



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

Date: Tuesday, 12 June 2018
Time: 5pm
Location: Kyogle Council Chambers, Stratheden Street, Kyogle

AGENDA

Ordinary Council Meeting

12 June 2018

**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 Tuesday 12 June 2018, 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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- 1 APOLOGIES**
- 2 OPENING PRAYER**
- 3 TRADITIONAL LANDS ACKNOWLEDGEMENT**
- 4 DECLARATION OF INTERESTS**
- 5 QUESTION TIME**
- 6 PUBLIC ACCESS**

7 CONFIRMATION OF MINUTES

7.1 COUNCIL REPORT - 14 MAY 2018

Author: Executive Assistant

Authoriser: General Manager

Attachments: 1. Minutes of the 14 May 2018 Ordinary Meeting (under separate cover)

SUMMARY / PURPOSE

This report presents the minutes of the Ordinary Council meeting held on 14 May 2018 to Council for confirmation.

RECOMMENDATION

That Council confirm the minutes of the Council meeting of the 14 May 2018.

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

Nil

10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Nil

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS**12.1 MONTHLY FINANCE REPORT - MAY 2018**

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. Monthly Finance Report - May 2018

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 report, *Monthly Finance Report - May 2018*.

Kyogle Council



Financial Reports

31 May 2018

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

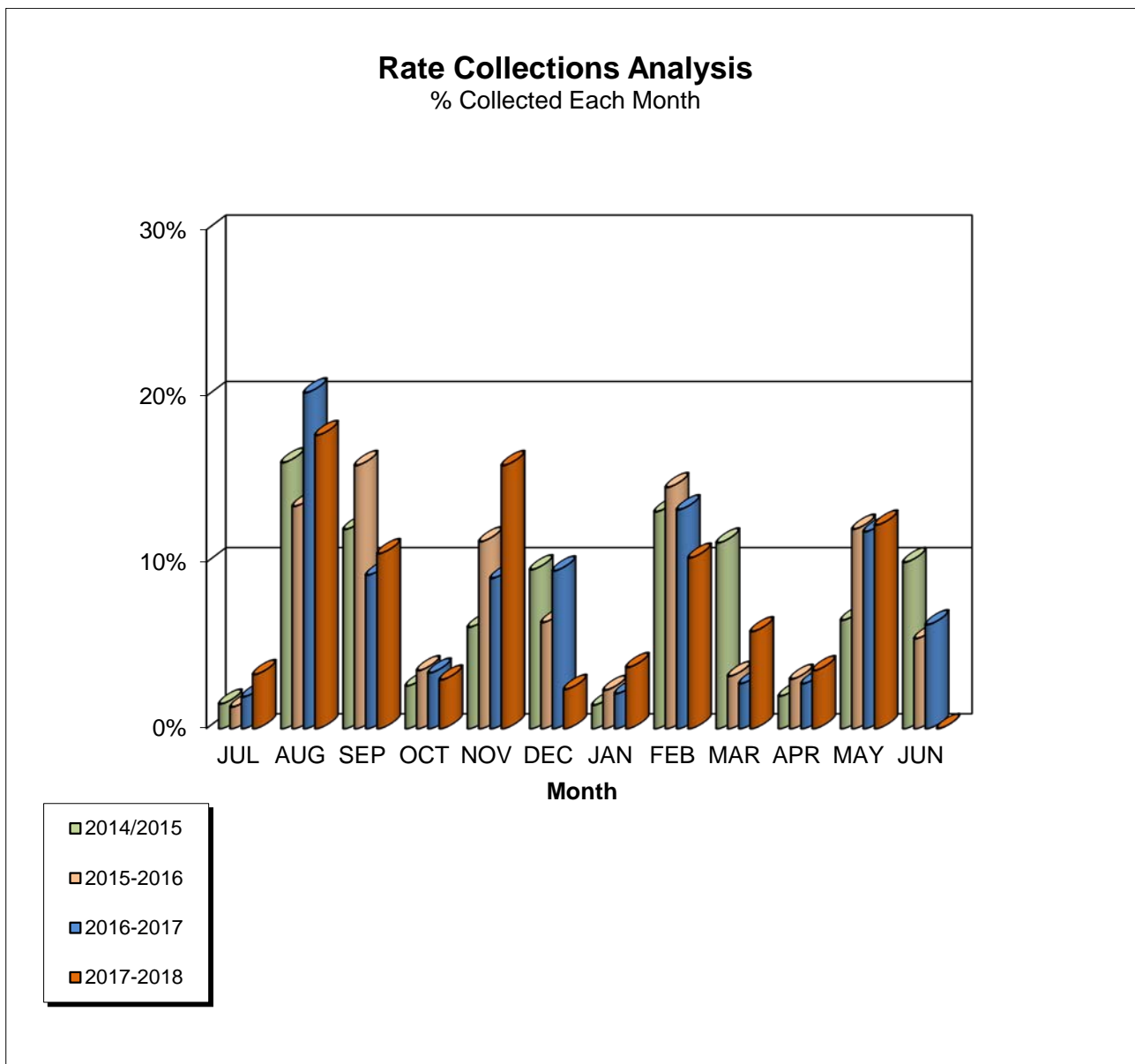
KYOGLE COUNCIL RATES STATEMENT AS AT 31 MAY 2018

	ARREARS 1-Jul-2017	NET CHARGES 2017-2018	PAYMENTS	OUTSTANDING BALANCE 31/5/2018	ARREARS 31/5/2018	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2017-2018
RATES, SERVICES AND INTEREST	870,325.46	10,413,357.10	9,929,048.58	1,354,633.98	191,495.95	87.99%	78.00%

PRESENTED TO COUNCIL JUNE 2018

Note:

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



KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/05/2018								
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		2,922,066.92	25.58%
Total Cash at Call							2,922,066.92	25.58%
Suncorp Metway	Term Deposit	27-Mar-18	29-May-18	Fixed	Maturity	2.32%	2,100,000.00	18.39%
NAB	Term Deposit	03-Apr-18	05-Jun-18	Fixed	Maturity	2.49%	2,000,000.00	17.51%
Suncorp Metway	Term Deposit	10-Apr-18	12-Jun-18	Fixed	Maturity	2.25%	1,400,000.00	12.26%
Bankwest	Term Deposit	24-Apr-18	26-Jun-18	Fixed	Maturity	2.30%	3,000,000.00	26.26%
Total Cash at Call							8,500,000.00	74.42%
Total Investment Portfolio							<u><u>\$11,422,066.92</u></u>	

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

Kyogle Council	
STATEMENT OF FUND BALANCES as at 31-May-18	
Fund	Closing Balance
General Fund	
Unrestricted	1,683,728.97
Internally Restricted	4,223,662.00
State Highways	1,342,066.13
Quarries	522,736.97
Plant	1,898,022.45
Externally Restricted	543,979.54
Total General Fund	10,214,196.06
Restricted	
Water Supplies	688,980.17
Sewerage Systems	562,674.33
Domestic Waste	(83,334.30)
Trust Fund	39,550.66
Total Restricted	1,207,870.86
Total Consolidated Funds at Bank	11,422,066.92

COUNCILLORS TRAVEL EXPENSES May-18

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	May-18	YTD		May-18	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	2,431	\$0.68	\$0.00	\$1,653.08
R. Dwyer	0	0	\$0.78	\$0.00	\$0.00
D. Mulholland	0	6,280	\$0.78	\$0.00	\$4,898.40
L. Passfield	0	3,944	\$0.78/\$0.68	\$0.00	\$2,784.12
M. May	0	0	\$0.78	\$0.00	\$0.00
E. Grundy	0	6,729	\$0.78	\$0.00	\$5,248.62
Total	0	19,384		\$0.00	\$14,584.22

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.

12.2 WORKS PROGRAM PROGRESS REPORT - MAY 2018

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. Works Program Progress Report May 2018 (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 is intended to present to Council information on progress of the implementation of the annual works programs across all departments of Council, as well as the performance of the quarry and State Highways operations.

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 Highway's 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 report 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 report, *Works Program Progress Report - May 2018*.

13 ASSETS AND INFRASTRUCTURE REPORTS

Nil

14 PLANNING AND ENVIRONMENT REPORTS

Nil

15 GENERAL MANAGER'S REPORTS**15.1 MEDIA POLICY**

Author: Manager Corporate Services

Authoriser: General Manager

Attachments: 1. Draft Media Policy June 2018

SUMMARY / PURPOSE

As part of Council's Policy Review Program all policies are being reviewed and updated.

BACKGROUND INFORMATION

The current Media Policy, adopted in 2006, was identified as a medium priority for review and update. This update brings the policy in line with current media requirements and incorporates use of social media.

REPORT

The salient features of the Media Policy are as follows;

- Mayor and General Manager are Council's official spokespersons on all matters.
- The Mayor may delegate to other Councillors and the General Manager may delegate to appropriate staff.
- It is common place for Councillors to be asked by the media to comment on Council policy or decisions. Only the Mayor and General Manager are permitted to speak on behalf of Council. Individual Councillors remain free to make personal comments to the media, but not to speak on Council's behalf.
- Councillors and staff providing comment or information to the media must not contest or undermine Council policy.
- Councillors are free to speak with the media but must not make personal criticisms of other Councillors or staff and must adhere to Council's Code of Conduct.

RECOMMENDATION

That Council;

1. Receives and notes the report, *Media Policy*.
2. Adopts the draft Media Policy.

Kyogle Council

Media Policy



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1 Introduction:

The media (which includes all social media platforms) is a channel to the public and a means by which Kyogle Council can promote itself and its various projects and initiatives to the community through the use of interesting, factual and up-to-date information.

The following policy is designed to strengthen and build on Council's existing relationship with the media and to ensure there is some consistency in the way that individual Councillors and Council staff deal with the media on a day to day basis.

Councillors and staff are encouraged to familiarise themselves with Council's Code of Conduct before making comment on Council business through the media.

2 Validity:

This policy was adopted at Council's Ordinary Meeting held TBA (Resolution TBA).

3 Purpose:

Council recognises that a well-run, competent, ethical and reputable organisation is the best way to promote a favourable image and that any public relations program is only as good as the organisation behind it.

Kyogle Council will take advantage of interest from the media to further its reputation and inform the public about Council's activities. Council will also distribute information to the media to communicate information about Council activities and decisions. In dealing with the media, Councillors and Council officers must be careful to communicate accurate information.

Council will endeavour to:

- Be a reliable source of information
- Promote a professional and consistent corporate image
- Provide prompt responses to requests wherever possible
- Be as co-operative as possible
- Be available; including outside normal working hours where appropriate
- Provide up to date information

4 Speaking to the Media and Making Comment on Social Media:

1. The Mayor and General Manager are Council's official spokespersons on all matters. The General Manager may nominate other staff to act as spokespeople for the Council.

Council officers can speak to the media about specific projects and initiatives only with the approval of the General Manager.

2. Councillors and staff providing comment or information to the media must not contest or undermine Council policy or cast Council, Councillors or Council staff in a negative light.
3. When appropriate in official Council media releases, a Councillor or member of staff should become sole spokesperson on a specific issue, event or initiative to ensure consistency of message.
4. Councillors are free to talk to the media at any time on issues of interest. However, they should always do so with the best interests of the organisation in mind and should avoid making personal criticisms of other Councillors or Council staff. If speaking as individuals Councillors and Council staff should also make it clear where their views differ from those of the Council.
5. Councillors and Council staff are encouraged to co-operate at all times with media outlets and requests for interviews/photographs. Councillors and Council staff should respond to media enquiries at the earliest possible opportunity.
6. Councillors and Council staff should treat all media outlets equally and should avoid giving one outlet preferential treatment. Media releases should be distributed to all media outlets at the same time (unless they have been prepared for a specific publication).
7. Councillors and Council staff are encouraged at all times to be proactive, as opposed to reactive, in their use of the media.

5 Media Releases:

1. Media releases should be used to:
 - Promote specific Council projects and initiatives;
 - Assist with the relay of accurate and up-to-date information to residents and visitors to the area;
 - Congratulate/commend individuals and organisations;
 - Defend Council from unwarranted criticism.

Council media releases should be for the benefit or information of the community and not the aggrandisement of any individual.

2. All media releases on behalf of Council should be issued in consultation between the General Manager and Mayor.
3. Elected representatives are free to issue their own media releases as individuals but should do so with the best interests of the Council in mind and must not make personal attacks on other Councillors and Council staff.
4. Media releases issued on behalf of Council as an elected group must be approved by the Mayor or (in his/her absence) the Deputy Mayor. A draft copy should also be forwarded to all Councillors for comment prior to release where practical.
5. Media releases issued by Council staff must be approved by the General Manager. Copies of media releases should be forwarded to all Councillors.
6. Media releases can be developed and released in conjunction with other groups/agencies but should be approved by a representative of both agencies.

6 Role of Councillors:

It is common place for Councillors to be asked by the media to comment on Council policy or decisions. Only the Mayor and General Manager are permitted to speak on behalf of Council. Individual Councillors remain free to make personal comments to the media, but not to speak on Council's behalf.

Defamation law covers Councillors as it does everyone else. It could be considered defamatory to harm another person's reputation verbally or through the written word.

15.2 ADOPTION OF OPERATIONAL PLAN 2018/2019 AND DELIVERY PROGRAM 2018/2022, AND FEES AND CHARGES 2018/2019

Author: Manager Corporate Services

Authoriser: General Manager

Attachments:

1. Draft Operational Plan 2018/19 and Delivery Program 2018/2022 (under separate cover)
2. Draft Fees and Charges 2018/2019 (under separate cover)
3. Tidy Towns submission (under separate cover)
4. Reply to Tidy Towns Submission (under separate cover)

SUMMARY / PURPOSE

This report presents the 2018/2022 Delivery Program, 2018/2019 Operational Plan and 2018/2019 Fees and Charges for adoption.

PREVIOUS COUNCIL CONSIDERATION

At its Ordinary Meeting of 9 April 2018, Council resolved;

That Council:

1. *Receives and notes the report, Draft Operational Plan 2018/2019 and Delivery Program 2018/2022*
2. *Incorporates the adopted project list for Round Two of the Stronger Country Communities Fund into the Draft Operational Plan 2018/19 and Delivery Program 2018/2022 before placing on public exhibition.*
3. *Places the Draft Operational Plan 2018/2019 and Delivery Program 2018/2022 on public exhibition for a minimum of 28 days and seek submissions from the community on its content.*
4. *Places the Draft Fees and Charges 2018/2019 on public exhibition for a minimum of 28 days and seek submissions from the community on its content.*

Report

The draft Operational Plan and Delivery Program and Fees and Charges were placed on public display and advertised calling for submissions from the public up until Monday 14 May 2018. Only one formal public submission was received on the draft documents. It was from the Kyogle Tidy Towns Committee. A copy of their submission is attached to this report. The submission sought clarification on a number of points but did not request any changes to the draft budget presented for public display. A formal response has been sent to the Tidy Towns Committee. A copy of that response is also attached to this report.

In addition to this submission a number of minor changes have been put forward by staff during the public display period. These can be summarised as follows;

1. Budget: - The budget review changes from the March 2018 quarterly budget review have been incorporated into the LTFP model
2. Budget: - Youth Ventures budget adjusted to ensure indexation in future years
3. Budget: - error in Section 94 income in Regional Roads corrected, originally shown as cost rather than income
4. Budget: - Additional funding of \$99,673 for refit of Kyogle Library, 100% externally funded
5. Budget: - Art Gallery rent of existing premises for six months added to 2019 to allow for completion of KMI Hall works
6. Budget: – Financial Assistance donations changed to rename “Kyogle Reconciliation Group – NAIDOC Week” donation to read “Reconciliation Day/NAIDOC week celebrations”, and increase donation from \$523 to \$3,000 (indexed) to allow for funding to be available for celebrations in areas other than Kyogle without going through the Financial Assistance

- application process. Note changes also required to Operational Plan page 18 table of donations to reflect this change.
7. Budget – Annual allowance for traffic control and establishment for special events increased from \$10,000 to \$15,000 in 2019 to allow for additional costs associated with approved events and Fairymount Festival. Note changes also required to Operational Plan page 18 table of donations to reflect this change.
 8. Budget – Approved Safer Roads Program (aka Black Spot) funded projects notified to Council on May 29, 2018 added to capital works program in Regional Roads and Rural Local Roads and Operational Plan and Delivery Program updated to reflect the changes.
 9. Fees and Charges; - Correction to “Dishonoured Payments” charges on page 4 to delete the separate charge titled “Dishonoured Payment Processing Fee” of \$20 and leave a single “Payment Dishonour Fee” of \$25 to avoid confusion between what may be seen as two separate fees for the same thing with different amounts.
 10. Operational Plan: - Page 8, correct Commercial Waste Service Charge to remove rounding error, \$506 not \$507
 11. Operational Plan: - Page 8, add note below Domestic Waste and Commercial Waste Charges providing customers who currently have a full 240L waste only bin at the split bin rate one year’s grace before they are moved to the new charges.
 12. Operational Plan: - Revisions to the Long Term Goal Strategy or Service Levels and measures;
 - a. Add insurance and workers compensation statistics
 - b. Add NOROC sub-group participation figures
 - c. Update Planning and Environment Services measurers to reflect current priorities

The fact that Council received only one submission on its draft Budget could be seen as a very positive reflection of the communities support for the budget put forward by Council, and in the financial strategies that the draft budget was founded upon.

BUDGET AND FINANCIAL IMPLICATIONS

Making of Rates and Charges

Council must, after consideration of any submissions, formally make all rates and charges to enable levies to be effected.

It should be noted that the general rates advertised in the Revenue Policy have been calculated so as to include the IPART approved special rate variation for General Rates and the new Stormwater and Flood Special Rate, a total increase of 5.44% for the 2018/2019 rating year.

Adoption of Fees

Section 608 of the Local Government Act 1993 (the Act) states;

A council may charge and recover an approved fee for any service it provides, other than a service provided, or proposed to be provided, on an annual basis for which it is authorised or required to make an annual charge under section 496 or 501 (for example, domestic waste, water supply services, sewerages, services).

The proposed fees for the various services provided or intended to be provided by Council cover the period 1 July, 2018 to 30 June, 2019.

In the draft 2018/2019 Fees and Charges schedule all Statutory Fees that are set by legislation were identified using a yellow highlight.

Borrowings

2020/2021 borrowings include \$5,000,000 repayable over 10 years.

Section 621 of the Local Government Act 1993 authorises Council to borrow at any time for any purpose under the Act. Section 624 allows the Minister for Local Government to impose borrowing limitations or restrictions from time to time. Kyogle Council does not have any limitations or restrictions imposed by the Minister.

Compliance

Council advertised its Draft Operational Plan 2018/2019 and Delivery Program 2018/2022, in accordance with the provisions of Section 404 and 405 of the Act, and has considered submissions to its draft documents in accordance with those Sections of the Act.

RECOMMENDATION

1. That Council adopt the attached Operational Plan 2018/2019 and Delivery Program 2018/2022.
2. That a Farmland Rate, to be known as the "Farmland Rate" of 0.429555 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Farmland in accordance with Section 515 of the Local Government Act 1993, subject to a base amount of \$258.00 which is expected to yield 14.8% of revenue in this category, in accordance with Sections 499 and 537 of the Act.
3. That a Residential Rate, to be known as the "Residential Rate" of 0.638522 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Residential in accordance with Section 516 of the Local Government Act 1993, subject to a base amount of \$258.00 which is expected to yield 44.3% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
4. That a Residential Rate, to be known as the "Residential – Kyogle" Rate of 0.954859 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential - Kyogle (being all rateable land (other than business) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$276.00 which is expected to yield 22.8% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
5. That a Residential Rate, to be known as the "Rural Residential Rate" of 0.533654 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Residential Rural (being parcels of residential land that are the site of a dwelling and are between 2 and 40 hectares in area, or which do not have a significant and substantial commercial purpose or character) in accordance with Sections 516 and 529 of the Local Government Act 1993, subject to a base amount of \$258.00 which is expected to yield 22.5% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
6. That a Business Rate, to be known as the "Business Rate" of 0.493773 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that has been categorised as Business in accordance with Section 518 of the Local Government Act 1993, subject to a base amount of \$258.00 which is expected to yield 44.6% of revenue in this category, in accordance with Sections 499 and 537 of the

Local Government Act 1993;

7. That a Business Rate, to be known as the “Business – Kyogle” Rate of 0.946636 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 494 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the sub-category of Business - Kyogle (being all rateable land (other than residential) in the Kyogle Urban Area, as defined and includes properties in the areas of Kyogle, Geneva, Highfield, Homestead and the Golf Course Estate) in accordance with Sections 518 and 529 of the Local Government Act 1993, subject to a base amount of \$276.00 which is expected to yield 15.2% of revenue in this category, in accordance with Sections 499 and 537 of the Local Government Act 1993;
8. That a Stormwater and Flood Special Rate, to be known as the “Stormwater and Flood Residential” Rate of 0.042699 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the category of Residential and the sub-category of Residential - Kyogle in accordance with Sections 516 and 529 of the Local Government Act 1993, that is developed land and not able to be defined as vacant land subject to a minimum amount of \$93.00 in accordance with Section 548 of the Local Government Act 1993;
9. That a Stormwater and Flood Special Rate, to be known as the “Stormwater and Flood Business” Rate of 0.042699 cents in the dollar on the Land Value be now made for the rating year 1 July 2018 to 30 June 2019 in accordance with Section 495 of the Local Government Act 1993, on all rateable land in the area of the Council of Kyogle that belongs to the category of Business and the sub-category of Business - Kyogle in accordance with Sections 518 and 529 of the Local Government Act 1993, that is developed land, not able to be defined as vacant land, subject to a minimum amount of \$93.00 in accordance with Section 548 of the Local Government Act 1993;
10. That the following Water Supply Charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Access Charges

• Vacant Property	\$118.00
• 20mm Connection	\$393.00
• 25mm Connection	\$614.00
• 32mm Connection	\$1,006.00
• 40mm Connection	\$1,572.00
• 50mm Connection	\$2,456.00
• 80mm Connection	\$6,288.00
• 100mm Connection	\$9,825.00
• Fire Service Connection	\$393.00

Consumption Charges

Consumption up to 200kL usage	\$1.79 per kL
Consumption above 200kL usage	\$2.21per kL
Home Dialysis allocation first 100 kL	no charge

11. That the following Residential Sewerage Charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

Sewerage Annual Charge \$745.00

12. That the following Non Residential Sewerage Charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993; subject to a minimum amount of \$745.00 in accordance with Section 542 of the Local Government Act 1993;

(a) Non-Residential Sewerage

Access Charges

• Vacant property	\$120.00
• 20mm Connection	\$292.00
• 25mm Connection	\$456.00
• 32mm Connection	\$748.00
• 40mm Connection	\$1,168.00
• 50mm Connection	\$1,825.00
• 80mm Connection	\$4,672.00
• 100mm Connection	\$7,300.00

Consumption Charges

\$1.11 per kl

13. That the following Trade Waste Charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Sections 501, 502 and 503 of the Local Government Act 1993;

(a) Trade Waste – Dischargers with pre-treatment

Annual Trade Waste Fee	\$95.00
Re-inspection Fee	\$71.00
Consumption Charge	\$1.11/kl

(b) Trade Waste – Dischargers without pre-treatment

Annual Trade Waste Fee	\$95.00
Re-inspection Fee	\$71.00
Consumption Charge	\$3.24/kl

(c) Trade Waste – Large dischargers (over 20kl/d)

Annual Trade Waste Fee	\$541.00
Re-inspection Fee	\$71.00
Excess mass charges	(detailed in Fees and Charges)

(d) Trade Waste – Discharges with a sewerage dump point

Annual Trade Waste Fee	\$745.00
Re-inspection Fee	\$71.00

14. That the following Domestic Waste Management charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Section 496 and Sections 501, 502 and 503 of the Local Government Act 1993;

- Waste Management Service availability charge \$52.00
(all rateable properties within the Kyogle LGA garbage collection service area)
 - Domestic waste - Split bin service \$416.00
 - Domestic waste – Full General bin service \$674.00
 - Domestic waste – Full Recycle service \$626.00
15. That the following Commercial and Other Waste charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Section 501 of the Local Government Act 1993;
- Landfill Management Charge \$41.00
(all rateable properties outside the garbage collection area)
 - Commercial waste – Split bin service \$454.00
 - Commercial waste – Full General bin service 1st \$712.00
 - Commercial waste – Full General bin service 2nd \$674.00
 - Commercial waste – Full Recycle service \$664.00
16. That the following On Site Sewerage Management charges be made for the rating year 1 July 2018 to 30 June 2019, in accordance with Section 501 of the Local Government Act 1993;
- OSMS Annual Charge \$42.00
17. That Council set the Rate of Interest, to apply for the rating year 1 July 2018 to 30 June 2019, on rates, charges, and debtor accounts which remain unpaid after they become due and payable, at 5% per annum, accruing on a daily basis, in accordance with Section 566 of the Local Government Act 1993;
18. That Council adopt the attached schedule of 2018/2019 Fees and Charges.
19. That Council approve the borrowing proposed and authorise the Mayor and General Manager to sign under Common Seal, any documentation relating to the proposed loans.

15.3 JOINT ORGANISATIONS**Author: General Manager****Authoriser: General Manager****Attachments: Nil****SUMMARY / PURPOSE**

To update Council on the formation of the Northern Rivers Joint Organisation and the process

BACKGROUND INFORMATION

The Northern Rivers Joint Organisation (NRJO) was proclaimed on Monday 14 May 2018. The following are 'member councils' of the NRJO:

- Tweed Shire Council
- Byron Shire Council
- Ballina Shire Council
- Lismore City Council
- Richmond Valley Council
- Kyogle Council

The following organisations are proposed as non-voting or associate members of the NRJO:

- the NSW Government, as represented by a nominee of the Secretary of the Department of Premier and Cabinet, currently the Department of Premier and Cabinet, Director North Coast Region
- Rous County Council
- Clarence Valley Council
- Tenterfield Shire Council
- Gold Coast City Council
- Scenic Rim Regional Council
- RDA Northern Rivers

REPORT

The principal functions of the Northern Rivers Joint Organisation will be to:

- establish strategic regional priorities for the joint organisation area and develop strategies and plans for delivering these priorities
- provide regional leadership for the joint organisation area and to be an advocate for strategic regional priorities
- identify and take up opportunities for inter-governmental cooperation on matters relating to the joint organisation area.

The Office of Local Government is working closely with the newly formed JOs to ensure the transition process is as smooth and simple as possible.

Below is the timetable of tasks, as supplied by the OLG, for the formation of JOs.

Period	Requirement
Pre-formation	Appoint returning officer for election of Chairperson This will need to be approved by OLG before election
	Select Executive Officer
	Prepare delegations for EO to be adopted at first meeting
	Prepare draft charter

	Prepare draft expenses and facilities policy
	Prepare draft Code of Conduct
	Prepare draft Code of Meeting Practice
First month (starting from the date of proclamation May 11, 2018)	Obtain ABN and TFN
	Obtain insurances and workers compensation coverage
	Establish logo designs
	Reserve domain names for website
	Hold first meeting
First meeting (note the first meeting must be held no later than June 28, 2018)	Elect Chair
	Adopt Charter
	Appoint EO (by resolution)
	Make delegations to EO (by resolution)
	Determine signatories for bank accounts
	Determine JO spokesperson
	Adopt Code of Conduct
	Appoint panel of code of conduct reviewers
	Adopt Code of Meeting Practice
	Adopt Expenses and Facilities Policy
29 June 2018	Return signed funding agreement to OLG
Within 3 months	Adopt Charter and publish to website
	Adopt expenses and facilities policy
	Prepare Communications and Engagement Plan
	Ensure all ROC grants and contracts to be transferred to JO
31 August 2018	Adopt statement of revenue policy for 2018/19, inc budget
28 September 2018	Submit plan to OLG for expenditure of Establishment Fund, noting key milestones to be met
30 December 2018	Adopt a statement of regional strategic priorities
Within 6 months	Adopt logo and other key elements of visual identity
	Deliver website
28 February 2019	Submit 6 monthly progress and expenditure report on Establishment fund

30 July 2019	Adopt statement of revenue policy for 2019/20 including budget
31 August 2019	Submit 6 monthly progress and expenditure report on Establishment fund
31 October 2019	Prepare audited financial report for period ending last day of financial year after the year JO was established
30 November 2019	Prepare annual performance statement

At its Meeting of May 28, 2018 NOROC Resolved;

1. *That the report be noted*
2. *That the Mayors nominate Troy Green the General Manager of Tweed Shire Council to be appointed as the Returning Officer for the first election of the Chairperson of the Northern Rivers Joint Organisation and submit this nomination in writing to the Chief Executive of the Office of Local Government for approval.*
3. *That the date of the first meeting of the Northern Rivers Joint Organisation be set for 22 June 2018 at Lismore City Council, starting at 11am*
4. *That the draft charter be presented to the first meeting on the basis of the preliminary draft attached to this report.*
5. *That the delegations for the Executive Officer be prepared on the basis that the Executive Officer be delegated all the functions of the Joint Organisation with the exception of those identified in Clause 397k of the Local Government (General) Regulation 2005.*
6. *That a draft Expenses and Facilities Policy be prepared based on the model policy published by the OLG as part of the Guidelines for the payment of expenses and the provision of facilities for Mayors and Councillors in NSW, with the following guiding principles;*
 - a. *The costs of Mayors attending regular meetings of the Joint Organisation is covered by the individual member Councils*
 - b. *That the cost of meetings and associated facilities and consumables is covered by the JO*
 - c. *That the costs for a nominated representative of the JO attending meetings or functions on behalf of the JO be covered by the JO*
7. *That the draft Code of Conduct be prepared based on the OLG Model Code of Conduct.*
8. *That the draft Code of Meeting Practice be prepared using the mandatory components of the current draft Model Code of Meeting Practice published by the OLG with the following additional provisions applicable to Joint Organisations;*
 - a. *There is no casting vote from the Chair*
 - b. *Remote (electronic) participation in meetings is allowed*
9. *That the RDA Northern Rivers be authorised to submit applications for ABN, TFN and domain names for website for the Northern Rivers Joint Organisation.*
10. *That workers compensation, public liability and personal indemnity insurance coverage be obtained for the Northern Rivers Joint Organisation and paid for from NOROC Resource Sharing budget*
11. *That the Code of Conduct Panel be based on the joint tenders from NOROC established August 2017.*

At the initial meeting of the NRJO set down for 22 June, 2018, a series of draft policies, codes and charter will be presented for adoption as drafts. There will then be an opportunity for consultation with the member councils on these drafts before they are again considered for adoption by the NRJO at their next meeting, likely August 2018. Once the NRJO has adopted the drafts for consultation, a report will be presented to Council to present these draft documents.

There are a number of areas where the nature of the arrangements to be included in the charter for the NRJO may be the subject of further debate, including;

- If there will be voting members on the NRJO for each of the member Councils other than the Mayors
- What the voting model will look like, the minimum requirement is a majority (four out of six), however other models may be considered such a majority of councils and a majority of represented population, a five out of six majority, or a consensus (six of six) vote.
- The way the council contributions to the NRJO will be calculated, the current NOROC model is an even split of 50% of the operating costs, and a proportional split based on population for the remaining 50%. However there are many other ways this could be done, including equal contributions.

At present, NOROC does not have an Executive Officer, and the Regional Development Australia Northern Rivers (RDA NR) provides secretarial services to NOROC on a month by month basis. The NRJO is required to appoint an Executive Officer (EO). The Office of Local Government have allowed the appointment of an interim EO for up to twelve months, to allow the JOs to be established before a formal recruitment process is undertaken for the EO role.

NOROC has requested a proposal from the RDA NR to provide their Chief Executive Officer as an interim EO in addition to the secretarial services for the NRJO. In the event that this proposal is not accepted by the NRJO, it is prudent to have the ability for the NRJO to appoint one of the existing General Managers to the role until such time as a formal recruitment process can be completed. For this to occur, the Council must first approve their General Manager's appointment in the interim role. For this reason, a recommendation to this effect has been included in this report.

BUDGET AND FINANCIAL IMPLICATIONS

The current proposal is for the financial arrangements that are used for NOROC to be used initially for the NRJO until such time as a more detailed assessment of cost sharing options has been developed based on the NRJO budget. Council has included an estimate of up to \$50,000 per year for contributions to the NRJO, but it is unclear at this stage what the ongoing contributions will be.

The current year projections for NOROC are that there will be at least \$220,000 remaining in the NOROC bank account at the end of the 2017/18 financial year period. At present, it is proposed that NOROC be wound up and these funds transferred to the NRJO. The Office of Local Government has also advised that it will be providing \$300,000 to the NRJO in its first year. Given this, it is unlikely that there would be any budget issues for Council for the first year of the NRJO, with any funding implications to be reviewed during future budget processes.

RECOMMENDATION

That Council;

1. Receives and notes the report, *Joint Organisations*.
2. Approves the appointment of the General Manager as interim Executive Officer of the Northern Rivers Joint Organisation if required.

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 Annual Tenders

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 RFT-10014831 Consultancy Services to provide Concept and Detail designs for Kyogle Aquatic Centre Upgrade

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 2017/18-011 SUPPLY OF QUARRY PRODUCTS

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.