Reports                   |
| Item 16 | Urgent Business Without Notice              |
| Item 17 | Questions for Next Ordinary Meeting         |
| Item 18 | Confidential Business Paper                 |

MARCUS SCHINTLER  
ACTING GENERAL MANAGER

COUNCIL PRAYER

"Almighty God, Ruler of all the Nations, we ask for your blessing upon this Meeting of Council.

Give us your wisdom to work in harmony and direct and prosper all that we do to the advancement of your glory and the true welfare of the People of the Council Area.

AMEN

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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.

MARCUS SCHINTLER  
ACTING 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.



## Order Of Business

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|           | Nil  |           |
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|           | Nil  |           |
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- 1 APOLOGIES**
- 2 OPENING PRAYER**
- 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**
- 4 DECLARATION OF INTERESTS**
- 5 QUESTION TIME**
- 6 PUBLIC ACCESS**
- 7 CONFIRMATION OF MINUTES**  
Nil
- 8 MAYORAL MINUTE**  
Nil

## 9 NOTICES OF MOTION

### 9.1 NOTICE OF MOTION - NAMING OF UNNAMED LANES IN WOODENBONG

- Attachments:**
1. **Woodenbong Progress Association Proposal (under separate cover)**
  2. **Map: Unnamed Lanes in Woodenbong (under separate cover)**
  3. **Notice of Motion**

#### **RATIONALE**

This notice of motion is to initiate and support the Woodenbong Progress Association in having unnamed lanes in Woodenbong named and to change the name of Roseberry Lane to Sly Lane. This will remove the current addressing ambiguity with Roseberry Street.

The proposed names all relate to families that contributed significantly to the establishment and development of Woodenbong.

Details follow:

#### Fairbairn

Fred and Jim Fairbairn came to the village in the late 1920s and built a service station in Woodenbong and in Urbenville. They built and operated a village electricity system, owned dairy farms, ran a finance company to assist others to start businesses, established and operated a hardware and produce store and were very involved in the construction of the Memorial Hall and operation of the cinema. Fred's son Ned owned and operated a major transport company based in Woodenbong. Fred was a Kyogle Councillor.

#### Watson

Joe Watson, a Gallipoli veteran, was the first of three generations of this family to live and operate their business on this lane. Over past decades the Watson family has provided bus services, a taxi, ready mix concrete, general freight, civil construction, and road maintenance from this location. The business now specialises in coach services from expanded premises in Unumgar Street. Les Watson was a very strong and effective advocate for the upgrade of the Summerland Way and Mount Lindesay Road.

#### Crewe

Ted Crewe worked around Woodenbong as a bullock driver. His son Kevin lived and operated his automotive service and repair business on this lane. He also installed 32 volt electricity systems on many local farms. In the late 1950s Kevin moved to new premises on Unumgar Street where he operated Woodenbong Driveway providing NRMA services and British Leyland, Nuffield, Austen, and Morris dealership sales and service.

#### Kirkmaster

Lou Kirkmaster came to Woodenbong about 1908. He was a wheelwright, ran a general store, was the undertaker, and made coffins (for his less fortunate) clients. The Kirkmaster family also held grazing property in the district. Lou Kirkmaster was influential in having a school teacher appointed to Woodenbong.

#### Jeffery

Ernie Jeffrey came to Woodenbong in the late 1920s as a bullock driver, transporting logs to Sly's Mill. He subsequently ran a small abattoir and retail butchery and a dairy and beef property.

#### Sly

Lance Sly built the sawmill on Roseberry Street and many cottages in that area. Sly's Mill provided a lot of employment in the town and district and a huge amount of high quality timber for housing construction and joinery in South East Queensland. Lance was instrumental in organising the syndicate that built and operated the Woodenbong Hotel before selling it on.

Moy

The Moy family had substantial interests in the beef industry around Woodenbong. The family lived on this lane and Mrs Wilson (nee Moy) ran a guest house there and a dairy nearby.

**MOTION**

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

That Council initiate the process to:

1. Name the unnamed lanes in Woodenbong as proposed by the Woodenbong Progress Association in Attachment 1 (this proposal is further simplified at Attachment 2).
2. Rename Roseberry Lane (Woodenbong) Slys Lane (Woodenbong).



## NOTICE OF MOTION



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

That Council initiates the process:

1. To name the unnamed lanes in Woodenbong as proposed by the Woodenbong Progress Association in Attachment 1 (this proposal is further simplified at Attachment 2).
2. Rename Roseberry Lane (Woodenbong) Slys Lane (Woodenbong).

Signed:

Date: 26 September 2017

**9.2 NOTICE OF MOTION - CR JANET WILSON; WITHDRAWAL OF NPWS JOBS**

**Attachments:** 1. **Notice of Motion**

**RATIONALE**

It is to Council's benefit that a meeting with the Minister should seek to secure sufficient resources to undertake a proper plan for the World Heritage-listed national parks in the Kyogle Local Government Area (LGA) which will underpin future economic activity.

Kyogle is home to substantial World Heritage-listed national parks and receives no rates from these areas. The potential for increased tourism and local community activity has not been explored to the extent where the LGA can maximise opportunities around the national parks.

Furthermore, during the Review of Local Government in NSW which sought to encourage reform, councils were encouraged to find innovative ways to boost income and to resolve long standing issues around income generation from shrinking rate bases. Proper recognition through a planned approach to the use of national parks to promote local economic activity would go some way to supporting Council's rate base in the future.

**MOTION**

I, Councillor Janet Wilson, give notice that at the next Ordinary Meeting of Council, I will move the following:

That Council:

1. Write to the NSW Minister for Environment, Local Government and Heritage the Hon Gabrielle Upton objecting to the withdrawal of valuable National Parks and Wildlife Service jobs and services in the Kyogle LGA.
2. Request a deputation with Minister Upton. The purpose of the deputation is to ensure that Kyogle LGA's needs are met.



## NOTICE OF MOTION

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

That Council:

1. Write to the NSW Minister for Environment, Local Government and Heritage the Hon Gabrielle Upton objecting to the withdrawal of valuable National Parks and Wildlife Services jobs and services in the Kyogle LGA.
2. Request a deputation with Minister Upton. The purpose of the deputation is to ensure that Kyogle LGA's needs are met.

Signed:

*Janet Wilson*

Date:

29/7/17

Councillor comments:

It is to Council's benefit that a meeting with the Minister should seek to secure sufficient resources to undertake a proper plan for the World Heritage-listed national parks in the LGA which will underpin future economic activity.

Kyogle is home to substantial World Heritage-listed national parks and receives no rates from these areas. The potential for increased tourism and local community activity has not been explored to the extent where the LGA can maximise opportunities around the national Parks.

Furthermore, during the Review of Local Government in NSW which sought to encourage reform, councils were encouraged to find innovative ways to boost income and to resolve long standing issues around income generation from shrinking rate bases. Proper recognition through a planned approach to the use of national parks to promote local economic activity would go some way to supporting the council's rate base in the future.

**9.3 NOTICE OF MOTION - CR MAGGIE MAY; VIABILITY OF SCHEMES TO ENCOURAGE FULL PAYMENT OF ANNUAL RATES.**

**Attachments:** 1. Notice of Motion

**RATIONALE**

Rate discounts and other incentives are common in other council to encourage ratepayers to pay their rates in full by the due date. I am interested in what benefits Kyogle Council might derive from implementing a scheme to encourage the payment of rates on time.

Alice Springs Town Council has implemented an early rates payment competition where those who pay their rates on time, in full, can win the cost of their rates back from the council.

According to the Alice Springs Town Council website, the Early Bird Draw competition this year attracted 1783 entries. Each entry was a property held by an individual who had paid the property's rates by a specified date. Ten ratepayers won a refund of their rates (not including waste management charges) as part of the competition.

**STAFF COMMENT**

A version of the Alice Springs Town Council example, referred to in the rationale above, has been undertaken by Kyogle Council previously. Staff involved in the process recall the output required to administer the incentive outweighed the benefit.

Any such encouragement can only target those that can afford to pay annually and those customers are generally not late payers.

There is already incentive in the system for rates to be paid on time, as late rate payments accrue interest charges.

The above comment would provide the axiom for any additional report.

**MOTION**

I, Councillor Maggie May, give notice that at the next Ordinary Meeting of Council, I will move the following:

That Council receive a report on the viability of implementing schemes to encourage the full payment of annual rates by the due date such as that implemented by Alice Springs Council.



## NOTICE OF MOTION

I, Councillor Maggie May, hereby give notice that at the next Ordinary Meeting of Council I will move that Council receive a report on the viability of implementing schemes to encourage the full payment of annual rates by the due date such as that implemented by Alice Springs Council.

Signed: .....

A handwritten signature in black ink, appearing to be 'Maggie May', is written over the dotted line following the word 'Signed:'.

Date: 29/9/17

Councillor comments:

Rates discount schemes and other incentives are common in other Councils to encourage ratepayers to pay their rates in full by the due date. I am interested in what benefits Kyogle Council might derive from implementing a scheme to encourage on time payment.

Alice Springs Town Council has implemented an early rates payment competition where those who pay rates on time in full can win the cost of their rates back from the council. See the website post below.

Alice Springs Town Council

The annual Early Bird Draw was conducted by Mayor Damien Ryan on Wednesday 20 September 2017.

Congratulations to the following 10 ratepayers who have won a refund of their rates (not including waste management charges):

M U Kelham  
R & DP Kern  
M K & C M Auld  
G & R A Sabadin  
F J Rasmus  
G R & N M Odgers  
S A Coombs  
M A Anderson



K J Anderson  
J A & C F Dowson

Winners were drawn in the Civic Centre foyer from a barrel of 1783 entries. Each entry was a property held by an individual who had paid the property's rates by 1 September 2017. Permit # NTL 17/19.



**10 QUESTIONS WITH NOTICE FROM COUNCILLORS****10.1 QUESTIONS WITH NOTICE FROM COUNCILLORS**

**Author:** General Manager

**Authoriser:** General Manager

**Attachments:** 1. **Stronger Country Communities Application and Projects Brief (under separate cover)**

The following question on notice was received from Councillors at the 11 September 2017 Ordinary Meeting of Council.

**Question - Cr Lindsay Passfield**

What level of consultation was undertaken in determining the distribution of \$1,600,000 of State Government funding over the next two years?

**Response**

The projects put forward under the NSW Government's Stronger Country Communities were all taken from the Delivery Program 2017/18 to 2020/21 as adopted by Council. The exception to this is the proposed expenditure in each of the villages which will be based on the prioritised outcomes of the Visions of the Villages process which is also included in the current adopted Delivery Program.

The community consultation undertaken during the development and adoption of the Delivery Program included workshops with Councillors and a formal period of public display. The project list initially developed was presented to the Councillors through a workshop on 28 August 2017 and to the State Member for Lismore, Thomas George MP, at a scheduled Mayoral meeting on 24 August 24.

The projects were submitted to the NSW Government's Stronger Country Communities program through the on-line portal by 13 September as required. There were some minor changes made to the distribution of funds between projects required in order to meet the program's minimum funding level of \$100,000 per project.

A summary of the application and project briefs are attached for information. A response to the applications lodged is expected in early December 2017.

**Question - Cr Robert Dwyer**

Could Councillors be provided with a list of all vehicles purchased in the last 12 months for senior staff and the costing of those vehicles to determine if they align with the vehicle policy?

**Response**

There has only been one vehicle purchased for senior staff in the last 12 months. The vehicle was a 2017 Ford Everest Wagon purchased from Des Watson Ford for \$58,985.46 on 3 August 2017. The Vehicle Policy has not been changed since revoked by Council, and Section 6.2.1 of the Vehicle Policy states that the purchase price for a vehicle for Executive Staff shall not exceed \$60,000 ex GST. This amount has been the same since 2014 and has not been indexed or increased from the amount originally adopted by Council at that time. As such, the purchase aligns with the Vehicle Policy.

**RECOMMENDATION**

That Council receives and notes the report, *Questions From The Last Council Meeting*.

**11 REPORTS FROM DELEGATES****11.1 DELEGATE'S REPORT - COUNCILLOR DANIELLE MULHOLLAND; NORTHERN RIVERS ZONE LIAISON COMMITTEE**

**Author:** Councillor Danielle Mulholland

**Authoriser:** Acting General Manager

**Attachments:**

1. **Minutes of Northern Rivers Zone Liaison Committee Meeting (under separate cover)**
2. **Quarterly Service Level Agreement Performance Report (under separate cover)**

**SUMMARY / PURPOSE**

The following delegate's report has been provided by Councillor Danielle Mulholland and provides, for the information of Councillors, the minutes of the most recent meeting of the Northern Rivers Zone Liaison Committee (Rural Fire Service Level Agreement). The quarterly service level agreement performance report is also included for the information of Councillors.

**REPORT**

The Northern Rivers Zone Liaison Committee met at the Northern River Fire Control Centre at Casino on Wednesday 6 September 2017. Kyogle Council was represented at the meeting by Deputy Mayor Cr John Burley.

The minutes of the meeting and the quarterly performance report of the service level agreement appear as attachments to this report.

**RECOMMENDATION**

That Council receives and notes the report, *Delegate's Report - Cr Danielle Mulholland; Northern Rivers Zone Liaison Committee*.

**11.2 DELEGATE'S REPORT - CR HAYDEN DOOLAN; BUSH FIRE RISK MANAGEMENT COMMITTEE**

**Author:** Councillor Hayden Doolan

**Authoriser:** Acting General Manager

**Attachments:** 1. Minutes Bush Fire Management Committee (under separate cover)

**SUMMARY / PURPOSE**

The following delegate's report has been prepared by Councillor Hayden Doolan and presents the draft minutes of the Northern Rivers Bush Fire Management Committee Meeting held 7 September 2017.

**REPORT**

The minutes of the Northern Rivers Bush Fire Management Committee are included as an attachment after this report.

**RECOMMENDATION**

That Council receives and notes the report, *Delegate's Report - Cr Hayden Doolan; Bush Fire Risk Management Committee*.

**12 INFORMATION REPORTS****12.1 MONTHLY FINANCE REPORT - SEPTEMBER 2017**

**Author:** Manager Financial Services

**Authoriser:** Acting General Manager

**Attachments:** 1. Finance Report September 2017 (under separate cover)

**SUMMARY / PURPOSE**

This report presents financial reports to Council for information.

**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 2017. 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.

**(B) Councillors Travel Expenses Report**

Included as an attachment to this report is a schedule showing payments to Councillors for travel claims made during the month. As stated in the notes, some Councillors may have outstanding claims that cover more than one period.

**RECOMMENDATION**

That Council receives and notes the information contained in the Monthly Finance Report -

September 2017.

**12.2 WORKS PROGRAM PROGRESS REPORT - SEPTEMBER 2017**

**Author:** Manager Financial Services

**Authoriser:** Acting General Manager

**Attachments:** 1. Works Program Progress Report - September 2017 (under separate cover)

**SUMMARY / PURPOSE**

This report provides an update on the progress of Council's Capital Works Program, Plant Replacement Program, Quarry Operations, and RMS Ordered Works for the information of Council.

**BACKGROUND INFORMATION**

This report provides an update on the progress of Council's Capital Works Program, Plant Replacement Program, Quarry Operations, and RMS Ordered Works for the information of Council.

**REPORT**

The report is provided as a separate attachment covering four main areas;

**1. Capital Works Report**

This section of the reports shows all capital works projects and provides a brief status report and expenditure year to date for each project, including any external funding which applies.

**2. Plant Acquisition and Sales**

This section of the reports shows the plant replacement program and the year to date income and expenditure associated with the program.

**3. State Highways Ordered Works**

This section of the reports shows the status of the Ordered Works under the Roads and Maritime Road Maintenance Council Contract (RMS RMCC) which is included in the State Highways budget area. The report shows each approved Works Order and the approved income and expenditure year to date.

**4. Quarries Report**

This section of the reports shows the income and expenditure for each of the four operational quarries for the year to date, including stock on hand and a brief description of current activities relating to quarries.

**BUDGET AND FINANCIAL IMPLICATIONS**

This report is provided for information only and any budgetary issues that may be identified as a result of these reports will be dealt with during the regular quarterly budget review process.

**RECOMMENDATION**

That Council receives and notes the information contained in the *Works Program Progress Report - September 2017*.

**12.3 MINUTES OF THE GATEWAY TO THE RAINFOREST RESERVE TRUST**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

**SUMMARY / PURPOSE**

This report presents the minutes of the 11 September 2017 meeting of the Gateway to the Rainforest Reserve Trust.

**REPORT**

The minutes of the 11 September 2017 meeting of the Gateway to the Rainforest Reserve Trust are shown below.

**MINUTES OF KYOGLE COUNCIL  
GATEWAY TO THE RAINFOREST RESERVE TRUST MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 11 SEPTEMBER 2017 AT 4PM**

**PRESENT:** Cr Danielle Mulholland (Mayor), Cr John Burley (Deputy Mayor), Cr Janet Wilson, Cr Kylie Thomas, Cr Robert Dwyer, Cr Maggie May, Cr Lindsay Passfield, Cr Earle Grundy

**IN ATTENDANCE:**

*The General Manager, the Director Assets and Infrastructure Services, the Acting Director of Planning and Environment, the Manager Corporate Services and the Personal Assistant to Planning and Environment.*

**MEETING COMMENCEMENT**

*The Mayor declared the meeting open at 4.02 pm.*

**1. 1 APOLOGIES**

*An apology was received from Councillor Hayden Doolan*

**RESOLVED GTTRRT110917/1**

*Moved by Cr Maggie May, seconded by Cr John Burley  
That the apology be received and noted.*

**CARRIED**

*FOR VOTE - Unanimous vote*

*ABSENT. DID NOT VOTE – Cr Hayden Doolan*

**2. 2 OPENING PRAYER**

*The Mayor read the opening prayer.*

**3. 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

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



**4. 4 DECLARATION OF INTERESTS***Nil***5. 5 CONFIRMATION OF MINUTES***Nil***6. 6 REPORTS****7. 6.1 KYOGLE RECREATION RESERVE PLAN OF MANAGEMENT****8. RESOLVED GTTRRT110917/2**9. *Moved by Cr Maggie May, seconded by Cr John Burley*10. *That the Gateway to the Rainforest Reserve Trust:*11. 1. *Commence the community engagement process to provide input to a Draft Plan of Management for the Kyogle Recreation Reserve as outlined in the attached scoping report and project plan.*12. 2. *Be presented with a Draft Plan of Management for endorsement following the community engagement process and prior to formal public exhibition.***13. CARRIED**14. *For vote - unanimous vote*15. *ABSENT. DID NOT VOTE - Hayden Doolan***16. 6.2 CROWN LAND REFORMS UPDATE****17. RESOLVED GTTRRT110917/3**18. *Moved by Cr Janet Wilson, seconded by Cr Kylie Thomas*19. *That the Trust receives and notes the report, Crown Land Reforms Update.***20. CARRIED**21. *For vote - unanimous vote*22. *ABSENT. DID NOT VOTE - Hayden Doolan*

23.

**6.3 KYOGLE CARAVAN PARK MANAGEMENT****RESOLVED GTTRRT110917/4***Moved by Cr Maggie May, seconded by Cr Janet Wilson**That the Trust endorses the continued in-house operation of the Kyogle Caravan Park by Council.***CARRIED***FOR VOTE - Danielle Mulholland, Janet Wilson, Bob Dwyer, Maggie May, Kylie Thomas, Earle Grundy, John Burley**ABSENT DID NOT VOTE - Hayden Doolan**DID NOT VOTE - Lindsay Passfield***6.4 VILLAGE PLANS OF MANAGEMENT UPDATE****RESOLVED GTTRRT110917/5***Moved by Cr Earle Grundy, seconded by Cr Maggie May**That the Trust receives and notes the report Visions of the Villages Update.***CARRIED***FOR VOTE - Danielle Mulholland, Janet Wilson, Bob Dwyer, Maggie May, Kylie Thomas, Earle Grundy, John Burley**ABSENT DID NOT VOTE - Hayden Doolan*

*DID NOT VOTE - Lindsay Passfield*

**6.5 CROWN RESERVES UPDATE**

**RESOLVED GTTRRT110917/6**

*Moved by Cr Janet Wilson, seconded by Cr Maggie May*

*That the Trust receives and notes the report, Crown Reserves Update.*

**CARRIED**

*For Vote - Unanimous Vote*

*ABSENT DID NOT VOTE - Hayden Doolan*

***The Meeting closed at 4.36 pm.***

**RECOMMENDATION**

That Council receives and notes the Minutes of the Gateway to the Rainforest Reserve Trust.

**13 ASSETS AND INFRASTRUCTURE REPORTS****13.1 TABULAM FLOOD STUDY - STEERING COMMITTEE**

**Author:** Urban & Assets Engineer

**Authoriser:** Director Assets and Infrastructure Services

**Attachments:** Nil

**SUMMARY / PURPOSE**

As part of the Tabulam Flood Study, a steering committee is being formed to assist with reviewing reports and providing feedback to the flood study consultant.

**REPORT**

Kyogle Council has received financial support from the Office of Environment and Heritage to undertake a flood investigation for Tabulam. Council has engaged Jacobs Pty Ltd as a consultant to undertake the flood study which will commence in the coming weeks.

The study will involve the following components:

- Data Collection
- Flood Study
- Floodplain Risk Management Study (FRMS)
- Floodplain Risk Management Plan (FRMP)

A steering committee will be formed to provide feedback on the Flood Study, the FRMS and the FRMP. The steering committee will consist of Council representatives (staff and a Councillor), a representative from the Office of Environment and Heritage, a Department Primary Industries representative, local and regional State Emergency Services representatives and members of the Tabulam community.

There will also be two public consultation points where the Flood Study and the FRMS will be presented and put on public display.

**RECOMMENDATION**

That Council nominate a Councillor to be a part of the Tabulam Flood Study Steering Committee.

**14 PLANNING AND ENVIRONMENT REPORTS****14.1 COMMUNITY ENGAGEMENT STRATEGY**

**Author:** Senior Environmental Health and Waste Officer

**Authoriser:** Acting General Manager

**Attachments:**

1. Submission 1 (under separate cover)
2. Submission 2 (under separate cover)
3. Final draft Community Engagement Strategy (under separate cover)

**SUMMARY / PURPOSE**

The purpose of this report is to present to Council the outcomes of public exhibition of Council's Draft Community Engagement Strategy and to seek a resolution for its adoption.

**BACKGROUND INFORMATION**

All NSW councils are required to have an adopted *Community Engagement Strategy* under the provisions of the *Local Government Act 1993* (the Act).

The draft Community Engagement Strategy brings the Council into line with the requirements of the legislation and contemporary accepted standards and techniques for effective engagement.

It is based on Office of Local Government (OLG) guidelines and current best practice examples from NSW, Queensland and South Australia which include strategies from State and local government bodies.

The draft Strategy has been prepared with regard to the principles set out in the OLG guidelines, the conventions established by the IAP<sup>2</sup> (Institute of Public Participation) and examples of contemporary best practice community engagement.

**REPORT**

The draft Strategy was placed on public exhibition for 28 days via Council's website, Facebook page and at the customer service counter.

Two submissions were received (see Attachment 1 and 2).

Both submissions suggested minor wording and grammatical changes. One of the submissions also suggested the word "consulting" be replaced with "engaging" and the suggested change has been made. The submission also proposed that the draft Strategy give greater consideration to the range of suitable methods for Council to "collaborate" with the community.

Suggestions for minor wording and grammatical changes were generally accepted. The Draft Strategy was amended accordingly and is included at Attachment 3 of this report (Final Draft). It is recommended that Council adopt the Strategy.

**RECOMMENDATION**

That Council:

1. Receives and notes the report *Public Exhibition of Draft Community Engagement Strategy*.
2. Adopts the Community Engagement Strategy.

**15 GENERAL MANAGER'S REPORTS****15.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

**SUMMARY / PURPOSE**

To adopt motions for the upcoming Local Government NSW Annual Conference, for inclusion in the conference business papers.

**BACKGROUND INFORMATION**

The Local Government NSW Annual Conference is being held from 4 to 6 December at the Hyatt Regency, Sydney. The conference is the annual policy-making event for NSW general-purpose councils, associate members and the NSW Aboriginal Land Council. Councillors and senior staff are able to attend the conference, with registrations accepted up until 27 November 2017.

**PREVIOUS COUNCIL CONSIDERATION**

At the Council meeting held on 12 September 2017, Council resolved the following:

*That Council:*

1. *Receive motions from Councillors by close of business on Friday 29 September 2017 to allow inclusion in Council's October Council meeting agenda and that the motions fall under the following principles:*
  - *Are consistent with the objects of the Association;*
  - *Relate to Local Government in NSW and/or across Australia;*
  - *Concern or are likely to concern Local Government as a sector;*
  - *Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;*
  - *Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);*
  - *Are clearly worded and unambiguous in nature; and*
  - *Do not express preference for one or several members over one or several other members.*
2. *Adopt the motions proposed to be included in the 2017 Local Government NSW Annual Conference Business Papers at the October Council Meeting.*
3. *Nominate Councillors Thomas and Grundy to attend and represent Kyogle Council at the 2017 Local Government NSW Annual Conference to be held from 4 to 6 December at the Hyatt Regency, Sydney.*
4. *Nominate Councillor Thomas as Council's voting delegate on policy motions and Councillor Grundy as Council's reserve voting delegate on policy motions.*
5. *Nominate Councillor Grundy as Council's voting delegate for the election of LGNSW office bearers and Board members and Councillor Thomas as Council's reserve voting delegate for the election of LGNSW office bearers and Board members*

**REPORT**

The following is a list of the proposed motions put forward by Councillors to be submitted for inclusion in the 2017 Local Government NSW Annual Conference business papers:

**1. Proposed motion submitted by Councillor Danielle Mulholland:**

That Local Government NSW calls on the State Government to create a rural portfolio.

**2. Proposed motion submitted by Councillor Danielle Mulholland:**

That Local Government NSW call on the State Government to differentiate between rural and regional grants (as opposed to quarantining grant money for 'regional' areas) and that this differentiation be reflected in the criteria of grants, affording rural, remote and isolated communities a better chance of success when applying for grant funding.

**3. Proposed motion submitted by Councillor Danielle Mulholland:**

That on behalf of all member Councils, Local Government NSW writes to the Minister for Local Government and the NSW Treasurer, requesting the block on Councils' ability to borrow from TCorp, due to Fit For the Future findings, be immediately lifted to allow TCorp to assess Council loan applications on merit.

**RECOMMENDATION**

That Council:

1. Receives and notes the report, *Local Government NSW Annual Conference 2017*.
2. Adopts the following motions to be submitted to the Local Government NSW Annual Conference for inclusion in the conference business papers:
  - a. That Local Government NSW calls on the State Government to create a rural portfolio.
  - b. That Local Government NSW call on the State Government to differentiate between rural and regional grants (as opposed to quarantining grant money for 'regional' areas) and that this differentiation be reflected in the criteria of grants, affording rural, remote and isolated communities a better chance of success when applying for grant funding.
  - c. That on behalf of all member Councils, Local Government NSW writes to the Minister for Local Government and the NSW Treasurer, requesting the block on Councils' ability to borrow from TCorp, due to Fit For the Future findings, be immediately lifted to allow TCorp to assess Council loan applications on merit.

**15.2 UNION PICNIC DAY 2017**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** 1. Request for Union Picnic Day 2017

**SUMMARY / PURPOSE**

This report seeks Council's adoption of a date for the Union Picnic Day in accordance with the relevant employee award.

**BACKGROUND INFORMATION**

Clause 18B (Holidays) of the Local Government (State) Award provides:

- (i) Union Picnic Day shall for the purposes of this award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such day as is agreed between the council and the union(s).
- (ii) The union(s) shall advise the council of financial members as at the time of the Union Picnic Day. Such advice must be given at least two weeks prior to the Union Picnic Day.
- (iii) Employees who are not financial members of the union(s) and who are required to work on Union Picnic Day, shall be paid ordinary pay for their normal working day.
- (iv) Employees who are not financial members of the union(s) and who are not required to work on Union Picnic Day, may apply to council to take annual leave, time off in lieu of overtime, leave without pay, such other leave as may be approved by council, or may be required by council to make up time.

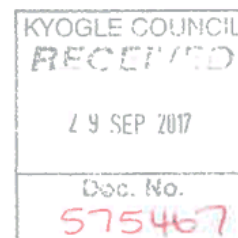
**REPORT**

Council has received a request from the Staff Picnic Day Committee for the Union Picnic Day to be held this year on Friday 22 December 2017.

It is recommended that this date be approved in accordance with the Local Government (State) Award provisions.

**RECOMMENDATION**

That Council, designates Friday 22 December as the Union Picnic Day for 2017 in accordance with the Local Government (State) Award provisions.



Mr. Graham Kennett  
General Manager  
Kyogle Council  
PO Box 11  
Kyogle NSW 2474

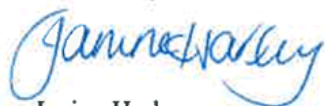
29 September 2017

Dear Graham

**Request for Union Picnic Day for 2017**

We request for this year's Union Picnic Day to be held on Friday 22 December 2017.

Thanking You



Janine Harley  
For the Picnic Committee



**15.3 EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** 1. Draft Equal Employment Opportunity Management Plan (under separate cover)

**SUMMARY / PURPOSE**

Councils must prepare and implement an equal employment opportunity plan (EEO) in accordance with the NSW Local Government Act, 1993.

**REPORT**

Council's EEO plan aims to eliminate and ensure the absence of discrimination in employment on the grounds of race, sex, marital or domestic status and disability and promote equal employment opportunity for women, members of racial minorities and persons with disabilities.

**RECOMMENDATION**

That Council adopt the attached Equal Employment Opportunity Management Plan.

**15.4 PECUNIARY INTEREST RETURNS**

**Author:** Acting General Manager

**Authoriser:** Acting General Manager

**Attachments:** Nil

**SUMMARY / PURPOSE**

The purpose of this report is to table Pecuniary Interest Returns in accordance by the Local Government Act 1993.

**BACKGROUND INFORMATION**Legislative Requirements

It is required under s449 of the Local Government Act that the General Manager keeps a register of Returns containing the completed and lodged Returns of Councillors and designated persons. The Returns must be available for inspection by members of the public.

It is also a requirement of s450A that the General Manager table the completed returns at the first Ordinary Meeting of Council after September 30.

Division 3 of the Local Government Act sets out the procedure for complaints for non-disclosure of interests.

**REPORT**

Pecuniary interest ordinary returns have been completed by Councillors and other designated persons. Date of receipt of all returns tabled was 30 September 2017 or prior. The returns are now contained within the Register of Returns that may be viewed by members of the public.

**RECOMMENDATION**

That Council:

1. Receives and notes the information contained in the report, *Pecuniary Interest Returns*.
2. Receives and notes the Register of Returns.

**16 URGENT BUSINESS WITHOUT NOTICE**

**17 QUESTIONS FOR NEXT ORDINARY MEETING**

**18 CONFIDENTIAL BUSINESS PAPER**

Nil