



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

Date: Monday, 13 November 2017
Time: 5pm
Location: Kyogle Council Chambers, Stratheden Street, Kyogle

AGENDA

Ordinary Council Meeting

13 November 2017

**Graham Kennett
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 13 November 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 |

GRAHAM KENNETT
GENERAL MANAGER

COUNCIL PRAYER

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

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

AMEN

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

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

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

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

DISCLAIMER

The advice or information contained within the Minutes enclosed with this Business Paper is given by the Council without liability or responsibility for its accuracy. Reliance cannot be placed on this advice or information until the Minutes have been duly accepted as an accurate record and confirmed by Resolution of Council.

GRAHAM KENNETT
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.

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7 CONFIRMATION OF MINUTES

7.1 COUNCIL REPORT - 9 OCTOBER 2017

Author: Executive Assistant

Authoriser: General Manager

Attachments: 1. Council Report - 9 October 2017

SUMMARY / PURPOSE

This report presents the minutes of the Ordinary Council meeting held on 9 October 2017 to Council for confirmation.

RECOMMENDATION

That Council adopts the minutes of the Council meeting of the 9 October 2017.

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 9 OCTOBER 2017 AT 5PM**

PRESENT: Cr Danielle Mulholland (Mayor), Cr Janet Wilson, Cr Maggie May, Cr Hayden Doolan, Cr Earle Grundy, Cr Lindsay Passfield, Cr Robert Dwyer

IN ATTENDANCE: The Acting General Manager, The Director Assets and Infrastructure Services, The Acting Director Planning and Environmental Services, the Personal Assistant to the General Manager.

The Mayor declared the meeting open at 5pm.

1 APOLOGIES

Apologies were received from Councillors John Burley and Kylie Thomas.

RESOLVED CO/1017/1

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That the apologies received from Councillors Burley and Thomas be accepted and that leave of absence be granted.

CARRIED

FOR VOTE - Unanimous vote.

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

2 OPENING PRAYER

The Mayor read the opening prayer.

3 TRADITIONAL LANDS ACKNOWLEDGEMENT

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

4 DECLARATION OF INTERESTS

Councillor Hayden Doolan declared an interest in the following item(s):

- o Item 9.2 Notice of Motion - Cr Janet Wilson; Withdrawal of NPWS Jobs
Reason for declaration - Relative of a NPWS staff member.

5 QUESTION TIME

Anne Reardon: A big thank you to Council for allowing ratepayers to use facilities such as the KMI without charge.

In Stratheden Street, just after Council's crew cleaned the street, someone spilt something near the seat. Is it possible that something could be done about the mess that has been left on the street? Dog droppings also have remained near the garbage outside the stationery shop in Stratheden Street for a week.

Acting General Manager: Thank you for the question. The matter has been raised by Cr Dwyer and a couple of the stall holders and there is a customer request in the system to have that fixed.

Anne Reardon: Why wasn't there a representative from the Council at the Kyogle Show luncheon?

Mayor: Because we were not invited. I arrived at the show in the morning, and I spoke to the president of the Show Society and raised this issue with him. He said it was an oversight and we were quite happy with the explanation. Councillors Maggie May, Hayden Doolan and Robert Dwyer also attended the Kyogle Show.

6 PUBLIC ACCESS

Mr Graeme Gibson - Draft Community Engagement Strategy and Community Strategic Plan.

The Draft Community Engagement Strategy is based on an internationally recognised spectrum of public participation, which starts at inform and goes through consult; involve; collaborate; and empower.

Inform is what you do when you tell someone what you are doing. Consult, is essentially when you say to someone, or council would say to the community, tell us what you think.

Then there is involve and collaborate. Collaborate is essentially the Council telling the community, tell us what you think, give us your views on an issue and we will undertake to implement your views to the greatest extent possible, and where that is not possible, we will explain why. This is an entirely different relationship between Council and the community.

It is for that sort of reason that I think Councillors and council staff should change their mindset about this from consulting the community to engaging the community. When you decide to engage the community, you might use the level called consult which means you are not limited to simply asking the community to tell us what you think.

The Draft Strategy refers to a toolkit of methods to be acquired or developed for use by staff with responsibilities for community engagement. That's all well and good, but without support/professional development staff will struggle to use that toolkit effectively. What is needed is professional development which can come from external training providers or it could come from an internal, self-guided network of staff with an interest or experience in the area.

From the spectrum, collaborate is the level recommended by the State Government for the implementation of the Community Strategic Plan, which is the number one plan of Council. Collaboration is based on high levels of trust between Council and the community.

Council's website currently hosts two Community Strategic Plans. One is 40 pages and the other is 20 pages. There is no explanation as to why there are two plans. I suspect that very few people will read either, let alone both.

What would be very helpful would be a far shorter document, something like the Community Strategic Plan at a glance. Instead of being 20 or 40 pages, it could be just four pages. Something that a group of people or an individual can engage with; if they want more information they could get it from the 20 or 40 page documents.

The Community Strategic Plan At A Glance could be based on an executive summary that could be produced in a recognised format for small group discussion/small group learning/small group action feedback, which is known as a Kitchen Table Discussion. Kitchen Table Discussions don't have to take place in a kitchen, they can take place in a workplace lunch room, a café or wherever a group of people meet. It's just enough information to pique people's interest - more information is available for those who want it.

It is a recognised format for effective community engagement and I think it would be a very useful form of community validation and relationship strengthening before a mid-term review of the Community Strategic Plan, which I presume is the best part of a year away.

I'm not pitching for a job; I just think they are things that need doing.

Cr Janet Wilson: Thank you for raising these issues. I think this Council has always struggled with who the audience is for these sorts of documents. I think the Kitchen Table Discussion idea is well worth pursuing. The Draft Community Engagement Strategy is an academic document that needs to be more focused and shorter for the community; it is more a document for staff training purposes.

Cr Lindsay Passfield: Thank you. Your comments are very positive, relevant and timely, particularly in relation to an executive summary. Very few people have the time or the inclination to wade through a tome when it comes to this sort of stuff and to have a four or five page document that encapsulates where we are going would be very handy.

Acting General Manager: Thank you for your submission. Council took on board some of your suggestions in your submission, including the change from consulting to engaging. You mention two documents on the website, I would suggest, one is a superseded document that has been kept as a reference point. The Mayor had also raised the issue of an executive summary and Council will take that on board and have a discussion at an executive management level.

7 CONFIRMATION OF MINUTES

RESOLVED CO/1017/2

Moved by Cr Janet Wilson, seconded by Cr Earle Grundy

That Council adopt the minutes of Ordinary meeting held on Monday 11 September 2017.

CARRIED

FOR VOTE - Unanimous vote.

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - NAMING OF UNNAMED LANES IN WOODENBONG

RESOLVED CO/1017/3

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

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).

CARRIED

FOR VOTE - Unanimous vote.

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

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

At 5:14 pm, Cr Hayden Doolan left the meeting

MOTION

Moved by Cr Janet Wilson, seconded by Cr Maggie May

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.

AMENDMENT

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

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 and highlighting the negative impacts that the creation of national parks from non-rainforest State Forests has had on Kyogle LGA.
2. Request a deputation through Thomas George's office with Minister Upton. The purpose of the deputation is to ensure that Kyogle LGA's needs are met.

CARRIED

FOR VOTE - Danielle Mulholland, Earle Grundy, Lindsay Passfield and Robert Dwyer

AGAINST VOTE - Janet Wilson and Maggie May

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas, Hayden Doolan.

The amendment became the motion.

AMENDMENT

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

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 and highlighting the positive and negative impacts that the creation of national parks from non-rainforest State Forests has had on Kyogle LGA.
2. Request a deputation through Thomas George's office with Minister Upton. The purpose of the deputation is to ensure that Kyogle LGA's needs are met

CARRIED

FOR VOTE - Danielle Mulholland, Janet Wilson and Maggie May

AGAINST VOTE - Earle Grundy, Lindsay Passfield and Robert Dwyer

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas, Hayden Doolan.

The Mayor used her casting vote to carry the vote.

The amendment became the motion.

RESOLVED CO/1017/4

Moved by Cr Maggie May, seconded by Cr Janet Wilson

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 and highlighting the positive and negative impacts that the creation of national parks from non-rainforest State Forests has had on Kyogle LGA.
2. Request a deputation through Thomas George's office with Minister Upton. The purpose of the deputation is to ensure that Kyogle LGA's needs are met.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas, Hayden Doolan.

At 5:37 pm, Cr Hayden Doolan returned to the meeting.

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

Moved by Cr Maggie May, seconded by Cr Janet Wilson

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.

AMENDMENT

Moved by Cr Earle Grundy, seconded by Cr Maggie May

That Council receive a report on the viability of implementing schemes to encourage the full payment of annual rates by the due date.

CARRIED

FOR VOTE - Danielle Mulholland, Maggie May, Hayden Doolan, and Earle Grundy.

AGAINST VOTE - Janet Wilson and Robert Dwyer, Lindsay Passfield

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

The amendment became the motion.

RESOLVED CO/1017/5

Moved by Cr Earle Grundy, seconded by Cr Maggie May

That Council receive a report on the viability of implementing schemes to encourage the full payment of annual rates by the due date.

CARRIED

FOR VOTE - Danielle Mulholland, Maggie May, Hayden Doolan, and Earle Grundy

AGAINST VOTE - Janet Wilson, Robert Dwyer and Lindsay Passfield.

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS WITH NOTICE FROM COUNCILLORS****RESOLVED CO/1017/6**

Moved by Cr Hayden Doolan, seconded by Cr Janet Wilson

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT - COUNCILLOR DANIELLE MULHOLLAND; NORTHERN RIVERS ZONE LIAISON COMMITTEE****RESOLVED CO/1017/7**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

11.2 DELEGATE'S REPORT - CR HAYDEN DOOLAN; BUSH FIRE RISK MANAGEMENT COMMITTEE**RESOLVED CO/1017/8**

Moved by Cr Hayden Doolan, seconded by Cr Janet Wilson

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - SEPTEMBER 2017****RESOLVED CO/1017/9**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council receives and notes the information contained in the Monthly Finance Report - September 2017.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

12.2 WORKS PROGRAM PROGRESS REPORT - SEPTEMBER 2017**RESOLVED CO/1017/10**

Moved by Cr Earle Grundy, seconded by Cr Janet Wilson

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

12.3 MINUTES OF THE GATEWAY TO THE RAINFOREST RESERVE TRUST**RESOLVED CO/1017/11**

Moved by Cr Janet Wilson, seconded by Cr Robert Dwyer

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

13 ASSETS AND INFRASTRUCTURE REPORTS**13.1 TABULAM FLOOD STUDY - STEERING COMMITTEE****RESOLVED CO/1017/12**

Moved by Cr Earle Grundy, seconded by Cr Lindsay Passfield

That Council nominate a Councillor to be a part of the Tabulam Flood Study Steering Committee and that Councillor be Cr Earle Grundy.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

14 PLANNING AND ENVIRONMENT REPORTS**14.1 COMMUNITY ENGAGEMENT STRATEGY****RESOLVED CO/1017/13**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council:

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

15 GENERAL MANAGER'S REPORTS**15.1 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2017****RESOLVED CO/1017/14**

Moved by Cr Earle Grundy, seconded by Cr Janet Wilson

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.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

15.2 UNION PICNIC DAY 2017**RESOLVED CO/1017/15**

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

15.3 EQUAL EMPLOYMENT OPPORTUNITY MANAGEMENT PLAN**RESOLVED CO/1017/16**

Moved by Cr Janet Wilson, seconded by Cr Hayden Doolan

That Council adopt the attached Equal Employment Opportunity Management Plan.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

15.4 PECUNIARY INTEREST RETURNS**RESOLVED CO/1017/17**

Moved by Cr Lindsay Passfield, seconded by Cr Janet Wilson

That Council:

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

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - John Burley, Kylie Thomas

16 URGENT BUSINESS WITHOUT NOTICE

Nil

17 QUESTIONS FOR NEXT ORDINARY MEETING

Cr Danielle Mulholland: Is there any intention to grade Simes Road between now and end of the year?

Director Assets and Infrastructure Services: Yes. It is programmed in for the end of November, the start of December.

18 CONFIDENTIAL BUSINESS PAPER

Nil

The Meeting closed at 6.13pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 November 2017.

.....
CHAIRPERSON

7.2 COUNCIL REPORT - 30 OCTOBER 2017

Author: Executive Assistant

Authoriser: General Manager

Attachments: 1. Council Report - 30 October 2017

SUMMARY / PURPOSE

This report presents the minutes of the Extraordinary Council meeting held on 30 October 2017 to Council for confirmation.

RECOMMENDATION

That Council receives and notes the minutes of the Council meeting of the 30 October 2017.

**MINUTES OF KYOGLE COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 30 OCTOBER 2017 AT 5PM**

PRESENT: Cr Danielle Mulholland (Mayor), Cr Maggie May, Cr Hayden Doolan, Cr Earle Grundy, Cr Kylie Thomas, Cr Lindsay Passfield, Cr Robert Dwyer

IN ATTENDANCE: The General Manager, the Director Planning and Environmental Services, the Manager Corporate Services, the Manager Financial Services, and the Executive Assistant to the General Manager.

1 APOLOGIES

Apologies were received from Councillors Janet Wilson and John Burley.

RESOLVED CO/1017/1

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That the apologies be accepted and a leave of absence be approved for Councillors Wilson and Burley.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

2 OPENING PRAYER

The Mayor read the opening prayer.

3 TRADITIONAL LANDS ACKNOWLEDGEMENT

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

4 DECLARATION OF INTERESTS

Cr Maggie May declared a non-pecuniary interest in the following item/s:

- Item 5.3 Community Assistance Grants in relation to CWA and Kyogle Bazaar
Reason for declaration - A member of the Kyogle CWA and the organising committee of the Kyogle Bazaar.

Cr Hayden Doolan declared a non-pecuniary interest in the following item/s:

- Item 5.3 Community Assistance Grants in relation to Kyogle Rugby League Football Club
Reason for declaration - A member of the Kyogle Rugby League Football Club.

Cr Kylie Thomas declared a non-pecuniary interest in the following item/s:

- Item 5.3 Community Assistance Grants in relation to Fairymount Festival and Kyogle Bazaar.
Reason for declaration - Member of the Fairymount Festival Committee and a personal association with the Bazaar.

5 GENERAL MANAGER'S REPORTS**5.1 PRESENTATION FROM AUDITORS 2016/2017 FINANCIAL STATEMENTS****RESOLVED CO/1017/2**

Moved by Cr Earle Grundy, seconded by Cr Robert Dwyer

That Council receive and note the presentation from Council's auditors on the 2016/2017 Financial Reports.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

5.2 2016/2017 FINANCIAL STATEMENTS**RESOLVED CO/1017/3**

Moved by Cr Lindsay Passfield, seconded by Cr Maggie May

That Council:

1. Adopts the 2016/2017 General Purpose Financial Report;
2. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the General Purpose Financial Report;
3. Adopts the 2016/2017 Special Purpose Financial Report;
4. Authorises the Mayor, Deputy Mayor, General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Financial Statement to the Special Purpose Financial Report.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

5.3 COMMUNITY ASSISTANCE GRANTS

The Manager of Corporate Services left the meeting at 5.24pm.

The Manager of Corporate Services returned to the meeting at 5.24pm.

MOTION

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council receives and notes the report, Community Assistance Grants.

Moved by Cr Danielle Mulholland

That Council move into Committee of the Whole to discuss the Community Assistance Grants.

Cr Thomas and Cr May left the meeting at 5.28pm.
 Cr Thomas and Cr May returned to the meeting at 5.30pm.
 Cr Thomas left the meeting at 5.34pm.
 Cr Thomas returned to the meeting at 5.35pm.
 Cr Doolan left the meeting at 5.35pm.
 Cr Doolan returned to the meeting at 5.36pm.
 Cr May left the meeting at 5.36pm.
 Cr May returned to the meeting at 5.36pm.

Cr Lindsay Passfield foreshadowed a motion that Council:

Approves the following recipients for Community Assistance Policy grants for the amounts indicated, being:

Tabulam Race Club	\$1,000
Grevillia Hall Committee	\$1,000
Old Bonalbo P&C Association	\$1,000
Bonalbo District Community Hall	\$710
Kyogle High School	\$1,000
Uniting Care Transport Team	\$1,000
Kyogle Together	\$1,000
Wiangaree Public School P&C	\$1,000
Woodenbong Public Hall	\$2,500
Kyogle Fishing Club	\$1,000
Tabulam Public Hall	\$1,000
Upper Clarence & Bonalbo Senior Citizens	\$1,000
Kyogle Football Club	\$1,000
Remy Leonard (Individual)	\$500

Cr Passfield foreshadowed a motion that Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Bazaar \$1,000.

Cr Passfield foreshadowed a motion that Council approve the following recipient for a Community Assistance Policy grant for the amount indicated - Tabulam CWA \$4,050.

Cr Passfield foreshadowed a motion that Council consider all remaining applications individually.

RESOLVED CO/1017/4

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That Council receives and notes the report, Community Assistance Grants.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

RESOLVED CO/1017/5

Moved by Cr Lindsay Passfield, seconded by Cr Robert Dwyer

That that Council approves the following recipients for Community Assistance Policy grants for the amounts indicated, being:

Tabulam Race Club	\$1,000
Grevillia Hall Committee	\$1,000
Old Bonalbo P&C Association	\$1,000
Bonalbo District Community Hall	\$710
Kyogle High School	\$1,000
Uniting Care Transport Team	\$1,000
Kyogle Together	\$1,000
Wiangaree Public School P&C	\$1,000
Woodenbong Public Hall	\$2,500
Kyogle Fishing Club	\$1,000
Tabulam Public Hall	\$1,000
Upper Clarence & Bonalbo Senior Citizens	\$1,000
Kyogle Football Club	\$1,000
Remy Leonard (Individual)	\$500

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

Cr May and Cr Thomas left the meeting at 5.51pm.

RESOLVED CO/1017/6

Moved by Cr Lindsay Passfield, seconded by Cr Hayden Doolan

That that Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Bazaar \$1,000.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson, John Burley, Maggie May, and Kylie Thomas.

Cr Thomas returned to the meeting at 5.52pm.

RESOLVED CO/1017/7

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Tabulam CWA \$4,050.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson, John Burley and Maggie May.

Cr May returned to the meeting at 5.54pm.

RESOLVED CO/1017/8

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy
That Council considers all remaining applications individually.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

RESOLVED CO/1017/9

Moved by Cr Lindsay Passfield, seconded by Cr Earle Grundy

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Community Kitchen \$1,000.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

RESOLVED CO/1017/10

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Landcare \$1,000.

CARRIED

FOR VOTE - Crs Danielle Mulholland, Maggie May, Hayden Doolan, Earle Grundy and Kylie Thomas

AGAINST VOTE - Crs Lindsay Passfield and Robert Dwyer

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

RESOLVED CO/1017/11

Moved by Cr Kylie Thomas, seconded by Cr Earle Grundy

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Rugby Union Club Ltd \$1,000.

CARRIED

FOR VOTE - Crs Danielle Mulholland, Hayden Doolan, Earle Grundy, Kylie Thomas, Lindsay Passfield and Robert Dwyer

AGAINST VOTE - Cr Maggie May

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

Cr Thomas left the meeting at 6.03pm.

RESOLVED CO/1017/12

Moved by Cr Hayden Doolan, seconded by Cr Earle Grundy

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Fairymount Festival Committee \$1,500.

CARRIED

FOR VOTE - Crs Danielle Mulholland, Maggie May, Hayden Doolan, Earle Grundy and Robert Dwyer

AGAINST VOTE - Cr Lindsay Passfield

ABSENT. DID NOT VOTE - Crs Janet Wilson, John Burley and Kylie Thomas

Cr Doolan left the meeting at 6.09pm.

Cr Thomas returned to the meeting at 6.09pm.

RESOLVED CO/1017/13

Moved by Cr Robert Dwyer, seconded by Cr Kylie Thomas

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Kyogle Rugby League Football Club \$3,440.

CARRIED

FOR VOTE - Crs Danielle Mulholland, Earle Grundy, Kylie Thomas, Lindsay Passfield and Robert Dwyer

AGAINST VOTE - Cr Maggie May

ABSENT. DID NOT VOTE - Crs Janet Wilson, John Burley and Hayden Doolan.

Cr Doolan returned to meeting at 6.14pm.

RESOLVED CO/1017/14

Moved by Cr Maggie May, seconded by Cr Kylie Thomas

That Council approves the following recipient for a Community Assistance Policy grant for the amount indicated - Lillifield Landcare \$1,000.

CARRIED

FOR VOTE - Crs Danielle Mulholland, Maggie May, Earle Grundy and Kylie Thomas

AGAINST VOTE - Crs Lindsay Passfield and Robert Dwyer

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

RESOLVED CO/1017/15

Moved by Cr Kylie Thomas, seconded by Cr Hayden Doolan

That Council move out of Committee of the Whole.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE - Crs Janet Wilson and John Burley

6 URGENT BUSINESS WITHOUT NOTICE

Nil

The meeting closed at 6.15pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the Kyogle Council held on 13 November 2017.

.....
CHAIRPERSON

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - HEAT REFUGE POLICY

Attachments: 1. Notice of Motion

RATIONALE

We are now living in a changing climate where extreme weather events, including heat waves, will become more common. The elderly and very young, pregnant women and people with health conditions can be extremely vulnerable to extremes of heat, particularly if they live in older houses with little insulation.

This policy is to enable residents to seek refuge in air-conditioned venues when temperatures reach extremes.

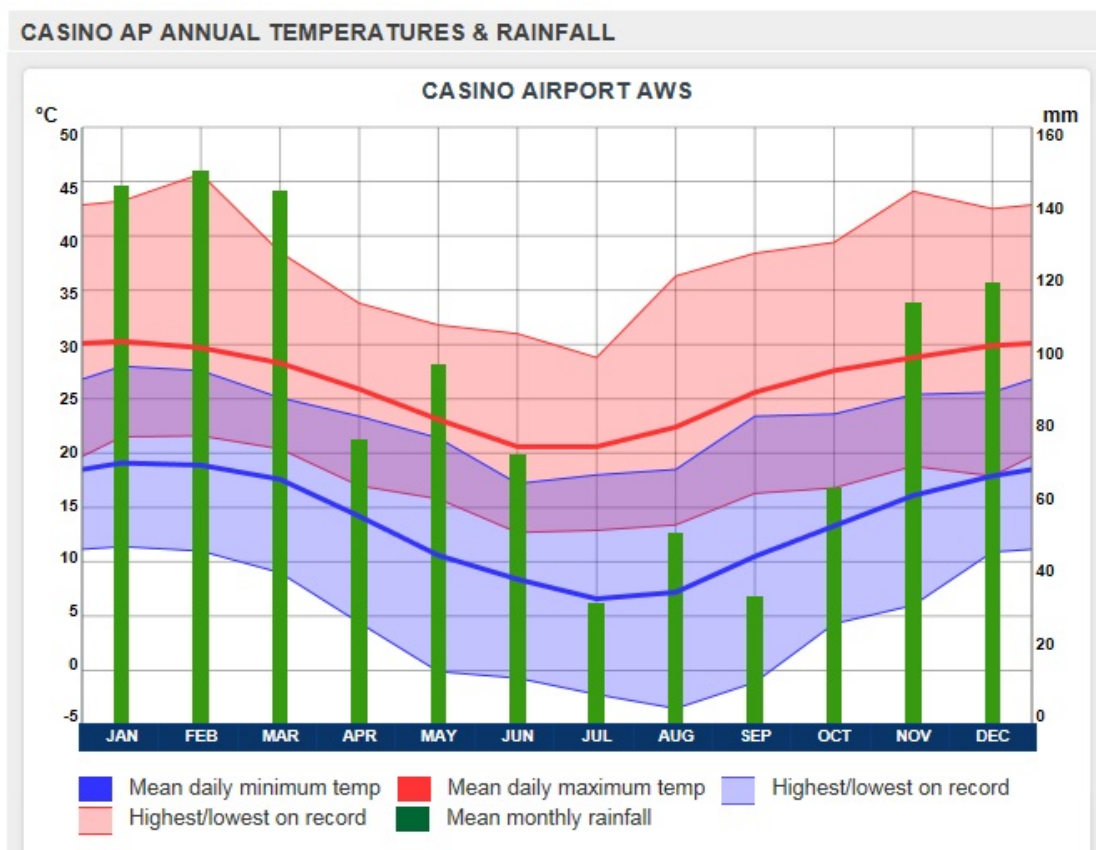
Staff comment

When this notice of motion was received, staff sought preliminary advice from our insurers on the implications of Council adopting a policy position such as that outlined in the notice of motion. The insurer’s initial advice was that Council may be exposed to an unintended liability risk if such a policy were to be adopted and/or enacted, and recommended that detailed legal advice be sought by Council if they wished to consider adopting any such policy. The following background information is provided in order to give Councillors an understanding of the broader context when considering adopting such a policy.

A heatwave is defined by the Bureau of Meteorology as a period of three or more days of unusually high maximum and minimum temperatures in any area. The BoM also have an on-line heatwave tracking service for Australia which can be accessed here;

<http://www.bom.gov.au/australia/heatwave/>

The nearest weather station where records are published for mean, average and extreme weather conditions is the Casino airport. The graph below provides a summary of the available data.



In NSW, extreme heat, or heatwave conditions, are managed under the provisions of the State Emergency and Rescue Management (SERM) Act 1989. The combat agency responsible for dealing with extreme temperature events is the NSW Police Force. Following the resolution to combine the Local Emergency Management Committees (LEMCs) of Kyogle, Lismore and Richmond Valley, the newly formed Northern Rivers LEMC is in the process of preparing its Emergency Management Plan (EMPLAN).

Heatwave has been identified as having a “high” risk rating in the Northern Rivers EMPLAN process, and as such, a Consequence Management Guide (CMG) is being prepared by NSW Police in consultation with NSW Health for inclusion in the final Draft EMPLAN expected to be prepared mid November 2017.

CMGs are the primary guidance for all agencies in dealing with the various types of emergency events in NSW. In addition to assessing the potential outcomes or risks associated with a particular emergency, they also outline the various supporting roles that can be provided by other agencies to assist the main combat agency. In this regard, there is likely to be a time in the future when Council is called upon to assist the NSW Police Force and the welfare agencies such as Family and Community Support (FACS), Red Cross and others, in responding to a heatwave emergency. In this regard, Council could well be requested by these agencies to provide access to air conditioned facilities, which Council would do as part of their normal emergency management obligations.

NSW Health has a series of advisory notes on dealing with heatwave conditions, and a link to those can be found here;

<http://www.health.nsw.gov.au/environment/beattheheat/Pages/stay-healthy-in-heat.aspx>

The NSW Health guidelines are based on the following four key messages;

1. Drink plenty of water
2. Keep cool
3. Take care of others
4. Have a plan

One of the suggested actions under the key message of “Take care of others” is to consider taking them to a cool place, and uses the examples of a shopping centre, library or cinema. As such, there would be no issue with Council reinforcing the messages from NSW Health through the Council newsletter, website and social media.

In relation to Council's pools, there is already in place flexibility for Council staff to keep the pool complexes open for longer hours during times of extreme temperature and where patronage is high. There is no need for a further resolution of Council for this to be effected, nor is there any need for this flexibility to be tied to a particular temperature trigger.

MOTION

I, Councillor Maggie May, give notice that at the next Ordinary Meeting of Council be held on 13 November 2017, I will move:

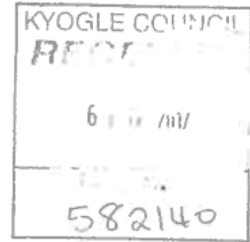
That Council:

1. Enact a heat refuge policy when temperatures reach 37 degrees Celsius beginning January 2018.
2. Utilise Council assets such as the Kyogle Library, Citizens Community Centre and other air-conditioned venues in the LGA for residents to take refuge from extreme heat.
3. Enact the flexible pool opening policy on these days.
4. Investigate suitable venues that could be air-conditioned in villages where no air-conditioned public building is available.

5. Advertise these venues via the Council newsletter, website and social media to make residents aware of the heat refuge policy.



NOTICE OF MOTION



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

1. that Council enact a heat refuge policy when temperatures reach 37 degrees Celsius beginning January 2018.
2. that Council utilise council assets such as the Kyogle Library, Citizens Community Centre and other air-conditioned venues in the LGA for residents to take refuge from extreme heat.
3. that Council enact the flexible pool opening policy on these days.
4. that Council investigate suitable venues that could be air conditioned in villages where no air-conditioned public building is available
5. that council advertise these venues via the Council newsletter, website and social media to make residents aware of the heat refuge policy.

Signed:

Date: 5/11/17

Councillor comments: We are now living in a changing climate where extreme weather events, including heat waves, will become more common. The elderly and very young, pregnant woman and people with health conditions can be extremely vulnerable to extremes of heat, particularly if they live in older houses with little insulation.

This policy is to enable residents to seek refuge in air-conditioned venues when temperatures reach extremes.

9.2 NOTICE OF MOTION - WAIVE POOL ENTRY FEES FOR AUSTRALIA DAY**Attachments: 1. Notice of Motion****RATIONALE**

This is to enable all residents and particularly the youth of the Kyogle Local Government Area to enjoy the facilities at Council's public swimming pools on Australia Day regardless of financial circumstances.

Staff comment

Council waived entry fees to its three public pools this year to allow people to attend Australia Day activities without the need for them to cover entry costs. It proved very successful and it was the staff's intention to present a report to Council to waive pool entry fees for the upcoming 2018 Australia Day celebrations. This Notice of Motion has the same effect.

As part of the 2017 Australia Day celebrations, Council's inflatable slide was available for use, free of charge, at the Kyogle Pool. The West of the Range Australia Day Committee has booked the slide for the Bonalbo pool for the upcoming 2018 Australia Day celebrations. The effect of the motion below would also ensure that this was available free of charge for the Australia Day celebrations in Bonalbo. To ensure equitable access at all three pools, the inflatable slide has been booked in to be available for the Woodenbong pool for the 2019 Australia Day celebrations

MOTION

I, Councillor Kylie Thomas, give notice that at the next Ordinary Meeting of Council be held on 13 November 2017, I intend to move the following motion:-

That Council waive all single entry fees and charges to all Council pools on Australia Day Friday, January 26, 2018.



NOTICE OF MOTION



I, CouncillorKylie Thomas..... , hereby give notice that at the next Ordinary Meeting of Council I will move;

That Council waive all single entry fees and charges to all Council pools on Australia Day Friday January 26 2018

Signed: *K Thomas*

Date:06/11/2017.....

Councillor comments:

This is to enable all residents and particularly the youth of Kyogle LGA to enjoy the facilities at the pools on Australia Day regardless of financial circumstances.

10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT: CR DANIELLE MULHOLLAND - NOROC**

Author: Councillor Danielle Mulholland

Authoriser: General Manager

Attachments: Nil

SUMMARY / PURPOSE

The following delegate's report has been provided by Councillor Danielle Mulholland and provides details of the 3 November NOROC meeting hosted by Tweed Shire Council.

REPORT

NOROC met on Friday 3 November 2017 at the Murwillumbah Civic Centre. There were a number of issues discussed, specifically as follows:

Crown Lands

The NSW Government has delivered new legislation to underpin the management of the State's Crown Land. The *Crown Lands Management Act 2016* will commence early in 2018 and is complemented by the *Crown Land Legislation Amendment Act 2017*. This means everything to do with the management and improvement of Crown Lands will now come under this new consolidated legislation. The intent is to reduce red tape and duplication while enhancing community involvement in improving Crown lands.

Easy To DO Business

In March 2016, Service NSW published five industry-specific "how-to" guides. These guides proved successful so in May 2016, Easy to Do Business launched My Business Navigator for business owners in the Parramatta LGA. These two initiatives have reduced red tape for business owners. The "how-to" guides help business owners navigate government licensing, approvals and regulations around five sectors:

- Café, restaurant and small bar
- Housing construction
- Clothing retail
- Printing
- Road freight

Benefits for councils who participate and who are helping small businesses operate as professionally, efficiently and successfully as possible, are as follows:

- Meet communities' needs through effective provision of a one-stop-shop tool to make doing business locally easier
- Faster opening times enabling a better experience for ratepayers
- Economic growth and downstream community benefits
- Faster business profitability
- Improved whole of government collaboration, cooperation and integration
- High quality, complete applications enabling Council to provide services effectively and efficiently
- Digital awareness campaigns to enable customer awareness

The programs are already running in four councils across the State and deliver streamlined access to government licensing and approvals to small business customers. There may be opportunities for Kyogle Council to explore.

Regional Economic Development Strategy

A Regional Economic Development Summit hosted by RDA Northern Rivers in conjunction with NSW Office of Regional Development and Corview Consultants was held on 2 November 2017. The summit provided local industry and business the chance to have input into the NSW Regional Economic Development Strategy.

Kyogle Council's Community Strategic Plan and other planning documents dovetail nicely into the major themes emerging from Premier and Cabinet, particularly the opportunities around south east Queensland and the proximity of the Northern Rivers to subsequent diverse markets. Themes include transport options, accommodation, service provision, business and economic development etc.

Future Planning

NOROC has resolved to meet in January so member councils can discuss the priority issues to be lobbied around for the next 12 months.

Joint Organisations

At the NOROC meeting in August, NOROC resolved to write to the Minister to seek clarity around the Joint Organisations and when the legislation would be introduced to Parliament. On 2 November 2017, the State Government announced that new laws would be introduced to allow councils to voluntarily create new Joint Organisations (JO) in 2018 with their boundaries to align with NSW Planning regional boundaries.

Seed funding of \$3.3 million is to be provided by the Government to support councils choosing to participate.

Joint Organisations were originally planned to be rolled out during 2017 following the success of a five-region pilot program during 2015/16. It is planned that JOs will now be ready to start in July 2018.

NOROC AGM

NOROC also held its AGM on 3 November 2017. Mayor Danielle Mulholland from Kyogle Council was re-elected President. Mayor Simon Richardson from Byron stepped down as Deputy President and Mayor Isaac Smith of Lismore City Council was elected into the position.

RECOMMENDATION

That Council receives and notes the delegate's report provided by Councillor Danielle Mulholland in respect of the 3 November 2017 NOROC meeting.

12 INFORMATION REPORTS**12.1 WORKS PROGRAM PROGRESS REPORT - OCTOBER 2017**

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. **Works Program Progress Report - October 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 - October 2017*.

12.2 MONTHLY FINANCE REPORT - OCTOBER 2017

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. Monthly Financial Report - October 2017

SUMMARY / PURPOSE

This report presents financial reports to Council for information.

BACKGROUND INFORMATIONLegislative 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. 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 - October 2017.

Kyogle Council



Financial Reports

31 October 2017

Rates Statement

Statement of Bank Balances

Summary of Investments

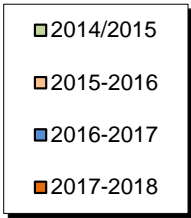
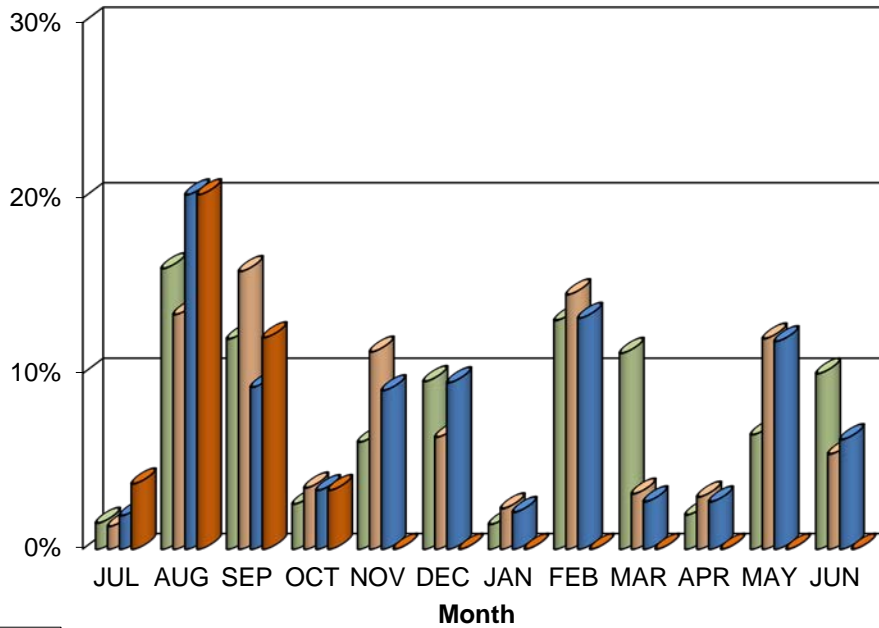
Councillor Travel

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

KYOGLE COUNCIL RATES STATEMENT AS AT 31 OCTOBER 2017

	ARREARS 1-Jul-2017	NET CHARGES 2017-2018	PAYMENTS	OUTSTANDING BALANCE 31/10/2017	ARREARS 31/10/2017	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2017-2018
RATES, SERVICES AND INTEREST	870,325.46	8,979,744.84	3,873,645.96	5,976,424.34	461,810.68	39.33%	46.94%
PRESENTED TO COUNCIL NOVEMBER 2017							
Note: Some ratepayers have made arrangements, whilst others are at different stages of legal action.							

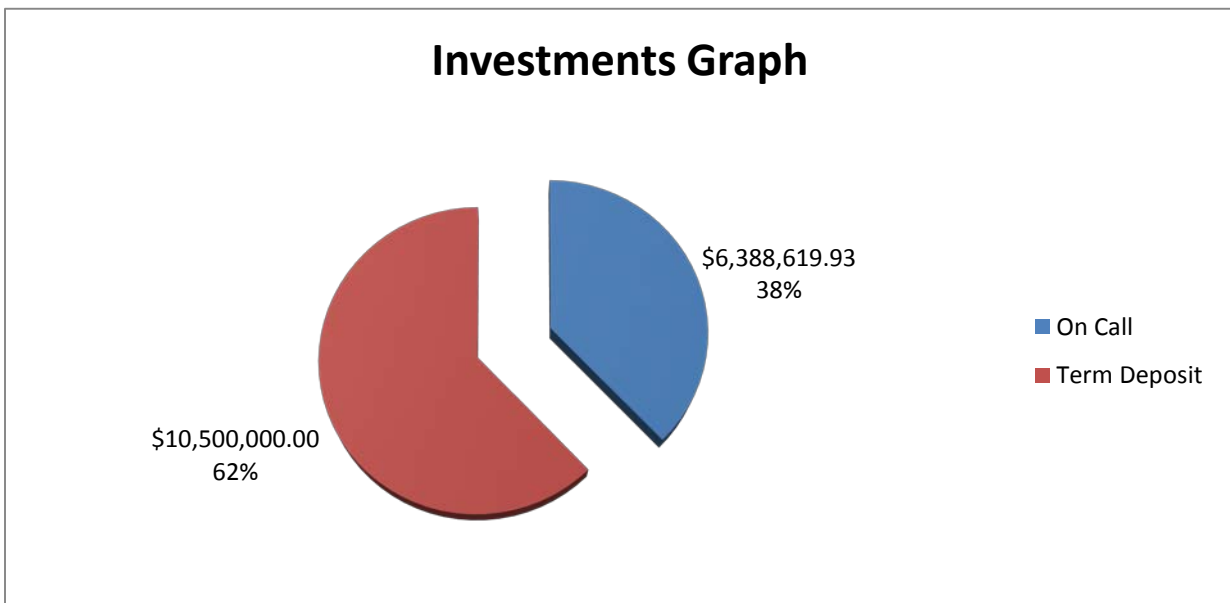
Rate Collections Analysis
% Collected Each Month



KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/10/2017								
Institution	Investment Type	Investment Date	Maturity Date	Interest Type	Interest Frequency	Interest rate	Investment Amount	% of Portfolio
CBA	On Call	At Call	At Call	Variable	Monthly		6,388,619.93	37.83%
Total Cash at Call							6,388,619.93	37.83%
NAB	Term Deposit	21-Sep-17	01-Nov-17	Fixed	Maturity	2.01%	2,000,000.00	11.84%
Suncorp Metway	Term Deposit	03-Oct-17	05-Dec-17	Fixed	Maturity	2.05%	1,400,000.00	8.29%
Suncorp Metway	Term Deposit	10-Oct-17	12-Dec-17	Fixed	Maturity	2.10%	2,000,000.00	11.84%
Bankwest	Term Deposit	09-Oct-17	16-Jan-18	Fixed	Maturity	2.40%	3,000,000.00	17.76%
Suncorp Metway	Term Deposit	24-Oct-17	23-Jan-18	Fixed	Maturity	2.30%	2,100,000.00	12.43%
Total Cash at Call							10,500,000.00	62.17%
Total Investment Portfolio							\$16,888,619.93	

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



<u>Kyogle Council</u>	
STATEMENT OF FUND BALANCES as at 31-Oct-17	
Fund	Closing Balance
General Fund	
Unrestricted	6,690,728.85
Internally Restricted	4,223,662.00
State Highways	1,731,079.01
Quarries	547,815.24
Plant	2,001,449.64
Externally Restricted	543,979.54
Total General Fund	15,738,714.28
Restricted	
Water Supplies	747,860.54
Sewerage Systems	626,684.10
Domestic Waste	(233,212.28)
Trust Fund	8,573.29
Total Restricted	1,149,905.65
Total Consolidated Funds at Bank	16,888,619.93

COUNCILLORS TRAVEL EXPENSES

Oct-17

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Oct-17	YTD		Oct-17	YTD
K. Thomas	0	0	\$0.78	\$0.00	\$0.00
H. Doolan	0	0	\$0.78	\$0.00	\$0.00
J. Wilson	0	0	\$0.78	\$0.00	\$0.00
J. Burley	0	1,553	\$0.68	\$0.00	\$1,056.04
R. Dwyer	0	0	\$0.78	\$0.00	\$0.00
D. Mulholland	0	1,960	\$0.78	\$0.00	\$1,528.80
L. Passfield	0	1,393	\$0.78/\$0.68	\$0.00	\$1,002.34
M. May	0	0	\$0.78	\$0.00	\$0.00
E. Grundy	2,563	4,083	\$0.78	\$1,999.14	\$3,184.74
Total	2,563	8,989		\$1,999.14	\$6,771.92

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.

13 ASSETS AND INFRASTRUCTURE REPORTS

13.1 REQUEST FOR ROAD CLOSURE UPPER DUCK CREEK ROAD

Author: Director Assets and Infrastructure Services

Authoriser: Director Assets and Infrastructure Services

Attachments: 1. Map of section of Duck Creek Road proposed for closure
2. Letter from road closure applicant

SUMMARY / PURPOSE

This report provides Council with the results of a public call for submissions on the proposed closure of a portion of Duck Creek Road, Upper Duck Creek.

BACKGROUND INFORMATION

Council received a request for the closure of the upper end of Duck Creek Road from the adjoining landowners who wished to close and purchase the section of road. A map showing the proposed closure is attached to this report.

PREVIOUS COUNCIL CONSIDERATION

Council considered the proposed closure at the ordinary Council meeting held 9 June 2015 where it was determined;

1. *That Council receives and notes the report on Request for Road Closure Upper Duck Creek.*
2. *That Council, subject to there being no objections during public exhibition of this proposal, authorise the closure of the portion of Duck Creek Road from the intersection with Afterlee Road (approximate chainage 18.86) through Lots 28, 21 and 22 of DP751048 to approximate chainage 20.16km as shown on the plan provided in the attachments to this report "Proposed Road Closure Upper Duck Creek 2015" on the basis that the road closure leaves no additional parcels of land without legal access.*
3. *That Council seek formal agreement with the applicant that all costs associated with the closure are to be borne by the applicant, including subsequent purchase and transfer costs.*
4. *That, subject to the above, Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the closing of the portion of Public Road through Lots 28, 21, and 22 of DP751048 at Upper Duck Creek.*
5. *That Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the transfer of the portion of Public Road through Lots 28, 21, and 22 of DP751048 at Upper Duck Creek.'*

A rescission of this motion was received and considered at the Ordinary Council Meeting held 13 July 2015 where it was resolved;

"That Council rescind dot points 4 and 5 of resolution 090615/05 (Request for Road Closure Upper Duck Creek), those dot points being:

4. *That, subject to the above, Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the closing of the portion of Public Road through lots 28, 21 and 22 or DP751048 at Upper Duck Creek*
5. *That Council authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the transfer of the portion of Public Road through lots 28, 21 and 22 of DP751048 at Upper Duck Creek."*

REPORT

Council advertised the proposed road closure with a call for submissions published in the Richmond River Express Examiner on Wednesday, 6 September 2017. No submissions were received.

BUDGET AND FINANCIAL IMPLICATIONS

In their letter dated 28 June 2017, the proponents confirmed willingness to pay all costs associated with the closure. A copy of this letter is attached.

RECOMMENDATION

That Council

1. Receives and notes the report, *Request for Road Closure Upper Duck Creek Road*.
2. Authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the closing of the portion of Public Road through Lots 28, 21, and 22 of DP751048 at Upper Duck Creek.
3. Authorises the Common Seal to be affixed in the presence of the Mayor and General Manager to the documents relating to the transfer of the portion of Public Road through Lots 28, 21, and 22 of DP751048 at Upper Duck Creek.'



T A and J A Moody
1876 Duck Creek Rd
Upper Duck Creek, 2469
(02) 66653133
upaduck@skymesh.com.au

28 June 2017

General Manager
Kyogle Council
PO Box 11
Kyogle, 2474

Dear Graham

Re: Duck Creek road closure – Moody property

Further to our correspondence commencing with Council in 2015, forthcoming Council resolutions, and subsequent telephone discussion with you on this matter, we write to confirm that:

We wish to proceed with the proposed closure, and transfer into our ownership of the section of Duck Creek road extending north from the former intersection with Afterlee Rd, and wholly contained within our property.

We accept responsibility for payment of Council costs, including advertising, legal.

We accept responsibility for any State government fees and charges.

We would appreciate this matter being dealt with as quickly as possible.

Please do not hesitate to contact us as required.

Regards

Two handwritten signatures in black ink. The top signature is 'T A Moody' and the bottom signature is 'J A Moody'. Both are written in a cursive, flowing style.

14 PLANNING AND ENVIRONMENT REPORTS

Nil

15 GENERAL MANAGER'S REPORTS**15.1 CHRISTMAS/NEW YEAR CLOSEDOWN**

Author: Manager Corporate Services

Authoriser: General Manager

Attachments: Nil

SUMMARY / PURPOSE

The purpose of this report is to advise Council of the dates Council's administration centre will be closed for the Christmas-New Year break.

REPORT

Council's administration centre will be closed for the Christmas break this year from midday Thursday 21 December 2017 to Monday 1 January 2018 inclusive. The office will re-open on Tuesday 2 January 2018. As has been the case for the past two years, Council's construction and maintenance activities will not have a compulsory extended Christmas/New Year 'closedown' period. Rather, the construction and maintenance crews will, like the administration team, take leave from 22 December to 1 January inclusive, returning to work on 2 January 2018 with only essential operational staff working during this period.

RECOMMENDATION

That Council receives and notes the report, *Christmas/New Year Closedown*.

15.2 2016/2017 ANNUAL REPORT

Author: Manager Corporate Services

Authoriser: General Manager

Attachments: 1. Annual Report 2016/17 (under separate cover)

SUMMARY / PURPOSE

This report presents the 2016/2017 Annual Report to Council for tabling.

REPORTLegislative Requirements

Section 428 of the Local Government Act, states that “*within five months after the end of each year, a council must prepare a report (its **annual report**) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed*”

The content of the report is prescribed by the Act, with the view of ensuring greater accountability of the Council.

Section 428(5) of the Local Government Act states that “*a copy of the council’s annual report must be posted on the council’s website and provided to the Minister and such other persons and bodies as the regulations may require*”.

A copy of a council’s annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council’s website.

RECOMMENDATION

That Council:

1. Receives and notes the report, *2016/17 Annual Report*.
2. In accordance with s.428 of the Local Government Act, 1993, post the Annual Report on Council’s website and provide a copy to the Minister.

15.3 SEPTEMBER 2017 QUARTERLY BUDGET REVIEW

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. September 2017 Quarterly Budget Review (under separate cover)

SUMMARY / PURPOSE

This report arises out of the statutory requirement to conduct a review of the budget following the close of each quarter.

BACKGROUND INFORMATION

Legislative Requirements

Clause 203 of the Local Government (General) Regulation 2005 requires that:

- (1) Not later than two months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A budget review statement must also include any information required by the Code to be included in such a statement.

Section 407 of the Local Government Act 1993 which previously required the General Manager to report to Council on the extent which performance targets set by the Management Plan have been achieved during that quarter has been repealed.

REPORT

A quarterly budget review should act as a barometer of council's financial health during the year. It needs to adequately disclose council's overall financial position, provide sufficient information to enable informed decision making while ensuring transparency in decision making. It is also a means by which councillors can ensure that council remains on track to meet its objectives, targets and outcomes as set out in its management plan/operational plan.

The Division has developed a set of minimum requirements and sample templates to assist councils in meeting their obligations as set out in legislation. The templates will facilitate progress reporting against the original and revised annual budgets at the end of a quarter.

The budget review documentation provided to Council consists of the Quarterly Budget Review Statement (QBRs) as prescribed by the Office of Local Government and a Statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBRs which includes;

- Budget Review Income and Expenses Statement
- Budget Review Capital Budget
- Budget Review Cash and Investments position
- Budget Review Key Performance Indicators

A summary of bank account balances is also attached to the Budget review report.

Conclusion:

The revised financial position of Council is considered to be satisfactory.

RECOMMENDATION

That Council:

1. Receives and notes the September 2017 Quarterly Budget Review Statement;
2. Approves the variation of estimates contained in the table below:

STATEMENT OF SIGNIFICANT VARIANCES**SEPTEMBER QUARTER BUDGET REVIEW**

DETAILS	QUARTERLY ADJUSTMENT	
	INCOME	EXPENSES
Administration - Grants	150,000	
Finance - Revenue Sharing Grant	111,289	
Regional Roads - Capital Grants	(159,135)	
Regional Roads - Capital Expenditure MR 544		(35,000)
Rural Local Roads - Grant Income	39,992	
Rural Local Roads - Capital Grants	(293,895)	
Rural Local Roads - Capital Expenditure		(389,189)
Bridges - Grant Income	14,792	
Bridges - Capital Grants	260,500	
Bridges - Capital Expenditure		311,500
Community Buildings - Internal Rents	(5,869)	
Stormwater Management - Flood Grants	91,350	
Stormwater Management - Flood Restoration		91,350
Water Fund - Operating Costs		44,105
Sewer Fund - Operating Costs		30,411
Totals	209,024	53,177
	Net	
	Adjustment	155,847

16 URGENT BUSINESS WITHOUT NOTICE

17 QUESTIONS FOR NEXT ORDINARY MEETING

18 CONFIDENTIAL BUSINESS PAPER**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

18.1 TENDER 2017/18-003 FOR SUPPLY OF 6X4 PRIME MOVER

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

18.2 TENDER 2017/18-004 FOR SUPPLY OF TWO 6X4 RIGID TIPPERS

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

18.3 TENDER 2017/18-005 SUPPLY OF HYDRAULIC EXCAVATOR

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

18.4 Tender for Design and Construction of Woodenbong Waste Transfer Station

This matter is considered to be confidential under Section 10A(2) - c of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.