



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

Date: Monday, 12 August 2019
Time: 5pm
Location: Kyogle Council Chambers, Stratheden Street, Kyogle

AGENDA

Ordinary Council Meeting

12 August 2019

**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 12 August 2019, 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 Open Meeting
- Item 2 Apologies and applications for a leave of absence by councillors
- Item 3 Opening Prayer
- Item 4 Acknowledgement of Country
- Item 5 Declaration of Interests
- Item 6 Public Forum
- Item 7 Confirmation of Minutes
- Item 8 Mayoral Minute(s)
- Item 9 Notices of Motion
- Item 10 Questions with Notice from Councillors
- Item 11 Reports from Delegates
- Item 12 Information Reports
- Item 13 Staff Reports
- Item 14 Urgent Business Without Notice
- Item 15 Questions from Councillors for the Next Ordinary Meeting
- Item 16 Confidential Business Paper
- Item 17 Close of Meeting

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, past and present and future.

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

Public Forum (Council Policy)

The council may hold a public forum as part of the ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting.

To speak at a public forum, a person must first make an application to the council in writing. Applications must be received by midday two working days before the date on which the meeting is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item. Applications can left with Customer Service staff at Council's Administration Centre, sent to PO Box 11, Kyogle, NSW, 2474, or emailed to council@kyogle.nsw.gov.au.

A person may apply to speak on no more than two items of business on the agenda of the council meeting.

Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.

No more than two speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.

Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than two working days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.

The general manager or their delegate is to determine the order of speakers at the public forum.

Each speaker will be allowed five minutes to address the council. This time is to be strictly enforced by the chairperson. A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Answers by the speaker, to each question are to be limited to two minutes.

Speakers are under no obligation to answer questions put to them by councillors and cannot ask questions of the council, councillors or council staff.

Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Meetings are webcast (Council Policy)

Kyogle Council Meetings are webcast (the meetings are recorded and the recording is uploaded to Council's website). People in attendance are advised to refrain from making any defamatory statements.

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- 1 OPEN MEETING**
- 2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**
- 3 OPENING PRAYER**
- 4 ACKNOWLEDGEMENT OF COUNTRY**
- 5 DECLARATION OF INTERESTS**
- 6 PUBLIC FORUM**

7 CONFIRMATION OF MINUTES**7.1 COUNCIL REPORT - 8 JULY 2019**

Author: Executive Assistant

Authoriser: General Manager

Attachments: 1. **Minutes of 8 July 2019 Ordinary Meeting (under separate cover)** [↓](#)

**SUMMARY / PURPOSE**

This report presents the minutes of the Ordinary meeting held on 8 July 2019 to Council for confirmation.

RECOMMENDATION

That Council confirms the minutes of the Council meeting of the 8 July 2019.

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR DANIELLE MULHOLLAND; INCREASE IN NEWSTART, YOUTH ALLOWANCE AND PENSION PAYMENTS

- Attachments:**
1. **Notice of Motion** 
 2. **ACOSS Raise the Rate Campaign Flyer** 

RATIONALE

There are 34 local governments that have passed motions calling for Newstart to be raised.

In Kyogle, there are 625 people on Newstart and 92 people on Youth Allowance (717 people in total), according to the latest Department of Social Services figures. A \$75 a week raise to Allowances would inject an extra \$2.62 million into the Kyogle local economy, according to 2018 modelling by Deloitte (<https://www.kyogle.nsw.gov.au/wp-content/uploads/2019/08/DAE-Analysis-of-the-impact-of-raising-benefit-rates-FINAL-4-September.pdf>).

Kyogle LGA is one of the poorest in NSW. The campaign focuses on increasing Newstart and Youth Allowances, and whilst the statistics provided address unemployment figures in Kyogle, the proposed increase will also affect recipients of such allowances in the villages. This is critical in terms of the economic flow on effects and ensuring our residents and ratepayers have sufficient funds to maintain a reasonable standard of living.

The current levels of Newstart are as follows:

- \$489.70 per fortnight for a single adult with no children.
- \$529.80 per fortnight for a single adult with dependent children
- \$442 per fortnight for partnered individuals

Youth Allowance levels are currently at the following levels:

- Single, no children, younger than 18, and live at a parent's home, \$249.20;
- Single, no children, younger than 18, and need to live away from a parent's home to study, train or look for work, \$455.20;
- Single, no children, 18 or older and live at parent's home, \$299.80;
- Single, no children, 18 or older and need to live away from parent's home, \$455.20;
- Single, with children, \$596.50;
- Member of a couple, with no children, \$455.20;
- Member of a couple, with children, \$499.90;
- Single, job seeker, principal carer and exempt from Mutual Obligation Requirements because they are:
 - are a registered and active foster carer
 - home school children
 - teach children by distance education
 - care for a large family, where they are the main carer of 4 or more dependent children younger than 16 years, or 16 to 19 years and in secondary school, or
 - care for a related child they are not the parent of, as directed by a Parenting Order through Family Court, \$776.10

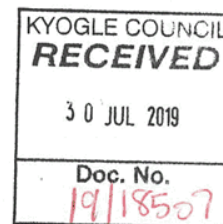
MOTION

That Council:

1. Urgently call for the rate of Newstart and Youth Allowance to be immediately increased in order to responsibly address quality of life issues for those reliant on such income;
2. Immediately write to all relevant Federal Ministers, Shadow Ministers and Members of Parliament urging that Newstart, Youth Allowance and Pension levels be urgently reviewed and adjusted to fair and responsible levels.



NOTICE OF MOTION



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

That Council:

1. Urgently call for the rate of Newstart and Youth Allowance to be immediately increased in order to responsibly address quality of life issues for those reliant on such income;
2. Immediately write to all relevant Federal Ministers, Shadow Ministers and Members of Parliament urging that Newstart, Youth Allowance and Pension levels be urgently reviewed and adjusted to fair and responsible levels.

Signed:

Date: 30 July 2019

Councillor comments:

There are 34 local governments that have passed motions calling for Newstart to be raised (see attached).

In Kyogle, there are 625 people on Newstart and 92 people on Youth Allowance (717 people in total), according to the latest Department of Social Services figures. A \$75 a week raise to Allowances would inject an extra \$2.62 million into the Kyogle local economy, according to 2018 modelling by Deloitte (see attached full report and the executive summary).

Kyogle LGA is one of the poorest in NSW. The campaign focuses on increasing Newstart and Youth Allowances, and whilst the statistics provided address unemployment figures in Kyogle, the proposed increase will also affect recipients of such allowances in the villages. This is critical in terms of the economic flow on effects and ensuring our residents and ratepayers have sufficient funds to maintain a reasonable standard of living.

The current levels of Newstart are as follows:

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Single, no children, 18 or older and live at parent's home, \$299.80;
Single, no children, 18 or older and need to live away from parent's home, \$455.20;



Single, with children, \$596.50;

Member of a couple, with no children, \$455.20;

Member of a couple, with children, \$499.90;

Single, job seeker, principal carer and exempt from Mutual Obligation Requirements because they are:

- are a registered and active foster carer
- home school children
- teach children by distance education
- care for a large family, where they are the main carer of 4 or more dependent children younger than 16 years, or 16 to 19 years and in secondary school, or
- care for a related child they are not the parent of, as directed by a Parenting Order through Family Court, \$776.1

**RAISE
THE RATE**



NEWSTART ISN'T WORKING.

THERE'S BEEN NO INCREASE IN REAL TERMS TO NEWSTART IN 25 YEARS, LEAVING PEOPLE TO STRUGGLE TO GET BY ON \$40 A DAY - THAT EQUATES TO LESS THAN \$15,000 A YEAR.

It's time to Raise the Rate to give people the support they need to get through tough times and into suitable work.

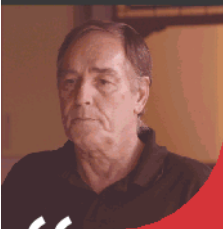
JOIN THE CAMPAIGN AT: WWW.RAISETHERATE.ORG.AU

Nearly one million Australians receive Newstart or related income support payments. They include young people making the transition from study, single parents of school-age children and older Australians confronting technological change.

While applying for jobs they may also be studying or training, sometimes while caring for children or dealing with injury or illness. There aren't enough jobs for everyone, with one job available for every eight people looking for paid work.

The current rate of Newstart is not enough to give people the support they need. Raising the rate by about \$10 a day (\$75 a week) will help strengthen the system.

IT'S TIME TO RAISE THE RATE.



“

The low rate of Newstart is a real disincentive in helping you to look for new work. You don't have the money for transport. You don't have the money for clothes. You don't have the money for telephones.

”

**MIKE,
DESIGNER**



“

Accessing public transport was really hard. Often I didn't have enough money to pay the fare. I've had to go without textbooks that I need for a subject.

”

**CASSANDRA,
STUDENT**



“

To get into high school at the start of the year is \$1200 a kid, even though it's a government school, and not everything can be put on a payment plan. They don't get to do extracurricular activities.

”

**JUANITA,
SINGLE MUM**

**JOIN THE CAMPAIGN AT:
WWW.RAISETHERATE.ORG.AU**

**RAISE
THE RATE**



10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS FROM THE LAST COUNCIL MEETING**

Author: General Manager

Authoriser: General Manager

Attachments: Nil

The following questions on notice were received from Councillors Maggie May, Janet Wilson, John Burley, Kylie Thomas, Lindsay Passfield and Robert Dwyer at the 8 July Ordinary Council Meeting.

Question Cr Maggie May

In regard to a letter received from Jim Morrison, can I be advised what has been done in relation to the removal of trees and road works in the Mallanganee/Deep Creek Road area and works to address environmental issues that have been raised?

Response

Councillors were sent a copy of the response to the letter in question under separate cover.

Question Cr Janet Wilson

What further investigation is Council going to undertake in relation to alternatives to the use of glyphosate I for weed control?

Response

Council is currently trialling a pine oil-based product. The chemical is 4-5 times the cost of glyphosate equivalents, and does not appear to have the same level of effectiveness. Council is continuing to use the trial product in a number of areas so that the effectiveness can be assessed over a longer period, however this is unlikely to replace the use of glyphosate at this point in time.

Question Cr Janet Wilson

What are Council's options in relation to the opening prayer because the prayer we have is from the 19th century and is no longer appropriate?

Response

Section 360 of the NSW Local Government Act 1993 (LGA) outlines the Conduct of Meetings of Councils and Committees.

In particular S.360;

(1) The regulations may prescribe a model code of meeting practice for the conduct of meetings of councils and committees of councils of which all the members are councillors.

(2) The model code may contain both mandatory and non-mandatory provisions.

S 232 of the Regulations provides the following;

232 Model code of meeting practice

For the purposes of section 360 of the Act, the document entitled Model Code of Meeting Practice for Local Councils in NSW, published in the Gazette on 14 December 2018, is prescribed as the model code of meeting practice for the conduct of meetings of councils and committees of councils all the members of which are councillors.

*The Gazetted Code of Meeting Practice provides mandatory and non-mandatory provisions, including a choice of the following options for the **Order of Business for Ordinary Council Meetings**;*

- 8.1 *At a meeting of the council, the general order of business is as fixed by resolution of the council.*
- 8.2 *The general order of business for an ordinary meeting of the council shall be:*
[councils may adapt the following order of business to meet their needs]
- 01 Opening meeting*
 - 02 Acknowledgement of country*
 - 03 Apologies and applications for a leave of absence by councillors*
 - 04 Confirmation of minutes*
 - 05 Disclosures of interests*
 - 06 Mayoral minute(s)*
 - 07 Reports of committees*
 - 08 Reports to council*
 - 09 Notices of motions/Questions with notice*
 - 10 Confidential matters*
 - 11 Conclusion of the meeting*

Note: Councils must use either clause 8.1 or 8.2.

A Council's adopted code must not contain provisions that are inconsistent with the mandatory provisions. Non-mandatory provisions from Council's previous code, that were consistent with the mandatory provisions mentioned above, were kept in the new draft code and put on public exhibition in accordance with S. 361 of the LGA. This included the Opening Prayer. No submissions were received.

At the June 2019 Ordinary Meeting of Council the new Code of Meeting Practice, containing the Opening Prayer, was adopted.

Council may amend the Code of Meeting Practice, provided amendments are consistent with the mandatory provisions.

Before adopting a new code of meeting practice, under section 361 of the LGA, councils are still required to exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Question Cr John Burley

Could Councillors give some recognition to NAIDOC Week by wearing an appropriate T-shirt or similar? It shows respect to our Aboriginal and Torres Strait Islander community.

Response

Councillors would need to consider this question individually. It is noted that Section 12.1 of the Payment of expenses and Provision of Facilities for Councillors allows "A uniform to be provided upon request by the Councillor, in accordance with the current staff policy and in accordance with the Australian Taxation Office guidelines." Specific NAIDOC week clothing has not been supplied or requested under these provisions in the past but there would be no reason that such a request could not be considered.

Question Cr Kylie Thomas

What were the results from emails Council received requesting signage for wildlife and horse riding on Roseberry Creek Road?

Response

Council received a Customer Action Request CAR 2019-3501 on June 19, 2019 requesting the installation of signage on Roseberry Creek Road. The request was responded to in writing on July 30, 2019 with a commitment made to the installation of wildlife ahead warning signage, which includes the contact number for WIRES, along the section of road classified as "High Conservation" within Councils Roadside Vegetation Management Plan, and requesting additional information on the frequency and location of horse riding activities for further investigation.

Question Cr Lindsay Passfield

Can Council address the shove on Pump Station Hill, Clarence Way, and the potholes on the approach to Woodenbong?

Response

Council teams undertook pothole/shove patching in the week commencing 15 July 2019.

Question Cr Lindsay Passfield

Can staff explain the almost \$500,000 difference between the outstanding balance at 30/6/2019 and arrears at 30/6/2019?

Response

The 8 July Financial Report detailed arrears at 30 June 2019 of \$191,840.08. That amount is the unpaid arrears shown as at 1 July 2018 in the same report. The total arrears at 30 June 2019 is \$731,387.11 compared with \$701,938.57 as a 30 June 2018.

Question Cr Robert Dwyer

Can Councillors have an explanation about the cost to Council of waiving development fees/contributions?

Response

Please see the separate report on the Extension of Development Contributions and Charges Discounting Policy included in this business paper for the response to this question and other questions raised in submissions around this draft policy.

RECOMMENDATION

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

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT - CRS DANIELLE MULHOLLAND AND KYLIE THOMAS - ANNUAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT**

Author: Councillor
Authoriser: General Manager
Attachments: Nil

SUMMARY / PURPOSE

The following Delegate's Report by Crs Danielle Mulholland and Kylie Thomas provides information for Councillors on the 2019 National General Assembly of Local Government held in Canberra in June.

BACKGROUND INFORMATION

The National General Assembly of Local Government is held annually in Canberra and brings together councils from throughout Australia. The theme of this year's assembly was Future Focused and sought to examine what councils could do today to get ready for the challenges, opportunities and changes that lie ahead for local government.

Councillors Danielle Mulholland and Kylie Thomas attended this year's conference which was held from Sunday 16 June to Wednesday 19 June.

REPORT

Crs Danielle Mulholland and Kylie Thomas travelled to Canberra in June to attend the National General Assembly of Local Government. The conference is organised by the Australian Local Government Association (ALGA) and has been held annually for the past 25 years.

This year's event was attended by Councillors and staff from councils across Australia.

The full business papers can be found at <https://cdn.alga.asn.au/wp-content/uploads/Electronic-Business-Paper.pdf> whilst the resolutions can be found at https://cdn.alga.asn.au/wp-content/uploads/Resolutions_Web.pdf.

Crs Mulholland and Thomas attended a number of sessions which included: a post-election analysis of the recent federal election and the implications for local government; a drought forum where success and failure stories were shared by attending councils; housing stresses; infrastructure challenges; and an informative session on Australia's First Languages.

The usual trade shows were present during breaks and offered different perspectives on issues that are coming to the fore for councils including the use of glyphosate weed control, renewable energies, new materials for infrastructure construction and many more.

During the debate of motions, Cr Mulholland moved an amendment to the proposed motion by Moree Council. The original motion read as follows:

That the National General Assembly calls on the Australian Government to request that the Productivity Commission formally enquire into the current allocation mechanism and total quantum of Federal Financial Assistance Grants (FAGS). The suggested terms of reference of the enquiry are to include, but not limited to:

- *The categories of Councils and whether these adequately reflect the variations across Councils,*
- *The degree to which the current grant formulae correctly represents the differing capacities of Councils to deliver services*
- *Whether the overall quantum of the grants is sufficient to ensure the long term financial sustainability of local government.*

The amendment was in addition to the above resolution and was as follows:

That the National General Assembly calls on the Federal Government to remove Part 1 Sec 6 2b of the Local Government Financial Assistance Act 1995 to remove the minimum per capita amount grant.

This amendment will see a fairer distribution of Financial Assistance Grants (FAGs), particularly in terms of rural councils with a lower population density than their city and larger regional counterparts. The amendment was approved.

Subsequent to this debate, Crs Mulholland and Thomas also met with Federal Minister for Regional Services, Decentralisation and Local Government and Assistant Minister for Trade and Investment, Mark Coulton MP on a number of issues including:

- Available drought assistance and the gaps identified during the drought forum. This information has since been sourced from the Honourable Kevin Hogan's office.
- The removal of benefit cost ratios (BCRs) from funding programs, especially those associated with roads and bridges. The Minister agreed the use of BCRs was not ideal and agreed to investigate further.
- The now established position of the Australian Local Government Association (ALGA) on FAGs and the supported amendment to the Act. The Minister was surprised the motion was supported but appeared to be on board with the resolution which was encouraging.
- The establishment of a rural portfolio to give rural communities a stronger voice in government decision making. The Minister advised that there was a Minister for Drought, Agriculture and various regional portfolios and considered it unnecessary. However, rural communities are more than their industry components - rural health, education, infrastructure, transport, etc.

The 2019 Regional Co-Operation and Development Forum was held in association with the National General Assembly on Sunday 16 June 2019. The annual State of the Regions report was launched at the forum.

The theme of the report was *Population, Productivity and Purchasing Power* and revealed, once again, a mixed performance in the non-metro regions in the areas of; population, gross regional product, income from work, productivity and household disposable income.

The keynote address was delivered by Dr Kim Houghton, the co-CEO of the Regional Australia Institute. Dr Houghton is an economist and his presentation set the stage for the rest of the day. 'Liveability' became the catch phrase of the conference. Liveability was defined as access to services, access to community gathering places ie parks, playgrounds, reserves, and access to jobs and prospective employment. It also includes big services like healthcare, education and of course housing. The negative perspectives, especially the drought, are not the perspectives of the majority. What makes a place 'liveable' is what it has to offer, not its 'climate'.

Economic growth is happening across the board in regional and rural areas in spite of population loss/ drift in most cases. The population has become mobile. Young people, aged 20-35, are the highest demographic leaving rural areas, but they are also returning, primarily when they start having children. The challenge faced by rural communities is to try to keep some, if not most, of them from leaving in the first place. But to do this there needs to be jobs and 'liveability'.

Public and private businesses are competing for the same people, see www.regionalaustralia.org.au/regionaljobs. The data is showing mixed messages; job vacancies are up, but so is unemployment and there is population decline resulting in a gap in unemployment, education and training.

In relation to skills and training, it appears that the population is not able to fill the needs or meet opportunities. Around the nation, main streets are changing/closing but small businesses are actually growing in number.

Points to consider:

- Connect local learning systems for young people and retraining for older workers where an industry may have closed down;
- Stay informed about what is going on in the LGA with small /home based business creation;
- Plan and think regionally;
- What is the community engaging in?
- Where/who is driving cultural vitality?
- There is a need to talk up the growth stories, change the narrative and share information.

Guest speaker and author Margaret Simons spoke about local news and information and its availability. There is a worrying decline in the amount of local news available to Australians. Local news is a service not easily substituted, and quite often it's easier to find out what is going on overseas than it is across town.

Research shows that a decline of information leads to a decline in knowing what is important, lack of information disempowers and can disconnect a community. If a community values local news, it will support connection and belonging amongst all ages.

The Housing Panel was hosted by John Martin, a team member of the ARC Linkage Project: Local Government and Housing in Australia for the 21st Century (www.localgovernmentandhousing.com.au). Dr Martin shared the project's Local Housing Study case study from Gwydir Shire Council. The council collaborated with local organisations to convert an old post war boarding house to a block of units for single people of all ages. It appears that the keys issues for Councils are: to be innovative; ask what's relevant to our own LGA; what legal limits need revisiting ie; planning framework; and what priorities are community driven?

RECOMMENDATION

That Council receives and notes the report, *Delegate's Report – Crs Danielle Mulholland and Kylie Thomas; National General Assembly of Local Government.*

11.2 DELEGATE'S REPORT - CR DANIELLE MULHOLLAND: JOINT ORGANISATION CHAIRS, COUNTRY MAYORS' ASSOCIATION, AND MINISTERIAL MEETINGS

Author: Councillor
Authoriser: General Manager
Attachments: Nil

SUMMARY / PURPOSE

The following Delegate's Report by Cr Danielle Mulholland provides information for Councillors on the Joint Organisation Chairs Meeting, the Country Mayors' Association (CMA) Meeting and meetings with several State Government Ministers in Sydney over the period 31 July to 2 August 2019.

REPORT

I met with Member for Lismore Janelle Saffin to brief her on the issues affecting our area from the emergency services levy and waste levy to Benefit Cost Ratios (BCRs), and a whole host of other issues. Ms Saffin is already on top of these issues and had some interesting insights into what is happening at present.

We then met with Greg Warren, the Shadow Minister for Local Government where we talked about:

- Baseline funding for the Joint Organisations. Following successful lobbying, the Minister for Local Government, Shelley Hancock made an announcement that an additional \$150,000 one off payment for each JO will be provided.
- Removal of BCRs - the Deputy Premier was very supportive of the removal of BCRs from funding programs as it inhibits rural councils' ability to competitively apply for such funding.
- Fire and Emergency Services Levy - half the members of the CMA have refused to pay the levy and will be providing their council resolutions to CMA President Katrina Humphries to include in a letter to the Premier. Shadow Minister for Local Government Greg Warren has put forward a notice of motion to defer the proposed increase for 12 months and to consult with councils in the meantime to develop a model that works for local communities and their elected councils.
- Financial Assistance Grants and the removal of the minimum per capita grant criteria (a Federal issue but hoping to get support from the State) as the removal of such criteria gives the state more flexibility in distributing this grant, and seeing funding distributed more on a "needs" basis rather than a population basis. This was also supported by the CMA at its 2 August meeting.

We then had the opportunity to meet with the new Leader of the Opposition, Ms Jodi McKay. While there wasn't a formal meeting arranged, it was considered good practice to establish these networks and relationships for the long term future.

Minister for Regional Transport and Roads Paul Toole

Before the election, there was a promise to fund \$500 million for local roads and \$500 million for bridges. The Minister advised that the draft guidelines for the roads will come out in September and the program will be rolled out over five years. The best news is that there won't be any BCRs attached to the program.

The existing program of Fixing Country Roads will continue to have BCRs attached in the short term but in the longer term, may be removed. The Government seems to be keen to expedite expenditure so councils have to be ready to go with their projects as the program won't address design aspects of a project or any of the preparatory work.

The \$500 million for bridges that was promised will probably start to roll out early next year which is exciting news and this program won't have any BCRs attached either, which again is great news for Kyogle Council.

However, with the Government's focus being on building regional and state-wide connectivity, there is still a lot of work that can be done with the other JOs so we can present a cohesive, well-reasoned argument to the State around the 15,000km of roads that the State promised to take back prior to the election.

The Northern Rivers Joint Organisation has done much of this work through our recently released Freight and Supply Chain Strategy and now we need to do some mapping with our colleagues so we have the best chance of success when it comes to applying for money.

There will be an opportunity to have some input into the draft guidelines around this particular initiative and we need to be on the front foot with it because at the end of the day, everyone wants certain roads taken back by the State and we need to make sure we are well positioned to take full advantage of this initiative.

Other issues discussed included:

- The JO's Freight and Supply Chain Strategy
- Funding for local road and bridge upgrade projects and the associated grant funding process and assessment criteria
- Strategic improvements identified in the Northern Rivers Freight and Logistic study, and connectivity to international freight airports
- The 15,000km of regional roads the State intends to take back with the Clarence Way, Kyogle Road, Bentley Road and Mt Lindesay Road being flagged as roads Kyogle Council would be interested in handing back. A panel will be established which will be meeting in the next 12-18 months, which will be chaired by Wendy Machin, ex-NRMA Chair. The terms of reference are being drafted and the State will be looking at the detail and impact on councils during this process.
- The intention to develop regional international freight airports was also discussed with the Gold Coast being high on the agenda. This KPMG study was funded by the Snowy Hydro fund.

Minister Toole also advised that the JOs should focus on one large project to start with. Out of the priority projects already identified are as follows:

Priority - Biodiverse natural environments

- Project - Advocate for changes to Forestry policy and planning regulations to encourage private native forestation and the Northern Rivers Watershed initiative.

Priority - Increased social housing

- Project - Including crisis and emergency accommodation, to be on par with the State average of 4% of housing stock, within people's community of interest.

Priority - A physically and digitally connected region

- Project - Accelerated road repair program through doubling the funding of the Commonwealth Government's Roads to Recovery Program and the NSW Government's Regional Roads Repair Program over the next four years.

Priority - Sustainable Energy, Water and Waste

- Project - Removal or improved distribution of the waste levy and develop a Northern Rivers Renewable Energy Prospectus.

Priority - A diverse, prosperous and sustainable economy

- Project - United Nations Educational, Scientific and Cultural Organisation (UNESCO) Biosphere Reserve.

Minister for Health and Medical Research Brad Hazzard

I met with Minister Brad Hazzard's Senior Policy Adviser in relation to issues at the Bonalbo MPS and hand delivered a letter from the Bonalbo Save Our Services Committee around these issues. Northern NSW Local Health District Chief Executive, Wayne Jones joined the meeting via teleconference and committed to attend, or have a representative attend, the next SOS meeting.

I also spoke about the University of Western Sydney proposal around the attraction and retention of rural doctors, and their scholarship program which the Minister's office was quite excited about.

Deputy Premier and Minister for Regional NSW, Industry and Trade John Barilaro

I met with the Deputy Premier, John Barilaro and discussed the proposed Essential Energy job cuts. There is an eight week stay of proceedings through the Fair Work Commission and he is meeting with the Electrical Trades Union next week to discuss alternative efficiencies to job cuts. The Deputy Premier was very vocal about maintaining jobs and services in the regions.

The Deputy Premier advised that the regional roads transfer process will see a panel established, as previously mentioned, and the panel will visit every local government area. We asked if the JOs could nominate representatives so that representation across the state could be achieved which was confirmed.

The removal of BCRs from the Stronger Country Communities fund and the newly introduced \$500 million Fixing Local Roads (FLR) and \$500 million Fixing Timber Bridges (FTR) programs will make it easier for councils to apply for such funding and build an appropriate business case. Shovel-ready projects will be prioritised and no money will be provided for engineering plans etc. FLR and FTR will be rolled out over five years. Guidelines will be released in September.

The Deputy Premier was quite interested in establishing some rural grant criteria under existing funding programs, and this criteria was provided to him for his consideration.

The Snowy Hydro Legacy Fund allocation and approval process will be allocated around five themes - five areas of immediate focus will be improved water security, rail and road transport connections, freight linkages, digital connectivity and Special Activation Precincts to attract more industry investment in the regions. Business cases are being developed to identify projects in these five focus areas:

- Providing water security in priority catchments: investing in catchment-scale water security infrastructure for regional NSW including dams, pipelines and weirs.
- Improving rail and road passenger transport connections: exploring opportunities to invest in infrastructure that makes travel between regional centres and to metropolitan areas faster and easier, including fast rail.
- Improving freight linkages: improving regional freight networks to global gateways and investigating the development of potential air freight hubs in regional NSW that will allow producers to deliver meat, dairy, fruit, nuts and seafood around Australia and the world as quickly as possible.
- Improving digital connectivity across regional NSW: exploring infrastructure to provide faster and more reliable digital connectivity across regional NSW, improving liveability, productivity and innovation in regional NSW. Business cases will explore regional data hubs, high-capacity 'backbone' data links to Sydney, and improved connectivity and data access for businesses.
- Activating regional locations for increased business investment: providing attractive locations and conditions for targeted industries to invest in regional NSW. Work is already underway to build an inland port in Parkes as a Special Activation Precinct that will leverage investment in inland rail. The second Special Activation Precinct has been announced for Wagga Wagga.

Work is already underway on some of these projects and the first studies will be completed in 2019.

Minister for Planning and Public Spaces Rob Stokes

The last Ministerial meeting organised was with Rob Stokes' office with discussions centring on Council's request to amend the LEP to reflect what our communities want which is what Tenterfield Council has - a single rural zone of RU1 and the abolition of the RU2 zones.

We also wanted to identify a pathway forward to meet the increased demand for smaller rural production and lifestyle lots which are smaller than the current 40 hectare minimum. Land use conflicts was another issue raised. The advice received was to incorporate these proposals into our Local Strategic Planning Statement.

The Minister for Agriculture and Western Sydney Adam Marshall attended the Country Mayors' meeting to give a brief on his portfolio and to advise of his intention to introduce changes to the Native Vegetation Act and other legislation around "Right to Farm" issues, to address concerns around the protection of agricultural land from outside influences such as mining, lifestyle blocks, solar farms. The conservation of prime agricultural land was considered paramount.

The Minister spoke about a number of concerns raised by farmers, particularly intensive livestock farmers, and protests that have occurred on their properties. He confirmed that he will be investigating ways to address such conflicts through more robust "right to farm" policies and legislation.

The DPI Minister continues to administer issues around farm trespass and access issues.

JO Chairs Meeting – Miscellaneous

Minister for Mental Health, Regional Youth and Women Bronnie Taylor, will be establishing a youth taskforce across nine regions and developing a youth strategy. Youth are classified as 12-24 years old. Applications are currently open.

Minister for Families, Communities and Disability Service, Gareth Ward, confirmed that de-identified data on young people at risk was available and accessible through recent reports.

I, together with NRJO Executive Officer Isabel Perdriau, Gordon Bradbury from Illawarra/Shoalhaven JO, Jamie Chaffee from Namoi JO and Rowena Abbey from Canberra JO and their respective EOs will spearhead a taskforce to develop terms of reference for a working group for a collaboration model for the JO Chairs.

RECOMMENDATION

That Council receives and notes the Delegate's Report from Cr Danielle Mulholland on the Joint Organisation Chairs, the Country Mayors' Association and Ministerial Meetings held in Sydney from 31 July – 2 August.

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - JULY 2019

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. Monthly Finance Report - July 2019 [↓](#) 

SUMMARY / PURPOSE

This report presents financial reports to Council for information.

BACKGROUND INFORMATION

Legislative Requirements

Clause 212 of the Local Government (General) Regulation 2005 states that:

- (1) *The responsible accounting officer of a council:*
 - (a) *must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:*
 - (i) *if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - (ii) *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
 - (b) *must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
- (2) *The report must be made up to the last day of the month immediately preceding the meeting.*

REPORT

The following information is presented for information only.

(A) Finance Reports

Summary reports outlining Council's financial position. 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

RECOMMENDATION

That Council receives and notes the information contained in the Monthly Finance Report – July 2019.

Kyogle Council



Financial Reports

31 July 2019

Rates Statement

Rates/Charges – Write Off's

Statement of Bank Balances

Summary of Investments

Councillor Travel

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

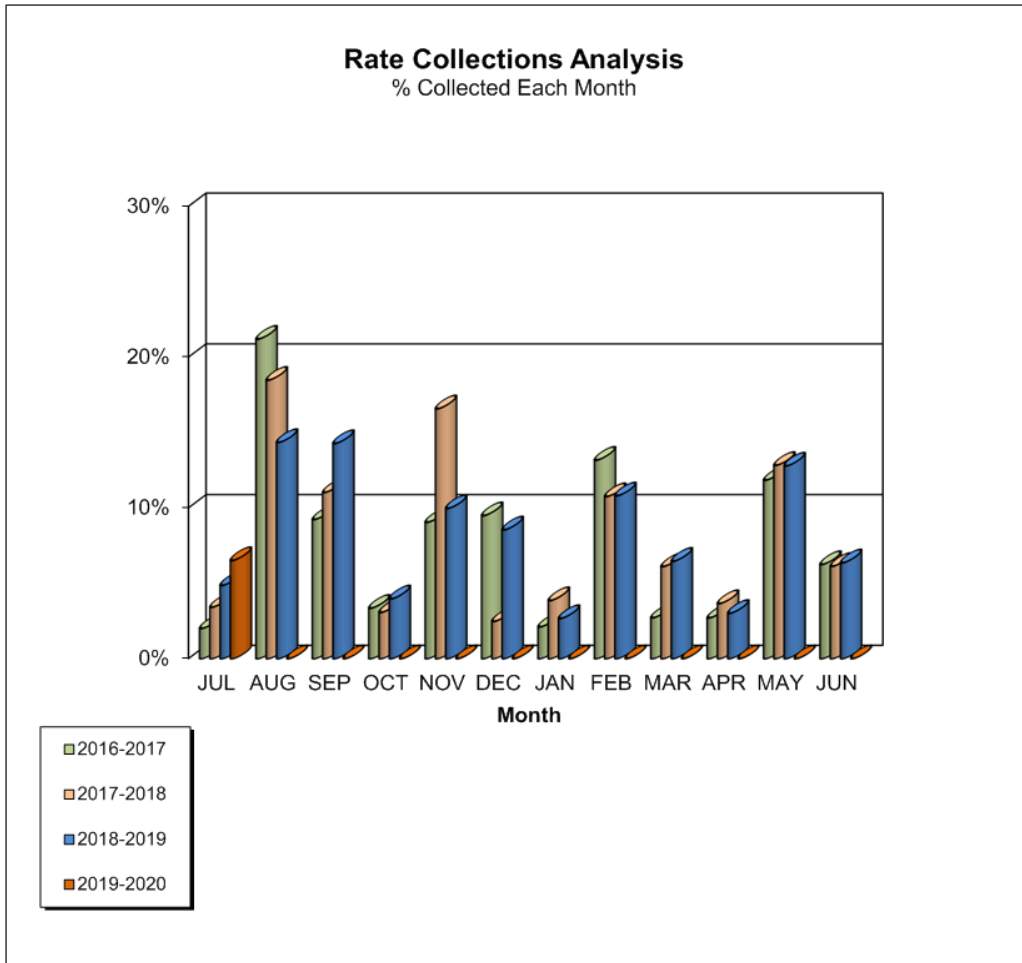
KYOGLÉ COUNCIL RATES STATEMENT AS AT 31 JULY 2019

	ARREARS 1-Jul-2019	NET CHARGES 2019-2020	PAYMENTS	OUTSTANDING BALANCE 31/7/2019	ARREARS 31/7/2019	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2019-2020
RATES, SERVICES AND INTEREST	731,375.12	9,253,587.82	649,728.36	9,335,234.58	657,261.29	6.51%	10.13%

PRESENTED TO COUNCIL AUGUST 2019

Note:

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



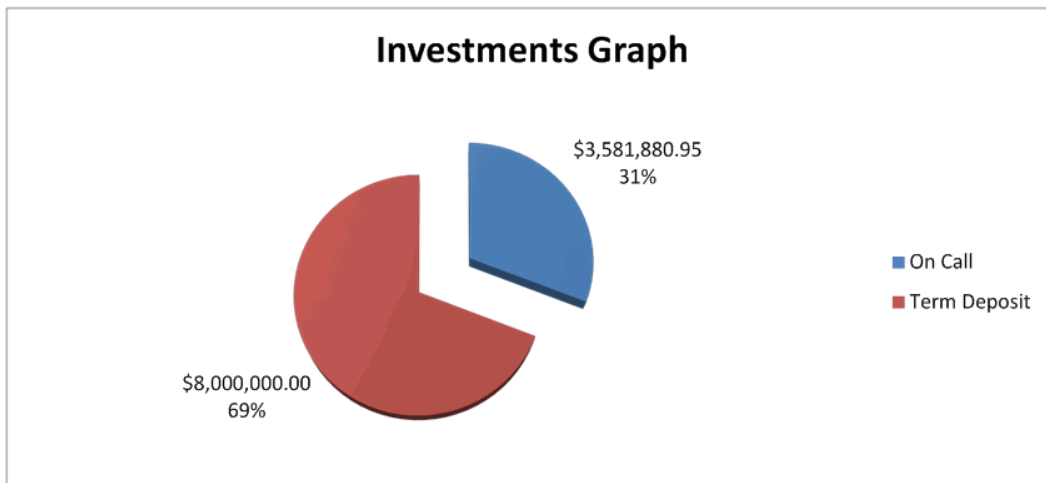
Write offs under delegated authority - Rates and Charges 2019-2020													Total Write Offs
July	August	September	October	November	December	January	February	March	April	May	June		
\$ -												\$ -	

Kyogle Council	
STATEMENT OF FUND BALANCES as at	
31-Jul-19	
Fund	Closing Balance
General Fund	
Unrestricted	2,417,957.28
Internally Restricted	4,125,373.00
State Highways	1,498,895.37
Quarries	1,188,139.06
Plant	1,404,170.37
Externally Restricted	323,090.17
Total General Fund	10,957,625.25
Restricted	
Water Supplies	482,940.33
Sewerage Systems	206,308.08
Domestic Waste	(115,224.76)
Trust Fund	50,232.05
Total Restricted	624,255.70
Total Consolidated Funds at Bank	11,581,880.95

KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/07/2019								
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		3,581,880.95	30.93%
Total Cash at Call							3,581,880.95	30.93%
CBA	Cash Deposit	24-Jun-19	01-Aug-19	Fixed	Maturity	1.71%	1,000,000.00	8.63%
NAB	Term Deposit	24-Jun-19	08-Aug-19	Fixed	Maturity	1.55%	1,000,000.00	8.63%
Suncorp	Term Deposit	25-Jun-19	15-Aug-19	Fixed	Maturity	1.50%	1,000,000.00	8.63%
CBA	Cash Deposit	27-Jun-19	22-Aug-19	Fixed	Maturity	1.75%	1,000,000.00	8.63%
NAB	Term Deposit	04-Jul-19	29-Aug-19	Fixed	Maturity	1.55%	1,000,000.00	8.63%
Bankwest	Term Deposit	11-Jul-19	05-Sep-19	Fixed	Maturity	1.79%	1,000,000.00	8.63%
Suncorp	Term Deposit	18-Jul-19	12-Sep-19	Fixed	Maturity	1.42%	1,000,000.00	8.63%
Bankwest	Term Deposit	25-Jul-19	26-Sep-19	Fixed	Maturity	1.75%	1,000,000.00	8.63%
Total Cash at Call							8,000,000.00	69.07%
Total Investment Portfolio							\$11,581,880.95	

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



COUNCILLORS TRAVEL EXPENSES
Jul-19

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Jul-19	YTD		Jul-19	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	162	162	\$0.78	\$126.36	\$126.36
R. Dwyer	0	0	\$0.78	\$0.00	\$0.00
D. Mulholland	0	0	\$0.78	\$0.00	\$0.00
L. Passfield	0	0	\$0.78/\$0.68	\$0.00	\$0.00
M. May	0	0	\$0.78	\$0.00	\$0.00
E. Grundy	0	0	\$0.78	\$0.00	\$0.00
Total	162	162		\$126.36	\$126.36

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 STAFF REPORTS

13.1 JUNE 2019 QUARTERLY BUDGET REVIEW

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. **Revotes**  
2. **June 2019 Budget Review (under separate cover)** 

SUMMARY / PURPOSE

This report arises out of the statutory requirement to conduct a review of budget performance and a review against targets identified in the Operational Plan 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 operational 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* requires the General Manager to report to Council on the extent which performance targets set by the Management Plan have been achieved during that quarter.

REPORT

This quarter sees the continuation of the revised reporting format, the Quarterly Budget Review Statement for NSW Local Government issued by the Division of Local Government NSW Department of Premier and Cabinet.

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 will consist of a combination of the new Quarterly Budget Review Statement (QBRs) as issued by the DLG as well as other additional information. This will include;

- 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;

- Budget Review Income and Expenses Statement
- Budget Review Capital Budget
- Budget Review Cash and Investments position
- Budget Review Key Performance Indicators; and,
- Budget Review Contracts and Other Expenses

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

BUDGET AND FINANCIAL IMPLICATIONS

The June Quarter Budget Review shows a positive variance representing an improvement on the original budget projections of \$4.8 million for the General Fund. This is made up of a \$1 million improvement in the operating budget, a \$2.5 million improvement in receivables, and a \$1.3 million adjustment for revotes.

The General Fund Operating result improvement of approximately \$1m against the initial budget was mainly associated with increased activity in State Highways and increased income from utilisation of internal plant.

The improvement in receivables is primarily due to improved administrative processes for claiming external grants and payments, with income being received earlier than anticipated, as well as an increase in stock at hand in Council quarry operations.

The revotes total \$8.1 million in expenditure and \$6.8 million in income, with a net adjustment of \$1.35 million. The revotes are mainly associated with projects that were expected to carry over from one financial year to the next, such as the initial sealing of the Clarence Way (\$2.7 million) and the Stronger Country Communities and Federal grant funded community facilities projects (\$2 million). There were also a number of projects where the works were in progress at the end of the financial year. The table below shows the figures for capital works budgeted, achieved and revoted over the last six years.

Financial Year	Capital Expenditure (budget \$ million)	Capital Expenditure (actual completed \$ million)	Capital Revotes (\$ million)
2013/2014	10.5	7.5	5.8
2014/2015	12	5.8	6.5
2015/2016	20.8	14.2	9.4
2016/2017	26.8	18.3	9.4
2017/2018	31.5	22.7	9.0
2018/2019	25.4	20.1	8.1

These figures show that there appears to be a “peak” in capital revotes that was reached in 2016/17 and an increased capacity in the delivery of the capital works program starting in 2015/16. This data also shows that there was a bottle neck in the initial roll out of the accelerated capital works program included in the 2014 Long Term Financial Plan, and that this has been carried over for the last three years. However, the trend now appears to be showing a reduction in the carry-over of capital works associated with this initial delay in the delivery.

The water and sewer funds show a small negative variance from the original budgets, and there will need to be ongoing monitoring and review of these budgets to ensure this does not continue. The domestic waste budget also shows a negative variance, however most of this is associated with the contribution to the operating costs contained within the other waste budget associated with the split in costs between commercial and domestic waste. The upcoming review of the Long Term

Financial Plan also presents an opportunity for further scrutiny of the operational costs and revenue framework for these three restricted funds.

RECOMMENDATION

That Council:

1. Receives and notes the report, *June 2019 Quarterly Budget Review*.
2. Incorporate the funds identified as revotes in the June 2019 budget review into the 2019/2020 budget.

REVOTE SUMMARY				
JUNE QUARTER BUDGET REVIEW				
PROGRAM	ITEM	COMMENT	INCOME	EXPENSES
Administration	Office Expenses	Records & office costs lower than anticipated		32,127
	Office Equipment	Computer equipment		47,380
Finance	Revenue Sharing Grant	Grant received in advance	2,295,708	
	Loan Income	Borrowings not taken up	(5,000,000)	
Crown Reserves	Grants	Stronger country community funding round 2	(368,500)	
	Contributions	Community contributions	(9,000)	
	Operating Costs	Bonalbo hall improvements		50,000
		Mallangane reserve - replace canteen		50,000
		Kyogle high school sports ground improvements		50,000
		Kyogle rifle range improvements		75,000
		Old bonalbo hall improvements		17,544
		Tabulam hall improvements		50,000
		Wiangaree hall improvements		50,000
		Wiangaree rodeo grounds improvements		70,000
		Woodenbong showground improvements		50,000
		Mummulgum hall amenities		49,726
		Crown lands management plan		38,318
Planning	Other Costs	Community lands plan of management		40,000
Other Waste Management	Operating Costs	Consultants Fees		24,170
	Improvements	Transfer station improvements		8,601
		Better waste recycling fund project		44,936
Strategic & Community	Income	Rural & regional youth participation funding		1,500
		Stronger country community funding round 2	(46,900)	
		Community contributions	(4,000)	
	Community donations	Disaster relief fund		21,744
	Community services	Foundation for rural & regional renewal building leadership		10,401
		Small business month project		1,808
	Aged Care	Project not yet completed		53,292
	Strategic Other	Economic development funding program		7,611
		Economic development prospectus		13,055
	KRLFC Ground Improvements	Project not yet completed		21,105
Regional Roads	Capital Grants	Community development grant - Clarence way	(1,197,340)	
		Fixing country roads - Clarence way	(1,244,655)	
	Capital Expenditure	MR 141 - Renewals		249,871
		MR 150 - Initial seal		2,691,995
		MR 544 - Renewals		63,689
Urban Local Roads	Capital Grants	Stronger country community funding round 2	(127,300)	
	Construction	Bonalbo reseals		104,798
		Footpaths		11,730
		Kerb & guttering		48,323
		Kyogle resurfacing		249,657
		May street		100,000
		Village & LGA signage upgrades		10,000
		Donald street		44,525
		Old Bonalbo footpaths		70,000
		Tourist /wayfinding signage		135,036
Rural Roads	Capital Income	Bulmers road intersection	(4,919)	
	Private Contributions	Culmaran project	(60,000)	
	Construction	Culmaran creek road upgrade		49,304
		Bulmers road intersection		4,919
Bridges	Capital Income	Federal timber bridge renewal program	(104,477)	
		Fixing country roads - Hanley bridge	(54,476)	
	Capital Expenditure	Lynches creek road bridge 79-8529		110,189
		Lynches creek road bridge 79-9414		38,258
		Ettrick road bridge 45-5967		81,818
		Peacock road bridge 107-1657		440,659
		Hayes road bridge 163-38		22,520
		Boomi creek road bridge 17-9708		87,106
		Findon creek road bridge 54-4153 (Burt Rayner)		65,961
		Culmaran creek road bridge 37-4322		108,952
		Culmaran creek road bridge 37-2537		57,158
		Walters road bridge 158-593		42,842
		Tree fern bridge 246-48		264,501
Swimming Centres	Capital Income	Stronger country community funding round 2	(33,500)	
	Capital Expenditure	Bonalbo pool improvements - SCCF		22,394
Parks & Gardens	Capital Income	Stronger country communities funding round 2	(246,002)	
	Capital Expenditure	Kyogle outdoor gym		4,727
		Kyogle labyrinth		1,291
		Bonalbo Norm Johnson park		169,830
		Mallangane sports ground		180,000
		Mallangane public toilets		50,000
		Old Bonalbo Pioneer park		74,590
		Tabulam sports ground		78,000
		Wiangaree Abody park		60,000
		Woodenbong sporting improvements		46,025
		Wiangaree rodeo grounds		8,725
		Kyogle rec reserve improvements		3,419
		Kyogle rec reserve weed control		3,339
Community Buildings	Capital Income	Kyogle pool redevelopment funding	(250,000)	
		Stronger country communities funding	(143,862)	
	Construction	Kyogle caravan park improvements		102,531
		Kyogle pool redevelopment		464,414
		Bonalbo caravan park improvements		50,000
		Library refurbishment		167,823
Stormwater Management	Capital Income	Tabulam flood study grant	(27,255)	
		Flood mitigation	(160,000)	
	Capital Expenditure	Tabulam flood study project		34,069
		Flood mitigation		200,000
Quarries	Quarry Rehabilitation	Rehabilitation works not complete		28,552
Plant	Plant Purchases	Schedule of replacements not finalised		361,000
TOTALS			(6,786,478)	8,142,858
NET ADJUSTMENT				1,356,380

13.2 PROPOSED REVISION TO FEES FOR DISPOSAL OF ASBESTOS AT KYOGLE LANDFILL BY RESIDENTS AND BUSINESSES LOCATED OUTSIDE THE KYOGLE LGA

Author: Director Planning & Environmental Services

Authoriser: General Manager

Attachments: Nil

SUMMARY / PURPOSE

The purpose of this report is to advise Council of an increased demand from residents and businesses located outside the Kyogle Local Government Area (LGA) to dispose of asbestos at the Kyogle Landfill site. This demand is the result of reduced provision elsewhere in the region, and has operational and budget implications for Council's waste management service.

BACKGROUND INFORMATION

On 20 May 2019, Lismore City Council (LCC) advised Kyogle Council that from 3 June 2019, they would no longer accept asbestos at their Wyrallah Road Waste Facility until further notice. LCC advised local businesses and their ratepayers that they would need to take asbestos to another licensed waste facility for disposal. The other waste facilities that accept asbestos in the Northern Rivers are:

- Kyogle Landfill Facility (Kyogle)
- Nammoona Landfill Facility (Richmond Valley)
- Stotts Creek Resource Recovery Centre (Tweed Shire)
- Grafton Regional Landfill and Resource Recovery Centre (Clarence Valley)

Recently, Richmond Valley Council (RVC) advised that they would only accept small packages of asbestos (less than 10 square metres) from ratepayers within their local government area at the Nammoona Landfill Facility. It is anticipated that LCC and RVC will remove the restrictions on the disposal of asbestos at their sites once works to increase site capacity have been completed. However, at the time of writing, there is no clear timeline for the completion of these works.

REPORT

The consequence of LCC and RVC's actions is that the number of requests to dispose of asbestos at the Kyogle Landfill Facility from businesses and members of the public located in the Lismore, Richmond Valley, Ballina and Byron Bay local government areas has increased exponentially.

To date, Kyogle Council has agreed to dispose of asbestos at the Kyogle Landfill Facility, in the interests of preventing illegal dumping of asbestos within the Northern Rivers. However, the current operating procedures for the landfill are unable to accommodate the number of requests being received and the amount of asbestos being requested for disposal, without significant disruption to core service provision.

This also has implications for Council's budget. Council is able to process loads of less than 10 square metres of asbestos using existing equipment and within current operating procedures. However, disposal of large loads requires the hire of a private excavator at a cost of \$333 per hour (including transport costs). From practical experience, the hire period for processing a large load of asbestos can range from 1.5 to 6 hours, with the period increasing proportionately with transportation distance. This means that the cost to Council for processing such loads can range from \$499 - \$1,998.

Under Council's 2019/2020 Fees and Charges, the fee for local businesses and ratepayers to dispose of large loads of asbestos (greater than 10 square metres) is \$315 per tonne. Accordingly, in the event that a local business needs to dispose of one tonne of asbestos and providing Council can hire the excavator for the minimum period, the difference in costs is \$184. In addition to current fees and charges not allowing for full cost recovery of local loads, the financial burden on the

service is exacerbated by the effective subsidising of disposal costs for asbestos from other local government areas in the Northern Rivers.

BUDGET AND FINANCIAL IMPLICATIONS

In response to this issue, it is recommended that a new operating procedure and fee structure for the disposal of asbestos be implemented at the Kyogle Landfill Facility. The new procedure and fee structure is designed to facilitate the safe and cost-effective disposal of asbestos while maintaining the operational integrity of the landfill and levels of service for Kyogle ratepayers.

Under the proposed operating procedure, asbestos will only be accepted at the Kyogle Landfill Facility from other local government areas at a nominated time, for example, Thursdays between 9am – 12pm. Council will arrange for an excavator to be on site to undertake a bulk disposal of asbestos collected during this period. Local businesses and ratepayers will also be encouraged to dispose of asbestos at the nominated time as it will be more efficient and cost effective for landfill operations, however, small and medium loads will be accepted during normal operating hours.

The proposed fees for disposal of asbestos at the nominated time are as follows:

Fees for Asbestos Disposal at Nominated Time		
Fee Description	Kyogle LGA (\$ inc GST)	Other LGA (\$ inc GST)
Small wrapped parcels (less than 2 square metres) – per load	18.00 - as adopted	23.00
Medium wrapped parcels (2 – 10 square metres) – per load	96.00 - as adopted	120.00
Large wrapped loads (greater than 10 square metres) – per tonne	315.00 – as adopted	394.00

The fee for disposal of asbestos generated outside the local government area is proposed to be 125% of the fee charged for local businesses and ratepayers.

Council will permit disposal of large loads of asbestos outside the nominated time by appointment only. Higher fees are also proposed to apply, given the excavator will need to be hired for discrete disposal. The fee would comprise of a base rate (minimum hire cost of excavator) plus the unit cost of disposal as follows:

Fees for Disposal of Large Loads of Asbestos by Special Appointment		
Fee Description	Kyogle LGA (\$ inc GST)	Other LGA (\$ inc GST)
Large wrapped loads (greater than 10 square metres)	499.00 plus 315.00 per tonne	499.00 plus 394.00 per tonne

The new operating procedure and fee schedule will be reviewed when LCC and RVC lift the current moratoriums on disposal of asbestos at their landfill facilities.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Proposed Revision Of Fees For The Disposal Of Asbestos At Kyogle Landfill By Residents And Businesses Located Outside The Kyogle LGA*;
2. Places the proposed new fee structure for disposal of asbestos at the Kyogle Landfill Facility on public display for a period of 28 days and report any public consultation responses to a future meeting of Council prior to any adoption of the proposed new fee structure.

13.3 KYOGLE YOUTH ADVISORY COMMITTEE

Author: Strategic Initiatives Coordinator

Authoriser: General Manager

Attachments: Nil

SUMMARY / PURPOSE

This report outlines the proposed pathway to recast and revitalise the Kyogle Youth Advisory Committee (KYAC) as a collaborative partnership with Kyogle Together for youth services across the LGA.

BACKGROUND INFORMATION

The Community Strategic Plan 2016-2026 states that capacity must be built for young people in the Kyogle LGA in an effort to promote cross-generational collaboration. Council determined that this would be actioned through the continued support of the Kyogle Youth Advisory Committee (KYAC) and other youth programs that promote social inclusion, education and leadership amongst young people.

A charter for KYAC was adopted by Kyogle Council on 14 November 2016 and KYAC was established. Since that time, the committee has met infrequently and struggled to achieve outcomes.

PREVIOUS COUNCIL CONSIDERATION

Over recent months, Planning and Environmental Services officers have conducted a review of the operation of KYAC, in consultation with past members and service providers. A summary of this review and recommendations was reported to the May 2019 Councillor Workshop with this report now presented to Council for formal consideration including recommendations for a future collaborative partnership for the delivery of youth services across the LGA.

REPORT

Initial discussions concerning the revitalisation of KYAC with previous members, young people from across the LGA, their support networks and youth services were conducted during Youth Week 2019 events and have continued over the past few months. These discussions have built a consensus around a methodology that will support KYAC to achieve its objectives and be more inclusive of the wider population of young people across the Kyogle LGA.

At the present time, the sole organisation in the Kyogle LGA that is funded by the State Government to deliver youth services across the LGA is Kyogle Together, through their Kyogle Youth Action Program, and this is on a part-time basis. Youth workers from Kyogle Together have supported KYAC and actively engaged in the delivery of Youth Week events each year. Kyogle Together also currently occupy the Council owned Youth Centre building located adjacent to Cenotaph Park, and utilise this building for the delivery of youth services through a semi-formal rent free lease arrangement.

Discussion with past members of KYAC and representatives from Kyogle Together, found that the formality/governance focus of the group and targeting Year 12 and Student Representative Council (SRC) members constrained the appeal of the committee. More broadly, when young people were asked about the purpose and objectives of the KYAC, they generally supported them, however they suggested that the methods by which the purpose and objectives are met be redesigned. The charter adopted by Council included the following objectives;

To provide opportunities for young people to:

- a. Have a say in the decision making process*
- b. Make recommendations to Council for Youth Week activities*
- c. Encourage and engage participation of young people across the whole community, respectfully and inclusively*

d. Receive training opportunities

In line with the request, Kyogle Council partnered with Kyogle Together to conduct a KYAC rebranding exercise with young people and ask how the group could be less formal and more inclusive.

This has resulted in a suggestion that KYAC be an extended group of young people who gather in a supportive, less formal space (virtual or physical) to discuss issues and action matters specific to them, with a smaller group of members being a point of contact for relevant Council staff. The organisation considered best placed to assist this group and facilitate the process is Kyogle Together through their Kyogle Youth Action Program, and utilising the Youth Centre space.

To enable this action, it is recommended that Council revoke the existing Kyogle Youth Advisory Committee Charter and enter into a formal Service Level Agreement (SLA) with Kyogle Together. This will enable the operation of the group to achieve the same objectives with a less formalised structure. Council officers have been exploring the development of a SLA with Kyogle Together to define the obligations and responsibilities of Kyogle Together Inc and Kyogle Council in jointly facilitating the delivery of youth services across the Kyogle LGA and in the occupation of the Kyogle Youth Centre building.

BUDGET AND FINANCIAL IMPLICATIONS

Kyogle Council has an annual allocation of \$6,000 for the Kyogle Youth Advisory Committee and an annual allocation of \$2,850 towards Youth Week activities. These budgets would be managed by Council staff and utilised in consultation with Kyogle Together as part of any negotiated SLA.

RECOMMENDATION





That Council:

1. Receives and notes the report, *Kyogle Youth Advisory Committee*;
2. Revokes the Kyogle Youth Advisory Committee Charter;
3. Authorises the General Manager to enter into a Service Level Agreement with Kyogle Together Inc for the delivery of youth services across the Kyogle LGA, including facilitating the youth advisory committee objectives and occupation of the Kyogle Youth Centre building.

13.4 EXTENSION OF DEVELOPMENT CONTRIBUTIONS AND CHARGES DISCOUNTING POLICY

Author: Senior Town Planner

Authoriser: General Manager

Attachments: 1. [Submission received](#)  
2. [Draft amended policy](#)  

SUMMARY / PURPOSE

This report presents the outcomes of public consultation on a draft amended Development Contributions and Charges Discounting Policy which has an extended lifespan and includes subdivision as a type of development to which the policy applies. The report seeks a resolution to adopt the amended policy.

BACKGROUND INFORMATION

The current Development Contributions and Charges Discounting Policy (the Discounting Policy) commenced on 13 March 2018. The commencement of the Discounting Policy appears to have stimulated the undertaking of development and the making of development applications that may not otherwise have progressed. The current policy was originally due for review in March 2020.

An examination of development consent and lot production figures for the Kyogle Council local government area (LGA) has shown that over the last few years there has been very limited creation of new allotments for residential and industrial purposes.

To address these two issues, an extension of the lifespan of the Discounting Policy and development to which it applies is required.

PREVIOUS COUNCIL CONSIDERATION

Council at its 11 June 2019 Ordinary meeting resolved the following:

That Council:

1. *Receives and notes the report, Extension of Development Contributions and Charges Discounting Policy.*
2. *Prepares an amended draft Development Contributions and Charges Discounting Policy that:*
 - i. *Extends the current lifespan from March 2020 to March 2022 with the option to extend, and;*
 - ii. *Includes subdivision as a development to which the Policy will apply, and;*
 - iii. *Includes some minor administrative amendments.*
3. *Places the amended draft Developer Contributions and Charges Discounting Policy on public exhibition and, at the conclusion of public exhibition, be provided with a report on submissions received.*

In accordance with Council's resolution a draft amended Discounting Policy was prepared and public exhibition was undertaken. This report is in response to part three of this resolution.

REPORT

Outcomes of public notification

Public notification of the amended Discounting Policy was made in the 19 June 2019 edition of the Richmond River Express Examiner and on Council's website. The exhibition period was 28 days. One submission was received; this submission is included at Attachment 1 of this report.

The submission raised concerns that extending the Discounting Policy to include subdivision will mean that Council (and therefore, ratepayers) will have to bear the costs of development that would normally be borne by developers. It is not true that Council will be paying developers' costs because:

- Any new or upgraded essential infrastructure or service connections required to service a subdivision (eg road upgrades, water and sewer connections) are not subject to a waiver and will still be required to be carried out by developers.
- Development contributions and servicing charges are generally levied for upgrades of; roads, footpaths, other community facilities and water supply, sewerage and stormwater drainage (where development site is in serviced area). These upgrades or the recouping of costs for facilities already provided can be delayed or collected over an extended period as necessary.
- It is also important to note that the amended Policy will only apply for a defined period (until March 2022) at which point it will cease to apply unless Council chooses to review and extend.

In view of the above, there are many costs to carrying out development (including subdivision) that will continue to be borne by developers even under the proposed Discounting Policy. Furthermore, any monetary cost attributable to the policy will be offset by the benefit of stimulating development in the Kyogle Council LGA.

It is also important to note that at present there is spare capacity in the existing infrastructure that will cater for an increase in demand associated with additional development.

Extension of policy lifespan

A key reason for extending the lifespan of the Discounting Policy is that as the March 2020 end of the policy gets closer, it is increasingly difficult for developers to obtain development consent and then complete construction of their development within this period (as required by the policy). The extension to the lifespan is intended to increase the window of opportunity for developers to utilise the policy.

The extension will also allow Council to complete key strategic planning projects (including the preparation of the Local Strategic Planning Statement (LSPS) that will in turn identify priorities for land development and associated infrastructure requirements, something that will inform the review and drafting of new developer contributions plans.

Amendment of Discounting Policy to apply to subdivision

In general, the Kyogle Council LGA experiences modest levels of land development annually. However, the past few years have seen a very limited number of new vacant allotments created and delivered to the market. Whilst reasonable numbers of residential and industrial lots have received development consent, only a small portion of approved lots have been developed.

Council has affirmed its commitment to realising the latent growth potential of the Kyogle LGA through its Community Strategic Plan 2016 – 2026 (CSP). The CSP contains a number of strategies and actions which specifically require a review of various planning instruments to encourage development in key sectors and locations.

At the same time, there is evidence that the local land development market is not delivering sufficient new allotments to meet the needs of the residential and industrial market and provide potential purchasers of land with options and a competitive market place.

Additional administrative amendments

Since Council's resolution at its June meeting, staff have identified further changes that are required to the wording of the policy to ensure it does not apply to development that has effectively been carried out, or where contributions have already been paid. This is because the aim of the policy is to encourage development to be carried out and the waiver should not apply to development that has been, or was already in the process of being, undertaken.

Therefore, it is also proposed that the Discounting Policy be amended to provide additional clarification that the policy does not apply where;

- Contributions and/or charges have already been paid.
- Any form of occupation certificate (interim or final) has been issued.
- Development has been completed and/or is in use.

A final amended Discounting Policy has been drafted to incorporate the changes described above and is included in the attachments to this report.

Conclusion

It is recommended that the amended Discounting Policy be adopted for the following reasons:

1. The existing policy has been effective in providing an incentive for development to be carried out. Since its commencement in March 2018, the Discounting Policy appears to have stimulated the undertaking of approved development which may not have otherwise been carried out.
2. The existing policy applies only until March 2020, and it is increasingly difficult for developers to complete their development (to qualify for a waiver as required by the policy) within this continually reducing timeframe.
3. The last five years have seen very few new residential or industrial lots created despite numerous approvals being given. Some incentive is required to bring a greater number of approved lots to market, at least in the short term.
4. The extended Discounting Policy is consistent with the theme of the CSP, which states that the Kyogle Council LGA is 'Ready to Grow'. The proposal is also directly consistent with one of the four main strategies given on page 2 of the CSP, which is '*Council to review and amend the Local Environmental Plan and associated development control and contributions plans to reduce restrictions and provide improved opportunities for economic growth of all local businesses, residential accommodation, rural residential and agricultural land uses, and events, whilst ensuring sustainable environmental outcomes*'.
5. Whilst the implementation of the extended Discounting Policy carries a financial cost to Council, the result will be the carrying out of additional development and the bringing of additional lots to market. It is important to remember that the extended policy will only apply until March 2022.
6. Some administrative amendments are required to the existing policy in order to ensure it achieves its aim, and to ensure its application is clear and workable.
7. Only one submission was received objecting to the amended policy and the grounds for objection are not considered reason to not adopt the amended policy.

BUDGET AND FINANCIAL IMPLICATIONS

The current Long Term Financial Plan (LTFP) assumes an income from development contributions over the next three years totalling \$69,000. It is important to acknowledge that this income can only be realised if there is some sort of subdivision occurring, and this is not presently the case.

Should Council adopt the amended policy, then the LTFP would need to be adjusted to remove this income stream for the three year period that the policy would be in effect (to March 2022).

It is difficult to estimate the financial implications of this proposal as it is dependent on the take-up by developers and the fact that development contributions and charges vary greatly according to the nature, scale and location of development.

It is important to understand that the policy is proposed to have a limited lifespan, meaning that any financial liability to Council is contained to a set period.

RECOMMENDATION

That Council:

1. Receives and notes the report *Extension of Development Contributions and Charges Discounting Policy*.
2. Adopts the amended Development Contributions and Charges Discounting Policy as per the draft attached to this report.

Begin forwarded message:

From: [REDACTED]
Date: 8 July 2019 at 8:51:32 am AEST
To: <kylie.thomas@kyogle.nsw.gov.au>
Cc: <hayden.doolan@kyogle.nsw.gov.au>, <janet.wilson@kyogle.nsw.gov.au>, <john.burley@kyogle.nsw.gov.au>, <maggie.may@kyogle.nsw.gov.au>, <bob.dwyer@kyogle.nsw.gov.au>, <danielle.mulholland@kyogle.nsw.gov.au>, <lindsay.passfield@kyogle.nsw.gov.au>, <earle.grundy@kyogle.nsw.gov.au>, 'Casino Editorial' <rrexp@northernstar.com.au>
Subject: proposed and ongoing decision to waive development contributions

Dear Kyogle Councillors, and Editor,

I wish to express my concern at the current decision to extend the waiving of development fees in Kyogle.

Assuming the waived fees were to facilitate service provision for the sub-divisions, or whatever, it occurs to me that Council will have to take up any slack as far as finances goes.

Now, if a savings of "hundreds of thousands of dollars" are envisaged, that would seem to imply a cost to Kyogle of an equivalent amount.

So, \$200 000 would need to come from council revenue to, in fact, off-set the waiving of the \$100 000, as council will still need to provide the services for which the fees are waived.

That means that ratepayers, such as myself, will be paying developers to increase their profits.

I suspect the actual ratio would be more, as council provides some of the normal development costs already, does it not, in the form of subsidised sewerage, roading etc.?

Let us then assume that the waiving of the \$100 000 actually costs ratepayers \$250 000.

This does not seem to be a very sound proposition. Could council publish the actual figures applicable? That is: normal contributions; council normal costs to actually provide the services; the proposed shortfall; the source of this additional cost; the envisaged return from rates and charges; and any plans for the future. While I agree that council needs to increase its revenue, perhaps this is not the most appropriate way to do it. Lobbying state and federal governments to allocate GST funds to pay rates on national parks, state forests etc. would benefit Kyogle, by providing funds to restore its world heritage legacies, including the Richmond River. Council probably has the figures to indicate the potential revenue from such a source.

Could council provide figures for any expenditure on the natural environment over the last financial year?

If developers wish to act in Kyogle, they should pay up. Of course, council must be betting (gambling?) that recovery of rates will eventually recoup some losses, but the timeframe must be quite long- perhaps 20 years, by which time some infrastructure will surely need replacement or at least repair.

Regards,
[REDACTED]

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



Development Contributions and Charges Discounting Policy

DRAFT

Document Control

For controlled copies of this Document the copy number is shown below and initialled in RED by the issuing officer. Uncontrolled copies are not numbered.

Controlled Copy No: <i>B</i>	Issued by: Chris White	Date: <i>dd mm yyyy</i>
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1 AIM AND PURPOSE

The Aim of the Development Contributions and Charges Discounting Policy (the Policy) is to encourage the carrying out of development over the life of the Policy through the waiver of development contributions and servicing charges.

The Purpose of this Policy is to outline Council's intention to facilitate the waiver of development contributions levied under Section 7.11 (formerly s94) of the *Environmental Planning and Assessment Act 1979* and water, sewer and stormwater charges levied under Section 64 of the *Local Government Act 1993* that apply to certain types of development over the period of the Policy, subject to those developments meeting the requirements of the Policy.

2 VALIDITY, COMMENCEMENT AND LIFESPAN

This policy derives its validity from Council resolution *CO/mmyy/nn*. The Policy commenced on *dd mm yy* and expires on 13 March 2022.

3 ELIGIBLE DEVELOPMENT

This Policy applies to all development (that is subject to conditions requiring payment of development contributions and/or development servicing charges) for which a valid consent exists that is completed¹ during the life of this Policy, excluding the following development type:

- Development for which a Section 7.11 (formerly s94) contribution is applied for heavy haulage.

¹Criteria for development to be considered completed is provided in Section 4 Part A.

This Policy is not intended to apply to development that has been completed or carried out prior to the Policy coming into effect and therefore, does not apply to:

- a) Development that has been completed and/or has been in use prior to this Policy coming into effect on *dd mm yyyy*.
- b) Development for which an interim or final occupation certificate has been issued.
- c) Development for which a subdivision certificate has been issued.
- d) Development for which applicable development contributions or servicing charges have been paid, in part or in whole.

4 POLICY STATEMENT

PART A Development for which consent was granted prior to this Policy

1. A person who is entitled to act on a development consent may apply to modify a condition or conditions of that consent under s4.55 (formerly s96) of the *Environmental*

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- Planning and Assessment Act 1979* so that payment of s7.11 (formerly s94) development contributions and/or Section 64 charges is not required.
2. During the life of this Policy, Council will approve applications received as described in (1) such that the relevant conditions will be modified to state that the development will not be liable for payment of s7.11 (formerly s94) contributions and s64 charges where that development is completed during the life of this Policy. Where development is not completed within the life of the Policy the development will be liable for contributions and charges and the modified conditions of consent will also reflect this.
 3. Development will be considered to be completed when it meets the following criteria:
 - Construction of buildings - application for a final occupation certificate is received by the Principal Certifying Authority and all relevant matters and conditions of consent to allow the issue of a final occupation certificate are satisfied.
 - Change of use of building - application for a final occupation certificate is received by the Principal Certifying Authority and all relevant matters and conditions of consent to allow the issue of a final occupation certificate are satisfied.
 - Subdivision - application for a subdivision certificate is received by Council and all relevant matters and conditions of consent to allow the certificate to be issued are satisfied.
 - Establishment of new use of land or premises - all relevant matters and conditions of consent to allow establishment of new use are satisfied.
 4. Staff authority to determine applications under Section 4.55 and in accordance with this Policy will be as per the delegations established by Council.

PART B Development for which consent is granted during the life of this Policy

1. In determining applications seeking consent for development to which this Policy applies, Council will apply conditions requiring payment of development contributions under s. 7.11 of the *Environmental Planning and Assessment Act 1979* in accordance with any applicable s94 Development Contributions Plans, where that development is not completed within the life of this Policy.
2. In determining applications seeking consent for development to which this Policy applies, Council will apply conditions requiring payment of development servicing charges under s.64 of the *Local Government Act 1993* in accordance with any applicable s64 Development Servicing Plan, where that development is not completed within the life of this Policy.
3. Development will be considered to be completed when it meets the criteria outlined in PART A.

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13.5 LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2019 MOTIONS

Author: Manager Corporate Services
Authoriser: General Manager
Attachments: Nil

SUMMARY / PURPOSE

Consideration of motions that may be eligible for inclusion in the Local Government NSW (LGNSW) Annual Conference 2019 business paper.

BACKGROUND INFORMATION

The Local Government NSW Annual Conference is being held from 14 October - 16 October 2019 at the William Inglis Hotel, Warwick Farm, Sydney. The conference is the annual policy-making event for NSW councils, associate members and the NSW Aboriginal Land Council. Councillors Mulholland, Grundy, and Doolan will represent Council at the Conference, with Councillor Mulholland exercising Council's vote.

PREVIOUS COUNCIL CONSIDERATION

The following motion was adopted at the 11 March 2019 Ordinary Meeting of Council.

That Council submit the following motion for consideration at the 2019 NSW Local Government Conference:

"That LGNSW requests the NSW Government set upper limits on fuel loads in all crown land forests, including State Forests and National Parks, and mandates hazard reduction programs to achieve these targets."

At its Ordinary Meeting of July 8, 2019 Council resolved;

That Council;

- 1. Receives and notes the report, Local Government NSW Annual Conference 2019.*
- 2. Approves attendance by Councillors Maggie May, Hayden Doolan, Earle Grundy and Danielle Mulholland at the 2019 LGNSW Annual Conference.*
- 3. Confirms the voting delegate at the LGNSW Conference to be the Mayor.*
- 4. Adopts proposed motions for submission to the 2019 LGNSW Business Paper at the 12 August Ordinary meeting of Council.*
- 5. Delegate authority to the Mayor to submit any further proposed motions, after consulting with Councillors, prior to the 16 September 2019 deadline.*

REPORT

Council is invited to submit motions for possible debate at the conference to advance the sector-wide policy agenda. Motions are strategic local government issues which affect members state-wide and introduce new or emerging policy issues and actions.

Members are encouraged to submit motions by 12 midnight Monday 19 August 2019, to allow printing and distribution of the Business Paper before the conference. However, in line with the LGNSW rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is 12 midnight on Monday 16 September 2019.

RECOMMENDATION

That Council;

1. Receives and notes the report Local Government NSW Annual Conference 2019 Motions
2. Adopt the following motions to be included in LGNSW Annual Conference 2019 business paper;
 - (a) That LGNSW calls on the NSW State Government to commit adequate resources to arrest and repair the degradation of Crown Lands' native forests caused by weed infestations and Bell Mynar associated dieback.
 - (b) That LGNSW calls on the NSW State Government to provide funding to address social housing stock deficits in the regions, to raise regional housing stock levels up to the state average.
 - (c) That LGNSW calls on the Federal Government to remove Part 1 Sec 6 2b of the Local Government Financial Assistance Act 1995 to remove the minimum per capita amount grant.
 - (d) That LGNSW calls on the NSW State Government to remove the waste levy from rural councils.
 - (e) The LGNSW calls on the NSW State Government to fund the initial rise in the Emergency Services Levy to allow for the consultation promised but not undertaken.
 - (f) That LGNSW calls on the NSW State Government to engage with all NSW councils to identify the most appropriate way forward in providing the necessary insurance for emergency services personnel without further cost shifting of a state funding responsibility to Local Government.
 - (g) That LGNSW calls on the NSW State Government to act to mitigate staff reductions at Essential Energy impacting rural councils.

13.6 ASSET MANAGEMENT STRATEGY AND CORE INFRASTRUCTURE RISK MANAGEMENT PLAN

Author: Assets and Design Coordinator

Authoriser: Director Assets and Infrastructure Services

Attachments:

1. Asset Management Strategy 2019 (under separate cover) 
2. Core Infrastructure Risk Management Plan 2019 (under separate cover) 

SUMMARY / PURPOSE

This report presents to Council the latest suite of Asset Management Strategy covering Council's \$526 million asset inventory.

BACKGROUND INFORMATION

Council's asset management documentation exists to demonstrate responsible management of assets, compliance with regulatory requirements and to communicate funding needed to provide the required levels of service. The suite of asset management documents are part of the core documents that councils are required to develop under the NSW Government's Integrated Planning and Reporting Framework which is legislated through the Local Government Act and subsequent guidelines.

Council's Asset Management Strategy and Core Infrastructure Risk Management Plan were last reviewed and adopted back in 2012 and used in the development of the current Long Term Financial Plan.

PREVIOUS COUNCIL CONSIDERATION

At its Ordinary Meeting of June 25, 2012 Council resolved;

1. *That the report on Asset Management Plans and Strategy was received and noted.*
2. *That Council endorses the Asset Management Plans, Core Infrastructure Risk Management Plan and Asset Management Strategy prepared by Jeff Roorda and Associates.*
3. *That the Risk Treatment Plan contained in the Core Infrastructure Risk Management Plan be reported to Councils Internal Audit Committee.*

At its Ordinary Meeting of May 15, 2019 Council resolved;

That Council;

1. *Receives and notes the report on Asset Management Plans*
2. *Adopts the Roads Asset Management Plan 2018, Bridges Asset Management Plan 2018, Buildings Asset Management Plan 2018, Sewer Asset Management Plan 2018, Water Asset Management Plan 2018 and Stormwater Asset Management Plan 2018 as per the draft documents provided in the attachments to this report.*

At its Ordinary Meeting of July 8, 2019 Council resolved;

That Council;

1. *Receives and notes the report, Asset Management Policy Review.*
2. *Adopts the attached draft Asset Management Policy*

REPORT

This edition of the Asset Management Strategy incorporates all findings and actions that were presented in the individual Asset Management Plans that were recently revised and adopted by Council. It shows all asset categories alongside one another, allowing for a complete overview of the suite of council assets and their status. In addition, Council's asset management maturity has

been reassessed and shown alongside previous maturity assessments, completed in 2011 and 2012.

The Core Infrastructure Risk Management Plan has been reviewed and updated to reflect the key risks associated with council infrastructure based on the revised Asset Management Plans and updated strategy.

BUDGET AND FINANCIAL IMPLICATIONS

The suite of asset management system documents are used as the primary inputs into the Long Term Financial Plan development and review. The LTFP is planned for review in 2020 and the completion of the review of the full suite of asset management documents has been timed to coincide with this review to ensure up to date information is available for the LTFP review process.

RECOMMENDATION

That Council

1. Receives and notes the report, *Asset Management Strategy and Core Infrastructure Risk Management Plan*.
2. Endorses the Asset Management Strategy 2019 and the Core Infrastructure Risk Management Plan 2019.

13.7 STRONGER COUNTRY COMMUNITIES FUND - ROUND 3

Author: General Manager

Authoriser: General Manager

Attachments: Nil

SUMMARY / PURPOSE

The purpose of this report is to provide Council with information on projects proposed for funding under Round 3 of the NSW Government's Stronger Country Communities Fund (SCCF).

BACKGROUND INFORMATION

Council was advised by letter in June that it had received an allocation of \$790,237 under SCCF Round 3. The letter also advised Council that 50% of the total allocation (\$395,118) must be spent on projects supporting young people which can be infrastructure and/or programs and that applications must be fully scoped and submitted by 27 September 2019.

Due to the tight timeframe, there was a need to act reasonably quickly and establish a proposed list of projects and programs and to allow for feedback from the community. An indicative timeframe was recommended as follows;

1. A "proposed" list of projects be endorsed by Council at the July meeting to put out for public comment and feedback (see below);
2. We give people a couple of weeks to have their say - either support the projects we put forward or to come up with their own;
3. We bring a report back to the August meeting for Council to adopt the final list of projects.

This gave staff just under six weeks to finalise the applications.

The list of projects proposed to be put forward for feedback from the community included:

1. **Tabulam** – \$80k (\$60k youth related) playground relocation and youth space activation near sports ground amenities and installation of light horse memorial
2. **Old Bonalbo** - \$80k (\$60k youth related) playground equipment and youth space activation near tennis courts/hall and improved public amenities next to hall
3. **Mallanganee** - \$100k (zero youth related) improvements to the Mallanganee lookout, new toilet, picnic shelters and viewing platform
4. **Kyogle** - \$130k (\$130k youth related) modification of the Anzac Park BMX track into a "pump track" as per the Mountain Bike Strategy and other park improvements such as shade over the playground and an additional bubbler and/or barbecue
5. **Kyogle** - \$350k (\$100k youth related) Kyogle community precinct and youth centre improvements and activation of the area that connects the library, museum, KMI Hall and youth centre
6. **Whole LGA** - \$50k (\$50k youth related) allocation for delivery of youth programs in partnership with Kyogle Together and other youth services providers

This proposed list of projects accounted for the full \$790,237 allocation, with an indicative amount of \$400,000 going towards projects supporting young people.

PREVIOUS COUNCIL CONSIDERATION

Council resolved at its 8 July 2019 meeting that it:

1. *Receives and notes the report, Stronger Country Communities Fund Round 3;*

2. *Endorses the proposed list of projects for the SCCF Round 3 listed in the report and seeks feedback from the community on the proposed projects or any other projects suggested by the community.*
3. *Receives a further report to the August 2019 Ordinary meeting to consider the feedback from the community and adopt a final list of projects for submission under the SCCF Round 3.*

REPORT

Information about the projects proposed for funding by Council and calling for community feedback was posted on Council's Facebook page and website on 11 July 2019. Council also called on the community to submit their own projects for funding via an on-line form on Council's website.

In addition to the original list of proposed projects put forward for feedback, Council received the following project proposals through the on-line form;

- Kyogle Mountain Bike Club additional trails
- Kyogle Showground Trust replacement toilet block
- Tabulam Racecourse Trust replacement stewards and jockeys rooms and new amenities
- Kyogle Landcare youth engagement programs around caring for country
- Futurekidz Kyogle and business innovation hub (youth programs)

In addition to these, information was received on the following additional projects;

- D.I.R.T improvements to stage curtains and seating at Kyogle Memorial Institute Hall and programs for young performers (project was put up as part of the My Community Project process but did not make it to voting)
- Proposal to build a new youth centre building at the old girl guide building site in Bonalbo
- List of priority projects and programs from Kyogle Together relating to youth services and letter of support for proposed projects
- Kyogle Men's Shed purchase of building (note purchase of land and buildings not eligible under the SCCF Round 3 Guidelines)
- Information from the Mallanganee Progress Association in relation to the Mallanganee Lookout project
- Information from the Woodenbong Progress Association in relation to the improvements needed to the existing amenities at the Woodenbong Campgrounds

Given the level of interest and based on feedback received during the community consultation process to date, the following guiding principles were identified to assist with the shortlisting of projects to be applied for under the SCCF Round 3;

1. That projects are not put forward where there is a need for the development of an open space master plan or strategy which has not been completed.
2. That Council puts forward a package of projects that utilises the full funding allocation for the SCCF Round 3, no more and no less.
3. That all project proposals put forward by the community that are youth related be packaged into a single project that will create a collaborative partnership and deliver a variety of programs and projects across the LGA with young people to decide on what infrastructure is provided with the allocation for each village and Kyogle (see attached SCCF Project Concept outline).
4. That priority be given to projects that align with existing strategies adopted by Council.
5. That consideration is given of the need for equity across the villages and LGA and the full SCCF program

With these guiding principles in mind, and based on the feedback received from the community to date, the suggested spread of SCCF Round 3 funding now proposed is as outlined in the recommendation of this report.

BUDGET AND FINANCIAL IMPLICATIONS

The projects put forward in the recommendation would be funded through the SCCF program, contributions from external stakeholders, and existing budget allocations where appropriate. There should be no impact on the budget bottom line as a result of these projects being delivered, if approved.

RECOMMENDATION

That Council;

1. Receives and notes the report, *Stronger Country Communities Fund Round 3*.
2. Endorses the following list of projects and SCCF funding allocations for submission of applications under Round 3 of the Stronger Country Communities Fund;
 - (a) **Project 1 – Combined Youth LGA Wide Project** - \$395,118 of the available SCCF funding (all youth related components).
 - (b) **Project 2 – Kyogle Mountain Bike Strategy Stage 1 Priorities** – \$130,000 of the available SCCF funding.
 - (c) **Project 3 – Tabulam Lighthouse Memorial** - \$50,000 of the available SCCF funding.
 - (d) **Project 4 – Tabulam Racecourse Building Improvements** - \$105,119 of the available SCCF funding.
 - (e) **Project 5 – Kyogle Showground Amenities** - \$110,000 of the available SCCF funding.

13.8 REVIEW OF CLIMATE CHANGE ASSESSMENT AND ADAPTATION INITIATIVES

Author: General Manager

Authoriser: General Manager

Attachments: 1. **Kyogle Council Review of Climate Change Assessment and Adaptation Initiatives July 2019 (under separate cover)** 

SUMMARY / PURPOSE

This report presents the *Kyogle Council Review of Climate Change Assessment and Adaptation Initiatives* report.

BACKGROUND INFORMATION

The Statewide Mutual Liability Scheme (Statewide Mutual) developed and funded the inaugural *Climate Change Risk Assessment and Adaptation Planning* Program that over a period of five years (from 2009 to 2014) assisted a total of 106 member councils to undertake their first step towards understanding the potential impact of climate change on local government assets and operations and the effect on their communities.

Under this program, consultants Echelon assisted Kyogle Council to complete the August 2013 *Climate Change Risk Assessment Adaptation Report*. The *Kyogle Council Review of Climate Change Assessment and Adaptation Initiatives* report is a review of this initial 2013 risk assessment adaptation report and was prepared for Council by JLT Consulting.

PREVIOUS COUNCIL CONSIDERATION

At its Ordinary Meeting of April 8, 2019 Council resolved;

That Council:

1. *Seeks inclusion in the climate change report to be presented to Council in May 2019 of strategies to address impacts of identified climate change risks on the LGA and sets achievable and aspirational targets around net carbon emissions and renewables;*
2. *Forms a working group of interested Councillors, relevant Council staff and organisational stakeholders to provide ongoing advice and recommendations around climate change and how we are progressing identified targets.*

At its meeting of June 11, 2019 Council resolved;

That Council:

1. *Receives and notes the Sustainable Councils Action Plan for Energy Efficiency and Renewable Energy report*
2. *Adopts the Kyogle Council Sustainable Councils Action Plan for Energy Efficiency and Renewable Energy*
3. *Adopts the following targets;*
 - (a) *That 25% of Council's electricity demand is met through on-site solar energy generation by 2025*
 - (b) *That 50% of Council's electricity demand is sourced from renewables by 2025*
 - (c) *That 100% of Council's electricity demand is sourced from renewables by 2030*
4. *Encourage and support the use of renewable energy by the community, particularly in new developments.*

REPORT

This report has been prepared for the purpose of climate change risk assessment and adaptation planning by Council. The short to medium term effects of climate change may directly impact on

the functionality of Council. Studies indicate that there is a real risk that the impact on Council assets and operations could increase in a number of areas such as:

- Inability to preserve “community” owned and valued assets affected by more intense natural disasters.
- The number of claims in the area of asset damage (physical damage to Council owned buildings infrastructure and assets);
- Higher insurance premiums as a result of increased claims;
- Professional indemnity issues relating to the management of the development and building approvals, issuing of certificates, verbal advice;
- Corporate governance issues including failure to implement legislation, financial responsibility, strategic planning and corporate responsibility; and
- Public liability issues caused by extreme weather events.

Kyogle Council participated in the program during 2013 and developed the original *Climate Change Risk Assessment and Adaptation Report*. This year Council sought to conduct a review of the original assessment in light of updated data and initiatives undertaken subsequent to the original study.

The NSW and ACT governments and the Climate Change Research Centre at the University of NSW together with other NSW Government authorities (NARCLiM) have partnered to develop Regional Climate Modelling for key catchment areas with climate change projections at a regional scale through interactive mapping. Local Government can now consider impacts of climate variation that are specifically related to its region, thus providing a more accurate assessment of the impacts and develop more accurate adaptation initiatives where warranted.

The delivery of this project comprised three workshops; one with elected members and two with representation from the various sections of Council consistent with the desired consultative approach required to deliver the best outcome.

BUDGET AND FINANCIAL IMPLICATIONS

The report does not provide a commitment to funding any particular adaptation initiatives, but will provide information to inform future budget deliberations and reviews of the Long Term Financial Plan. This report also provides the evidence needed to be eligible to apply for funding for initiatives under programs such as the NSW Government’s Increasing Resilience to Climate Change fund.

RECOMMENDATION

That Council;

1. Receives and notes the report, *Review of Climate Change Assessment and Adaptation Initiatives*.
2. Endorses the Kyogle Council Review of Climate Change Assessment and Adaptation Initiatives report dated July 2019.

14 URGENT BUSINESS WITHOUT NOTICE

15 QUESTIONS FOR NEXT ORDINARY MEETING

16 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:

16.1 Regional Procurement Tender for Precast Pipes

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.

16.2 Tender Evaluation Report - Replacement of Burt Raynor Bridge Findon Creek

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.

17 CLOSE OF MEETING