



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

**Date:** Monday, 12 April 2021  
**Time:** 5pm  
**Location:** Kyogle Council Chambers, Stratheden Street, Kyogle

# **AGENDA**

## **Ordinary Council Meeting**

**12 April 2021**

**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 April 2021, 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

OPENING STATEMENT

All Kyogle Council meetings are webcast - the meetings are recorded and the recording is later uploaded to Council's website. All speakers at the meeting are advised to refrain from making any defamatory statements/comments. Council accepts no liability for any damage that may result from defamatory comments made by speaking at the meeting. All liability rests with the individual making the comments.

COUNCIL PRAYER

We seek guidance as we come together to make decisions in the best interest of our communities which support the development of a peaceful and just environment to encourage our people to thrive and live purposeful lives to reflect a modern, inclusive and diverse community.

Adopted by Council on 14 December, 2020.  
Resolution CO/1220/3

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.

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**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

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DISCLAIMER

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

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 one working day 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 be 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](mailto: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.



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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 MARCH 2021**

**Author:** Executive Assistant

**Authoriser:** General Manager

**Attachments:** 1. Minutes 8 March 2021 Ordinary Meeting (under separate cover) [↓](#) 

**RECOMMENDATION**

That Council confirms the minutes of the Council meeting of 8 March 2021.

**PURPOSE / SUMMARY**

This report presents the minutes of the 8 March 2021 Ordinary Meeting to Council for confirmation.

**8 MAYORAL MINUTE**

Nil

**9 NOTICES OF MOTION**

Nil

**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 Kylie Thomas, Lindsay Passfield and Robert Dwyer at the 8 March 2021 Ordinary Council meeting.

**RECOMMENDATION**

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

**Question Cr Kylie Thomas**

Can Council have an update on how Dyraaba Road is going to be maintained after the weather we have had?

**Response**

*Dyraaba Road is going to be maintained as per all other unsealed roads in the network. Councils Infrastructure Works staff determine priorities for grading based on performance assessments and inspections considering a number of criteria such as; volume of traffic, depth of gravel, rutting, corrugation, and formation shape.*

*Traffic volume is the biggest determinate in how often a road gets graded as it is the best measure of consumption of the asset. The section from Trentys Lane to the village was graded in February 2020 and immediately after this grade, through traffic was denied due to the replacement of the two bridges, which dramatically reduced the amount of traffic on this road.*

*Dyraaba Road was inspected on Monday, 22 February 2021 and found to be in fair condition. This means that the road as a whole is rated as fair with localised defects. Other roads in the network inspected at the same time were found to be in worse condition and have been programmed with greater priority. Currently, a maintenance grade is programmed to be undertaken in May/June 2021.*

**Question Cr Kylie Thomas**

Can Council have an update on the progress of the application for sealing of Dyraaba Road?

**Response**

*Council has submitted an application to the NSW Fixing Local Roads funding program and is awaiting notification on whether or not it was successful. The Guidelines for Round 2 initially indicated that successful projects would be announced in January 2021, however there has been no indication since of the date when the actual announcements will be made.*

**Question Cr Lindsay Passfield**

When the Woodenbong Main Street Redevelopment project comes up, can Council make sure it addresses the parking requirements and that we consult with the business community, the residents and the Woodenbong Progress Association?

**Response**

*Yes. This was always intended and will be undertaken as part of the broader community consultation associated with the master planning process.*

**Question Cr Lindsay Passfield**

Can we invite Border Mountains Tourism to address our next workshop on initiatives in relation to tourism in our local government area?

**Response**

*The workshop schedule could accommodate a presentation from this group if that was the will of the majority of the elected Councillors. However, it would not be considered a good precedent to allow a Question With Notice to become the mechanism for setting the agenda for Councillor workshops. The more democratic and transparent method would be by consideration of a Notice of Motion by the elected Councillors. The most recent example would be that put forward by Councillor May in relation to Social Housing at the March 2021 Ordinary Meeting.*

**Question Cr Robert Dwyer**

I have received several calls on the condition of Pines Road, in particular the approaches to the bridges. Can we have an update on that?

**Response**

*The interface between solid structures such as bridges, grids and causeways is always a point of pavement distress in all conditions. The recent inclement weather has exacerbated the road deterioration and is hampering rectification across the network as grading is unable to be successfully undertaken in saturated and wet conditions.*

*The regular road users are important in assisting Council to gaining an understanding of the issues across the network. Council has trained Customer Service staff that are available during work hours to help people make sure that their concerns are properly recorded, and the nature and location of their concerns are identified in a way that allows Council officers to properly investigate. If these types of issues are brought to a Councillor's attention by the public rather than using the available systems, it would greatly assist everyone if these people were encouraged to contact the Customer Services staff directly to convey their concerns.*

**11 REPORTS FROM DELEGATES****11.1 DELEGATES REPORT: CR JANET WILSON - INTERNAL AUDIT COMMITTEE**

**Author:** Councillor

**Authoriser:** General Manager

**Attachments:** 1. **Minutes Internal Audit Committee 25 March 2021** 

**SUMMARY / PURPOSE**

To provide Council with the minutes of the most recent Internal Audit Committee and an update on the committee's work.

**RECOMMENDATION**

That Council receives and notes the Delegate's Report on the Internal Audit Committee provided by Cr Janet Wilson.

**REPORT**

The Internal Audit Committee of Council met on 25 March 2021 to discuss the engagement process of Council's external auditors. The minutes of this meeting are attached to this report.

There were three main points arising from the discussions and they are as follows:

- The current status of the Internal Audit Committee is focused on keeping the organisation healthy, with a commitment to continuous improvement, rather than on fixing problems as it was in the past.
- There is a need to acknowledge the improvement in the relationships between management and the external auditors and internal audit function. This is particularly important given the expanded scope of the external audit which is no longer just about finances, but expands into IT, risk management, and governance more generally.
- From a community perspective, there has been a marked improvement in the level of transparency and accountability, which in turn builds trust around the equity in the distribution and allocation of funding and financial management more generally.

Councillors need to be aware that there are changes coming to this function of council. These changes will impact the expectations of Council. A training session has been developed by Local Government NSW to provide councillors with an opportunity to learn about the important work of auditors and their relationship with council. Details about the training were distributed to all Councillors by the General Manager.

It was noted during the meeting that Kyogle Council has a good track record in transparency and accountability for the work it does and the results are demonstrated by the fact that Council has moved from needing to address 22 audit issues to only four this past year. The issues are administrative in nature and highlight that Council has moved into a process of continuous improvement.

Audit committees are designed to be about continuous improvement across the organisation in governance, finance and service delivery. Continuous improvement is an important tool for the administration and Council to deliver services and to be accountable for how public money is used to meet local needs.

The committee congratulated the staff on achieving this milestone and in particular, the work of the Finance Manager, Manager Corporate Services, and General Manager.

**INTERNAL AUDIT COMMITTEE MEETING MINUTES****25 MARCH 2021**

**MINUTES OF KYOGLE COUNCIL  
INTERNAL AUDIT COMMITTEE MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON THURSDAY, 25 MARCH 2021 AT 9AM**

**PRESENT:** Cr Janet Wilson, Mr Andrew Stevens, Ms Debbie Johnston (by phone), Mr Steve Klaassen, Ms Mel Serone.

**IN ATTENDANCE:** The General Manager, Manager Corporate Services, Manager Financial Services, Adam Bradfield of Thomas Noble and Russell (Auditors).

The meeting opened at 9.02am.

**1 APOLOGIES**

Gearoid Fitzgereald, Cr Kylie Thomas.

**2 OPENING PRAYER**

Cr Janet Wilson read the opening prayer.

**3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

Cr Wilson acknowledged the meeting was being held on the Traditional Lands of the Bundjalung people and acknowledged Elders past, present and emerging.

**4 DECLARATION OF INTERESTS**

Nil

**5 REPORTS**

**5.1 CONFIRMATION OF MINUTES 9 NOVEMBER 2020**

**RESOLVED IAC/0321/1**

Moved by Ms Debbie Johnston, seconded by Mr Andrew Stevens

That the Committee confirm the minutes of the meeting held on 9 November 2020.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Kylie Thomas

**INTERNAL AUDIT COMMITTEE MEETING MINUTES**

25 MARCH 2021

**5.2 AUDITOR'S ANNUAL ENGAGEMENT PLAN****RESOLVED IAC/0321/2**

Moved by Cr Janet Wilson, seconded by Mr Steve Klaassen

That the Committee receives and notes the report on the Auditor's Annual Engagement Plan.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Kylie Thomas

**5.3 MANAGEMENT LETTER YEAR ENDED 2020 STATUS REPORT****RESOLVED IAC/0321/3**

Moved by Ms Mel Serone, seconded by Cr Janet Wilson

That the Internal Audit Committee receive and note the status report on the attached Management Letter year ended 2020.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Kylie Thomas

**5.4 COMPLIANCE****RESOLVED IAC/0321/4**

Moved by Cr Steve Klaassen, seconded by Cr Janet Wilson

That the Internal Audit Committee receives and notes the Compliance Report.

**CARRIED**

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Cr Kylie Thomas

**The Meeting closed at 9.57am.****The minutes of this meeting were confirmed at the Internal Audit Committee Meeting held on .**.....  
**CHAIRPERSON**



## 12 INFORMATION REPORTS

### 12.1 MONTHLY FINANCE REPORT - MARCH 2021

**Author:** Manager Financial Services

**Authoriser:** General Manager

**Attachments:** 1. Finance Report - March 2021  

#### SUMMARY / PURPOSE

This report presents financial reports to Council for information.

#### RECOMMENDATION

That Council receives and notes the information contained in the report *Monthly Finance Report – March 2021*.

#### BACKGROUND INFORMATION

##### Legislative Requirements

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

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

#### REPORT

The following information is presented for information only.

##### (A) Finance Reports

Summary reports outlining Council's financial position. The reports presented include:

- Rates statement and graph
- Statement of bank balances
- Summary of investments

It should be noted that these reports do not include accounting adjustments to be brought to account on an annual basis. The reports also remain unaudited as at the date of presentation to Council.

##### (B) Councillors' Travel Expenses Report

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

# Kyogle Council



**Financial Reports**

**31 March 2021**

**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**

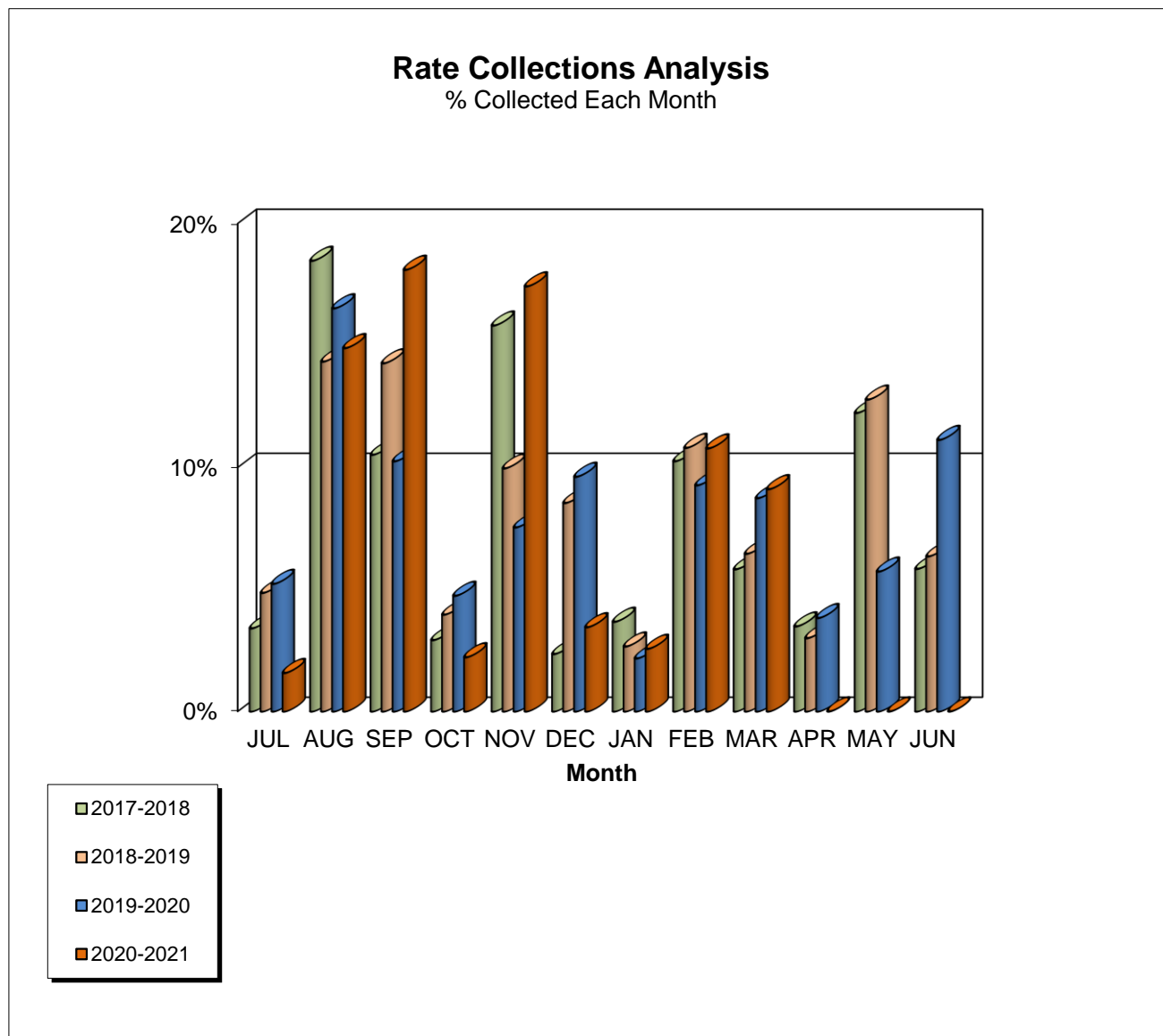
**KYOGLE COUNCIL RATES STATEMENT AS AT 31 MARCH 2021**

	ARREARS 1-Jul-2020	NET CHARGES 2020-2021	PAYMENTS	OUTSTANDING BALANCE 31/3/2021	ARREARS 31/3/2021	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2020-2021
RATES, SERVICES AND INTEREST	652,078.66	11,313,328.60	9,584,430.29	2,380,976.97	318,696.22	80.10%	51.13%

PRESENTED TO COUNCIL APRIL 2021

**Note:**

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



**Write offs under delegated authority - Rates and Charges 2020-2021**

July	August	September	October	November	December	January	February	March	April	May	June	Total Write Offs
\$ -	\$ -	\$ 3,133.97	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 0.34	\$ -	0.00	0.00	\$ 3,134.31

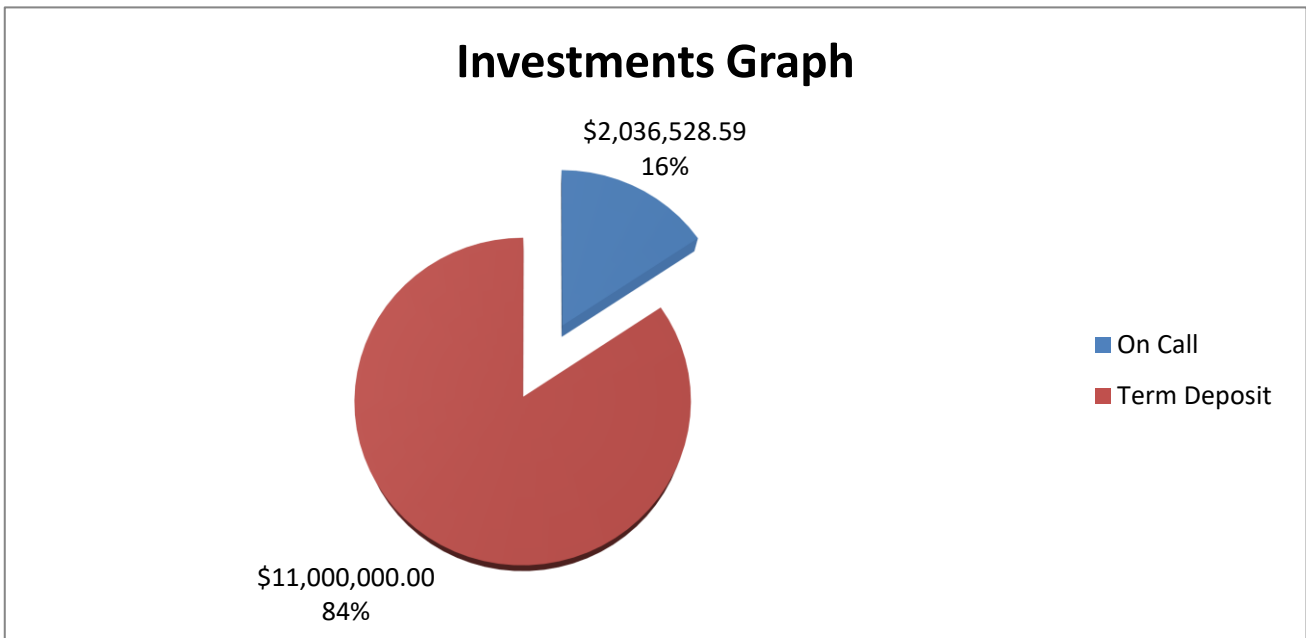
<u>Kyogle Council</u>	
<b>STATEMENT OF FUND BALANCES as at 31-Mar-21</b>	
Fund	Closing Balance
<b>General Fund</b>	
Unrestricted	3,440,177.63
Internally Restricted	3,579,407.00
State Highways	31,229.08
Quarries	1,230,839.03
Plant	2,565,004.15
Externally Restricted	1,230,227.88
<b>Total General Fund</b>	<b>12,076,884.77</b>
<b>Restricted</b>	
Water Supplies	332,731.10
Sewerage Systems	362,024.18
Domestic Waste	228,259.49
Trust Fund	36,629.05
<b>Total Restricted</b>	<b>959,643.82</b>
<b>Total Consolidated Funds at Bank</b>	<b>13,036,528.59</b>

KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/03/2021								
Institution	Investment Type	Investment Date	Maturity Date	Interest Type	Interest Frequency	Interest rate	Investment Amount	% of Portfolio
CBA	On Call	At Call	At Call	Variable	Monthly		2,036,528.59	15.62%
<b>Total Cash at Call</b>							<b>2,036,528.59</b>	<b>15.62%</b>
NAB	Term Deposit	17-Dec-20	01-Apr-21	Fixed	Maturity	0.45%	1,000,000.00	7.67%
CBA	Cash Deposit	28-Jan-21	08-Apr-21	Fixed	Maturity	0.24%	1,000,000.00	7.67%
CBA	Cash Deposit	04-Feb-21	15-Apr-21	Fixed	Maturity	0.24%	1,000,000.00	7.67%
Suncorp	Term Deposit	18-Jan-21	22-Apr-21	Fixed	Maturity	0.35%	1,000,000.00	7.67%
Suncorp	Cash Deposit	21-Jan-21	29-Apr-21	Fixed	Maturity	0.42%	1,000,000.00	7.67%
NAB	Term Deposit	11-Feb-21	06-May-21	Fixed	Maturity	0.30%	1,000,000.00	7.67%
Suncorp	Cash Deposit	18-Feb-21	13-May-21	Fixed	Maturity	0.30%	1,000,000.00	7.67%
NAB	Term Deposit	11-Mar-21	20-May-21	Fixed	Maturity	0.18%	1,000,000.00	7.67%
NAB	Term Deposit	18-Mar-21	27-May-21	Fixed	Maturity	0.15%	1,000,000.00	7.67%
NAB	Term Deposit	04-Mar-21	03-Jun-21	Fixed	Maturity	0.30%	1,000,000.00	7.67%
Suncorp	Term Deposit	25-Mar-21	17-Jun-21	Fixed	Maturity	0.19%	1,000,000.00	7.67%
<b>Total Cash at Call</b>							<b>11,000,000.00</b>	<b>84.38%</b>
<b>Total Investment Portfolio</b>							<b><u>\$13,036,528.59</u></b>	

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

### Mar-21

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Mar-21	YTD		Mar-21	YTD
K. Thomas	0	0	\$0.78	\$0.00	\$0.00
H. Doolan	0	0	\$0.78	\$0.00	\$0.00
J. Wilson	0	0	\$0.78	\$0.00	\$0.00
J. Burley	0	0	\$0.78	\$0.00	\$0.00
R. Dwyer	0	0	\$0.78	\$0.00	\$0.00
D. Mulholland	0	1,814	\$0.78	\$0.00	\$1,414.92
L. Passfield	0	2,034	\$0.78/\$0.68	\$0.00	\$1,481.82
M. May	0	0	\$0.78	\$0.00	\$0.00
E. Grundy	0	2,200	\$0.78	\$0.00	\$1,716.00
<b>Total</b>	<b>0</b>	<b>6,048</b>		<b>\$0.00</b>	<b>\$4,612.74</b>

### Notes

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

**12.2 WORKS PROGRAM PROGRESS REPORT - MARCH 2021**

**Author:** Manager Financial Services

**Authoriser:** General Manager

**Attachments:** 1. Works Program Progress Report March 2021 (under separate cover) 

**SUMMARY / PURPOSE**

This report provides an update on the progress of Council's capital works program, plant replacement program, quarry operations, and RMS ordered works for the information of Council.

**RECOMMENDATION**

That Council receives and notes the information contained in the report *Works Program Progress Report – March 2021*.

**BACKGROUND INFORMATION**

This report is intended to present to Council information on the progress of the implementation of the annual works programs across all departments of Council, as well as the performance of the quarry and State Highways operations.

**REPORT**

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

**1. Capital Works Report**

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

**2. Plant Acquisition and Sales**

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

**3. State Highways' Ordered Works**

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

**4. Quarries Report**

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

**BUDGET AND FINANCIAL IMPLICATIONS**

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

**13 STAFF REPORTS****13.1 SIX MONTHLY REVIEW DELIVERY PROGRAM AND OPERATIONAL PLAN**

**Author:** Manager Corporate Services

**Authoriser:** General Manager

**Attachments:** 1. **Six Monthly Review Delivery Program and Operational Plan 2020-2021 (under separate cover)** 

**SUMMARY / PURPOSE**

This report presents the six-monthly review, 1 July 2020 to 31 December 2020, of the Delivery Program and Operational Plan to Council for information.

**RECOMMENDATION**

That Council receives and notes the attached Six-Monthly Review of the Delivery Program and Operational Plan.

**BACKGROUND INFORMATION**

Integrated Planning and Reporting requirements, Section 404(5) of the Local Government Act 1993, states as follows:

*Delivery Program*

*“The General Manager must ensure that regular progress reports are provided to council reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every six months”.*

**REPORT**

The attached report provides an overview of programs included in the Delivery Program and the Operational Plan.

Council continues to report monthly on the Capital Works program and other initiatives contained within the Delivery Program and Operational Plan, going above the six-monthly minimum reporting requirement.



**13.2 MINI BUDGET REVIEW****Author:** General Manager**Authoriser:** General Manager**Attachments:** 1. **Mini Budget Review Details**  **SUMMARY / PURPOSE**

This report is to provide Council with information relating to the consideration of a number of budget changes within the current financial year out of the normal quarterly budget review sequence and in preparation for the draft Operational Plan and Delivery Program to be placed on public display.

**RECOMMENDATION**

That Council:

1. Receives and notes the report *Mini Budget Review*;
2. Approves the variations to estimates as follows;

<b>STATEMENT OF VARIANCES</b>		
<b>APRIL MINI BUDGET REVIEW</b>		
<b>DETAILS</b>	<b>QUARTERLY ADJUSTMENT</b>	
	<b>INCOME</b>	<b>EXPENSES</b>
Crown Reserves Operating		32,096
Parks and Gardens Capital	550,000	675,790
Community Buildings Capital	363,990	206,104
Regional Roads Capital Works MR361	3,000,000	
Bridges Capital	7,395,155	7,477,218
<b>Totals</b>	<b>11,309,145</b>	<b>8,391,208</b>
	<b>Net Adjustment</b>	<b>(2,917,937)</b>

**BACKGROUND INFORMATION**

As part of the ongoing review of the Integrated Planning and Reporting (IP&R) documents, a review of the Long Term Financial Plan (LTFP) was undertaken in 2020. The assessment of scenarios undertaken as part of the LTFP review included an assumed level of activity of \$20 million for the NSW Government's Fixing Country Bridges (FCB) program.

Council now has an offer for \$40.42 million under the FCB program towards the replacement of \$50.8 million worth of bridges, including an additional \$1.53 million in funding from the Federal Government through the Bridge Renewal Program. This requires a total contribution from Council of \$8.84 million.

In this sensitivity analysis it was assumed that the FCB program would be rolled out over a five-year period, and that the contribution required from Council would come from the budget allocations already included over those five years. The FCB program and offer of funding requires that this be reduced to a two-year time frame.

Council has received approval for its allocation of \$913,990 under the Australian Government's Local Roads and Community Infrastructure Program for delivery of projects by December 2021.

Council has received \$3 million in Safer Roads funding to put towards the improvements to the Clarence Way between Woodenbong and Urbenville.

**REPORT**

There are a small number of changes that are needed to be made in the current year's budget to recognise the additional grant funding, and to allow for the commencement of the delivery of the FCB program, all of which impact on the starting point for the draft budget for 2021/22. In summary these are;

- Additional \$3 million in Safer Roads funding for the works on the Clarence Way between Woodenbong and Urbenville
- Additional \$913,990 in the Australian Local Roads and Community Infrastructure Program funding to cover the Phase 2 projects as determined by Council in March.
- Bringing forward into the current year four of the 80% Australian Government-funded bridge replacements that are included in the 2021/22 year's program in order to accelerate delivery and assist to meet the FCB timeline
- \$6.14 million of the FCB funding to allow for pre-construction activities to commence on all 84 bridges.

**BUDGET AND FINANCIAL IMPLICATIONS**

The total impact on the current year budget of the proposed changes is a positive net adjustment of \$2,917,937, which includes a net cost of \$212,863 in bridge capital works brought forward from 2021/22.

Mini Budget Review for April 2021.xlsx

	Work Order	Changes to Exp Budget	Additional Income	Income Source
<b>Crown Reserves Operating;</b>				
Mummulgum Hall Amenities	W1045	\$8,082		
Bonalbo Showground Imp	W1121	\$11,760		
Bells Bay Pontoon	W1124	\$12,254		
		<b>\$32,096</b>		

**Parks and Gardens Capital;**

Tabulam Sports Ground LRCIP Phase 2	W1232	\$285,000	\$285,000	Fed LRCIP
Woodenbong Sports Ground LRCIP Phase 2	W1233	\$50,000	\$50,000	Fed LRCIP
Bonalbo NJ Oval LRCIP Phase 2	W1234	\$215,000	\$215,000	Fed LRCIP
Mallangaree Public Toilet	W1028	\$24,982		
Wiangaree aboody Park	W1031	\$10,571		
Fairymount Acquisition	W1102	\$30,000		
Kyogle Anzac Park LRCIP 1	W1204	\$15,500		
Old Bonalbo Reserve LRCIP 1	W1208	\$44,737		
		<b>\$675,790</b>	<b>\$550,000</b>	

**Community Buildings Capital;**

Bonalbo Pre-school LRCIP Phase 2	W1235	\$70,000	\$70,000	Fed LRCIP
Kyogle Pre-school LRCIP Phase 2	W1236	\$100,000	\$100,000	Fed LRCIP
Kyogle VIC LRCIP Phase 2	W1237	\$60,000	\$60,000	Fed LRCIP
Bonalbo Caravan Park LRCIP Phase 2	W1238	\$30,000	\$30,000	Fed LRCIP
KMI Hall LRCIP Phase 2	W1239	\$103,990	\$103,990	Fed LRCIP
Community Building Improvements	W481	-\$157,886		
		<b>\$206,104</b>	<b>\$363,990</b>	

**Check Total**                      **\$913,990**                      **\$913,990** Fed LRCIP Allocation

**Regional Roads Capital;**

Clarence Way Wbong to Urbenville                      W1218                      **\$3,000,000** Road Safety Fund (80% Fed 20% State)

**Bridges Capital;**

Tunglebung Ck Rd 131-9541 (external funding \$300,000 Fed CDG)	1143	\$355,738	\$300,000	Bring Forward from 2021/22
Ryans Creek 113-2577 (external funding \$250,000 Fed CDG)	1145	\$283,375	\$250,000	Bring Forward from 2021/22
Old Lawrence Rd 106-18611 (external funding \$300,000 Fed CDG)	1146	\$348,375	\$300,000	Bring Forward from 2021/22
Leeses Road 84-250 (external funding \$400,000 Fed CDG)	1149	\$475,375	\$400,000	Bring Forward from 2021/22
Connells Rd Bridge to Pipes 32-3774	1188	\$41,000	\$96,800	Fixing Country Bridges
Collins Valley Bridge 35-322	1193	\$48,978	\$63,978	Fixing Country Bridges
CAPEEN CK RD MILL BRIDGE/ID:29-100	1222	\$5,691	\$65,691	Fixing Country Bridges
CAPEEN CK RD NO.1 BRIDGE/ID:29-4250		\$61,859	\$61,859	Fixing Country Bridges
CAPEEN CK RD NO.2 BRIDGE/ID:29-4448		\$61,859	\$61,859	Fixing Country Bridges
FERNDAL RD-MCQUEENS BRIDGE/ID:52-3428		\$14,520	\$14,520	Fixing Country Bridges
Wiangaree Back Road 145-10457		\$50,490	\$50,490	Fixing Country Bridges
IRON POT CK RD1/ID:73-15241		\$14,520	\$14,520	Fixing Country Bridges
CHESTNUT RD/ID:31-721		\$54,945	\$54,945	Fixing Country Bridges
ASKEWS DIP RD-ASKEWS BRIDGE/ID:227-843		\$93,555	\$93,555	Fixing Country Bridges
ASPREYS RD-ASPREYS BRIDGE/ID:4-78		\$50,490	\$50,490	Fixing Country Bridges
BABYL CK RD-BABYL CK BRIDGE/ID:11-3626		\$54,945	\$54,945	Fixing Country Bridges
BABYL CK RD-BUCKLANDS BRIDGE/ID:11-59		\$54,945	\$54,945	Fixing Country Bridges
BABYL CK RD-HEASLIPS NO.1/ID:11-6549		\$50,490	\$50,490	Fixing Country Bridges
BAILEYS BRIDGE RD-BAILEYS BRIDGE/ID:6-250		\$179,652	\$179,652	Fixing Country Bridges
BAILEYS BRIDGE RD-DALEYS BRIDGE/ID:6-1194		\$48,263	\$48,263	Fixing Country Bridges
BEAN CK RD-SUFFOLKS BRIDGE/ID:13-109		\$98,010	\$98,010	Fixing Country Bridges
BINGEEBEEBRA RD-ADAMS NO.1/ID:19-4293		\$50,490	\$50,490	Fixing Country Bridges
BINGEEBEEBRA RD-SCOFIELDS BRIDGE/ID:19-5977		\$54,945	\$54,945	Fixing Country Bridges
BOLAN RD-LITTLE TERRACE CK BRIDGE/ID:81-1674		\$54,945	\$54,945	Fixing Country Bridges

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BOOMI CK RD-MULCAHYS BRIDGE/ID:17-2810	\$93,555	\$93,555	Fixing Country Bridges
BOORABEE CK RD-CRAWFORDS/ID:22-346	\$63,855	\$63,855	Fixing Country Bridges
BRINDLE CK RD NO.2 BRIDGE/ID:245-887	\$95,040	\$95,040	Fixing Country Bridges
BROWN KNOB RD-DR BINNIES BRIDGE/ID:80-2729	\$95,040	\$95,040	Fixing Country Bridges
BRUMBY PLAINS RD/ID:18-3442	\$50,490	\$50,490	Fixing Country Bridges
CAMPBELL RD CLARK BRIDGE/ID:185-0	\$54,945	\$54,945	Fixing Country Bridges
CASTILLE RD/ID:273-108	\$54,945	\$54,945	Fixing Country Bridges
CHESTNUT RD-VARYS BRIDGE/ID:31-97	\$93,555	\$93,555	Fixing Country Bridges
COLLINS CK RD-OLESENS CK BRIDG/ID:27-23468	\$61,813	\$61,813	Fixing Country Bridges
CRANE BRIDGE/ID:191-1448	\$58,472	\$58,472	Fixing Country Bridges
DEEP CK RD-BODYCOTES NO.2 BRID/ID:44-1070	\$50,490	\$50,490	Fixing Country Bridges
DUCK CK RD-ALLENS NO.2 BRIDGE/ID:138-13999	\$54,169	\$54,169	Fixing Country Bridges
DUCK CK RD-CURTIS DIP BRIDGE/ID:138-5588	\$98,957	\$98,957	Fixing Country Bridges
DUCK CK RD-GEARS BRIDGE/ID:138-12136	\$93,618	\$93,618	Fixing Country Bridges
DUCK CK RD-TIERNEYS NO.1 BRIDG/ID:138-16101	\$54,169	\$54,169	Fixing Country Bridges
DUNNS RD NO.1 BRIDGE/ID:39-1828	\$54,945	\$54,945	Fixing Country Bridges
GAMBLEYS RD-GAMBLEYS RD BRIDGE/ID:66-409	\$135,432	\$135,432	Fixing Country Bridges
GHINNI GHI RD-PETER FIN BRIDGE/ID:57-1073	\$54,945	\$54,945	Fixing Country Bridges
GOOLEYS RD-GOOLEY'S BRIDGE/ID:56-194	\$61,813	\$61,813	Fixing Country Bridges
GORGE CK RD-GORGE CK NO.2/ID:60-1847	\$53,460	\$53,460	Fixing Country Bridges
GRADYS CK RD-GRIEVE CROSSING/ID:59-1056	\$379,418	\$379,418	Fixing Country Bridges
GRADYS CK RD-LAMONDS NO.1/ID:59-11123	\$273,834	\$273,834	Fixing Country Bridges
GREEN PIGEON RD-MILL BRIDGE/ID:58-9432	\$59,994	\$59,994	Fixing Country Bridges
GREEN PIGEON RD-WILLIAMS BRIDG/ID:58-7982	\$50,490	\$50,490	Fixing Country Bridges
HANSEN RD-HANSENS BRIDGE/ID:265-257	\$61,813	\$61,813	Fixing Country Bridges
HOOTONS RD-MAKINGS BRIDGE/ID:247-6957	\$54,945	\$54,945	Fixing Country Bridges
IRON POT CK RD2/ID:73-17595	\$54,945	\$54,945	Fixing Country Bridges
IRON POT CK RD-R.F.OREILLYS/ID:73-11458	\$19,800	\$19,800	Fixing Country Bridges
KNIGHTS RD-GROVERS BRIDGE/ID:49-7063	\$50,490	\$50,490	Fixing Country Bridges
KYOGLER RD-BACK CK BRIDGE/ID:141-B2411	\$210,548	\$210,548	Fixing Country Bridges
LARSSON RD/ID:140-6330	\$50,490	\$50,490	Fixing Country Bridges
LEVERS RD-LEVERS RD/ID:269-157	\$54,945	\$54,945	Fixing Country Bridges
LYNCHES CK-HINDE & HURRELL/ID:79-11064	\$57,915	\$57,915	Fixing Country Bridges
MACQUEENS RD/ID:223-363	\$54,945	\$54,945	Fixing Country Bridges
MAHONEY'S LANE NO.2 BRIDGE/ID:93-704	\$50,490	\$50,490	Fixing Country Bridges
MONGOMERY'S RD BRIDGE/ID:91-975	\$93,555	\$93,555	Fixing Country Bridges
NEEDHAMS RD/ID:50-9824	\$61,813	\$61,813	Fixing Country Bridges
NEEDHAMS RD-EIGHT DAY CK BRIDG/ID:50-4933	\$61,813	\$61,813	Fixing Country Bridges
OLD COB-O-CORN RD BRIDGE/ID:103-1951	\$123,120	\$123,120	Fixing Country Bridges
OLD LAWRENCE RD NO.2 BRIDGE/ID:106-14873	\$50,490	\$50,490	Fixing Country Bridges
PHELPS RD/ID:291-315	\$105,249	\$105,249	Fixing Country Bridges
PINES RD/ID:46-5526	\$50,490	\$50,490	Fixing Country Bridges
RODGERS RD-WINTERTONS BRIDGE/ID:115-1327	\$66,825	\$66,825	Fixing Country Bridges
ROSEBERRY CK RD-COMERFORD NO.1/ID:112-7844	\$57,915	\$57,915	Fixing Country Bridges
ROSEBERRY CK RD-COMERFORDSNO.2/ID:112-8374	\$93,555	\$93,555	Fixing Country Bridges
RYANS CK RD NO.3 BRIDGE/ID:113-2687	\$50,490	\$50,490	Fixing Country Bridges
RYANS CK RD-COOKS BRIDGE/ID:113-3451	\$50,490	\$50,490	Fixing Country Bridges
SAUNDERS RD-SAUNDERS BRIDGE/ID:118-407	\$50,490	\$50,490	Fixing Country Bridges

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SHEDDENS RD/ID:229-126		\$50,490	\$50,490	Fixing Country Bridges
SLATERS RD BRIDGE/ID:253-152		\$50,490	\$50,490	Fixing Country Bridges
STATION RD1/ID:256-5128		\$15,840	\$15,840	Fixing Country Bridges
STATION RD2/ID:256-9294		\$15,840	\$15,840	Fixing Country Bridges
TIMS LANE-MAHONEYS LANE NO.1/ID:92-218		\$218,856	\$218,856	Fixing Country Bridges
TRENTYS LANE BRIDGE/ID:125-74		\$93,555	\$93,555	Fixing Country Bridges
TUNGLBUNG CK RD-ARMSTRONGS/ID:131-3736		\$54,945	\$54,945	Fixing Country Bridges
TUNGLBUNG CK RD-SECOMBES NO.1/ID:131-6378		\$57,915	\$57,915	Fixing Country Bridges
TUNGLBUNG CK RD-TRYNNEY NO.1/ID:131-1738		\$50,490	\$50,490	Fixing Country Bridges
WALSH RD-TEMP BRIDGE/ID:77-185		\$50,490	\$50,490	Fixing Country Bridges
WHITES RD-WHITES RD BRIDGE/ID:167-378		\$54,945	\$54,945	Fixing Country Bridges
WILLIAMS RD-BARKER BRIDGE/ID:199-4694		\$86,130	\$86,130	Fixing Country Bridges
WYNDHAM CK BRIDGE/ID:147-3429		\$54,945	\$54,945	Fixing Country Bridges
WYNLEA BRIDGE/ID:266-74		\$63,855	\$63,855	Fixing Country Bridges
YABBRA RD BRIDGE/ID:152-494		\$98,753	\$98,753	Fixing Country Bridges
YONGARRA RD/ID:95-943		\$17,160	\$17,160	Fixing Country Bridges
		<b>\$7,477,218</b>	<b>\$7,395,155</b>	

			<b>Net Impact</b>	
<b>Total changes for 2020/21</b>	<b>\$8,391,208</b>	<b>\$11,309,145</b>		<b>-\$2,917,937</b>
<b>Brought forward from 2021/22</b>	<b>\$1,462,863</b>	<b>\$1,250,000</b>		<b>\$212,863</b>

**13.3 DRAFT OPERATIONAL PLAN 2021/2022 AND DELIVERY PROGRAM 2021/2025**

**Author:** Manager Corporate Services

**Authoriser:** General Manager

**Attachments:**

1. **Draft Fees and Charges 2021/2022 (under separate cover)** 
2. **Draft Operational Plan 2021/2022 and Delivery Program 2021/2025 (under separate cover)** 

**SUMMARY / PURPOSE**

This report presents the following Integrated Planning and Reporting documents to be placed on public exhibition;

- *Draft Operational Plan 2021/2022 and Delivery Program 2021/2025*
- *Draft Fees and Charges 2021/2022*

**RECOMMENDATION**

That Council:

1. Receives and notes the report *Draft Operational Plan 2021/2022 and Delivery Program 2021/2025*.
2. Places the *Draft Operational Plan 2021/2022 and Delivery Program 2021/2025* on public exhibition for a minimum of 28 days and seek submissions from the community on its content.
3. Places the *Draft Fees and Charges 2021/2022* on public exhibition for a minimum of 28 days and seek submissions from the community on its content.

**REPORT**

The Delivery Program directly addresses the objectives and strategies of the Community Strategic Plan (CSP), identifying the principal activities Council will undertake within available resources.

The Operational Plan includes a Statement of Revenue Policy, estimated income and expenditure, statement of rates and charges, proposed fees and charges and a statement of proposed borrowings.

This budget has been informed by analysis and public consultation as part of the recent review of the Long Term Financial Plan (LTFP).

The majority of fees and charges for 2021/2022 have been indexed by three per cent in line with the assumptions included in the LTFP and rounded for practical purposes. Others remain at statutory levels set by the NSW Government. (check)

Sections 404 and 405 of the Local Government Act require public exhibition of these documents for at least 28 days. Comments from the community during the draft exhibition period are to be considered by Council prior to the endorsement of the final program/plan.

The draft documents will be placed on Council's website and hard copies will be available at various locations throughout the Local Government Area (LGA) to ensure comprehensive consultation.

Advertisements will be placed in the Richmond River Independent, Council's Newsletter, and Council's website advising that the documents are on display and calling for submissions.

The closing date for submissions is proposed to be 12 May 2021. The final document will be considered by Council at the Ordinary Meeting on 15 June 2021. All submissions received will be provided to Councillors for their consideration.

### 13.4 ALCOHOL FREE ZONES

**Author:** Executive Assistant

**Authoriser:** General Manager

**Attachments:**

1. **Kyogle AFZ 1 and 2 Layout**  
2. **Woodenbong AFZ Map 3**  
3. **Tabulam AFZ Map 4**  

#### SUMMARY / PURPOSE

This report provides Council with information on the re-establishment of Alcohol Free Zones (AFZ) following the expiration date of the zones on 30 June 2021.

#### RECOMMENDATION

That Council:

1. Receives and notes the report *Alcohol Free Zones*;
2. Advertises and calls for public submissions in accordance with Sections 644 - 644B of the Local Government Act 1993 for the proposal to re-establish Alcohol Free Zones in the town of Kyogle and the villages of Woodenbong and Tabulam for the period of 1 July 2021 to 30 June 2025.

#### BACKGROUND INFORMATION

Following Community Consultation in February 1996, Council resolved to provide Alcohol Free Zones (AFZ) in parts of the Kyogle Council Local Government Area until 30 June 1998 and subsequently resolved to re-establish Alcohol Free Zones as from 1 July 2001 to 30 June 2004, 1 July 2004 to 30 June 2007, 1 July 2007 to 30 June 2010, 1 July 2010 to 30 June 2013, 1 July 2013 to 30 June 2017 and 1 July 2017 to 30 June 2021. Areas included in the AF Zones are: -

Kyogle	Map Zones 1 and 2
Woodenbong	Map 3
Tabulam	Map 4

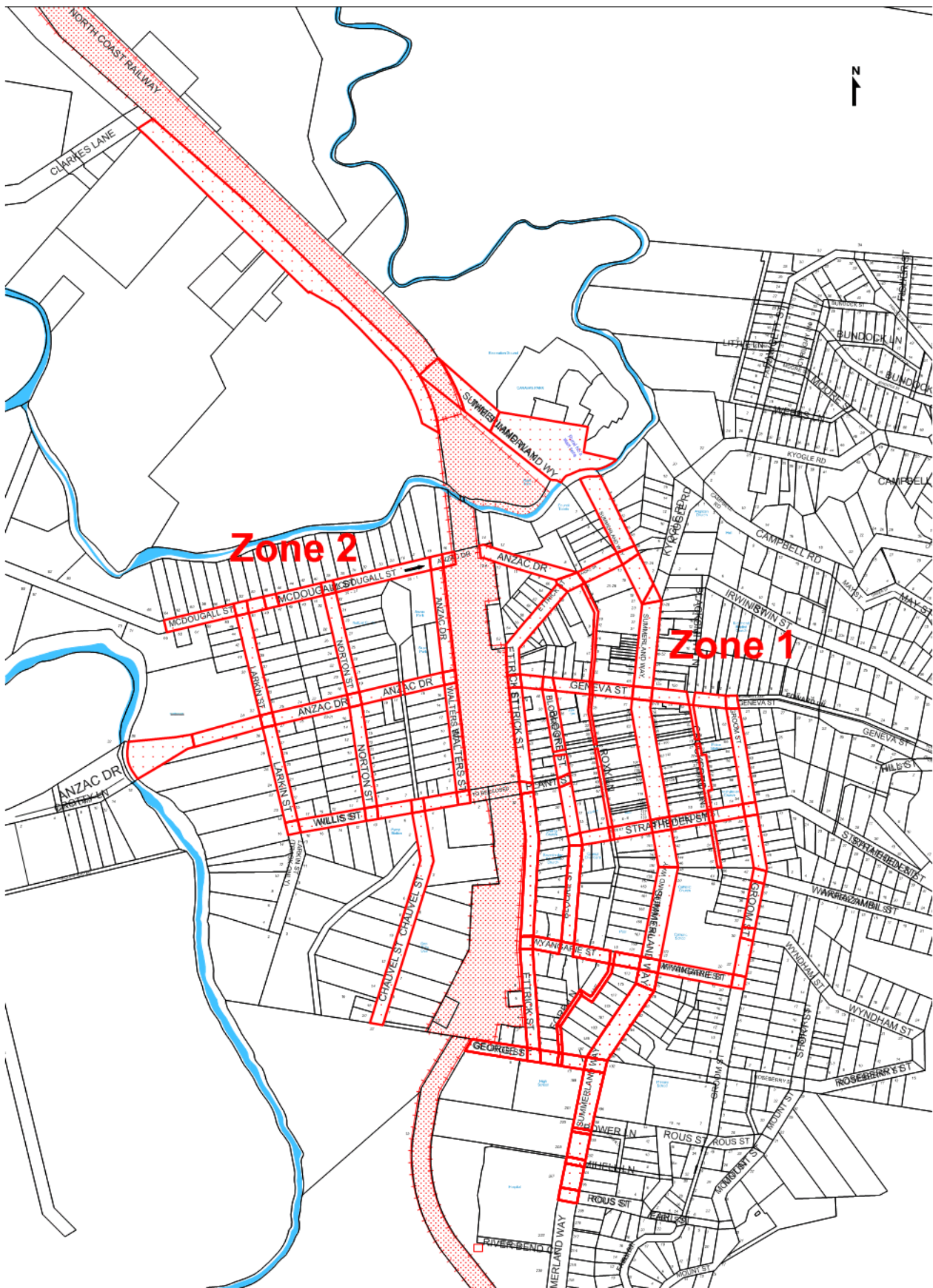
#### REPORT

A Council resolution is required under Section 644 of the Local Government Act 1993 to re-establish the AFZ's in the Kyogle Local Government area. An AFZ is a means by which Council may limit the locations where consumption of alcohol is permitted, in co-operation with the NSW Police Service and would apply to streets and adjacent car parks as nominated in the AFZ.

Kyogle Alcohol Free Zones

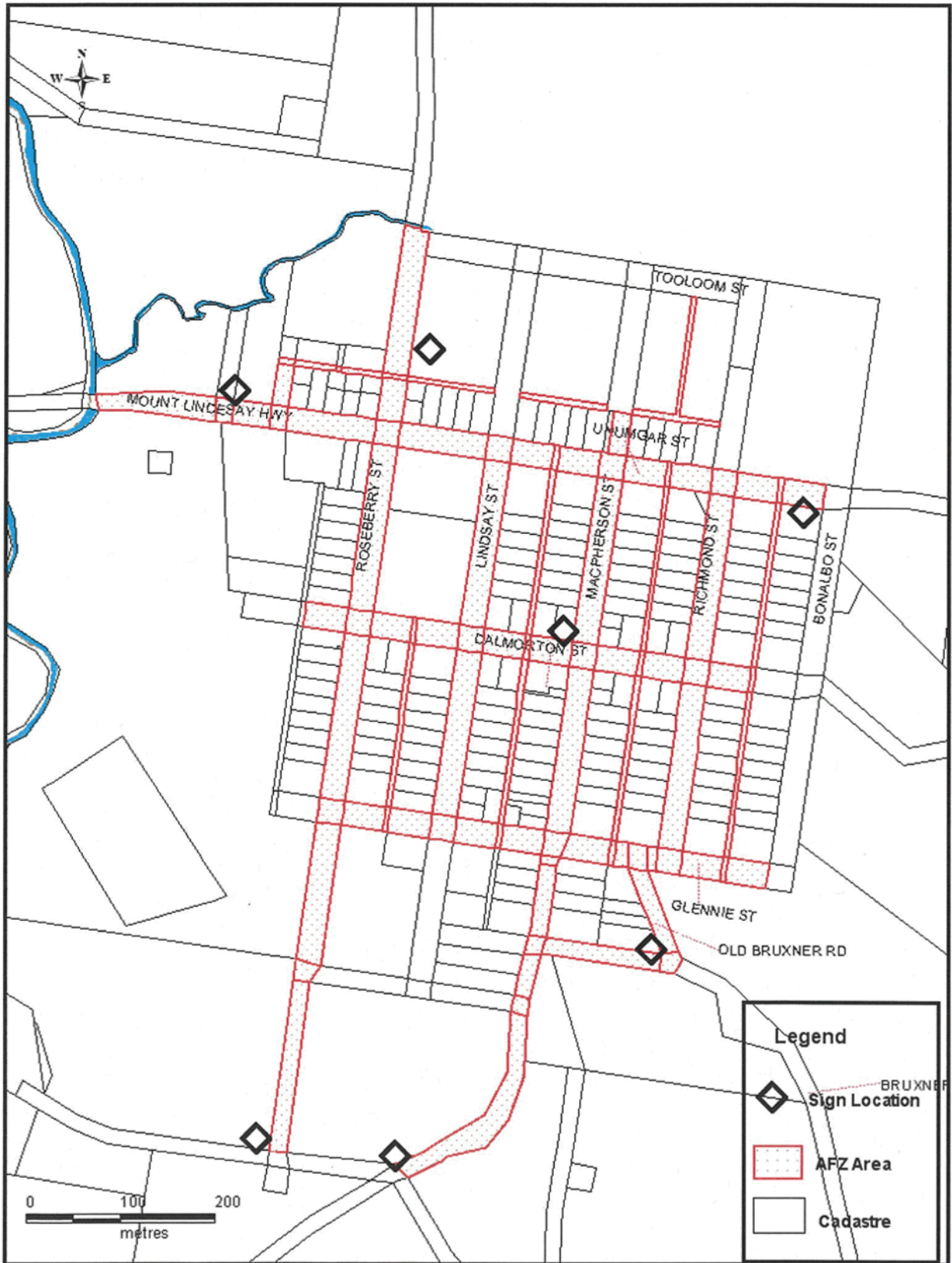


denotes zones

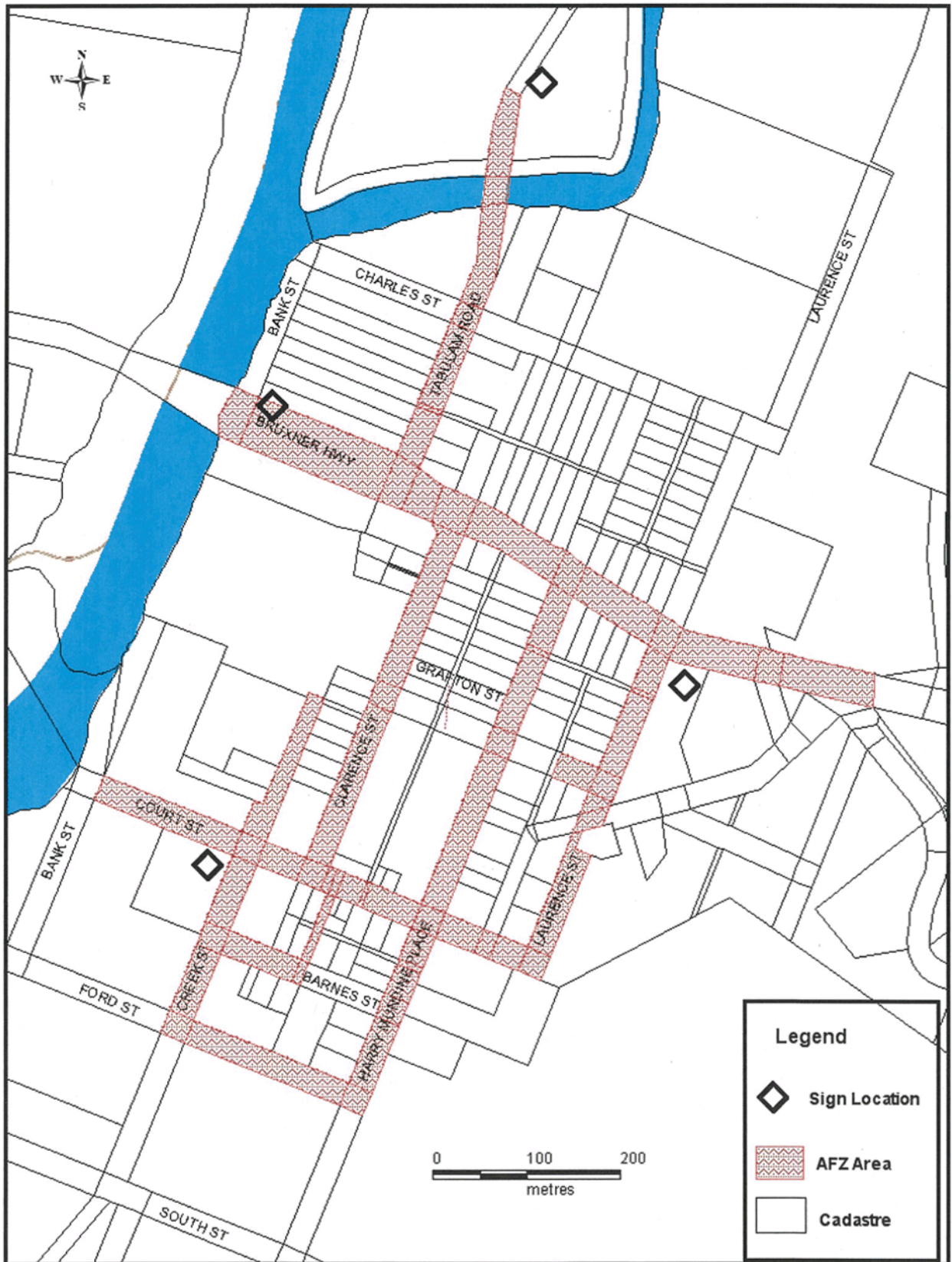




### Woodenbong Alcohol Free Zones



### Tabulam Alcohol Free Zones



### 13.5 FINALISATION OF LEP AMENDMENT NO. 14 - PLANNING PROPOSAL TO ALLOW NEW PERMISSIBLE DEVELOPMENT TYPES AND CONTROLS FOR DEVELOPMENT IN ZONES B2 AND B4

**Author:** Director Planning & Environmental Services

**Authoriser:** General Manager

**Attachments:** 1. BCD Initial Response    
2. BCD Remove Objection  

#### SUMMARY / PURPOSE

This report presents the results of community and agency consultation on a proposal to amend the Kyogle Local Environmental Plan (LEP) to introduce additional types of permissible development in Zones B2 (Local Centre) and B4 (Mixed Use), and to introduce additional provisions to guide and control this development. The report seeks a resolution to make arrangements for the making of the proposed LEP amendment.

#### RECOMMENDATION

That Council:

1. Receive and note the report *Finalisation of LEP Amendment No. 14 – Planning Proposal to allow new permissible development types and controls for development in Zones B2 and B4*.
2. Reiterate its support for the planning proposal to amend the Kyogle LEP 2012 to allow the specified new permissible development types and controls for development in zones B2 and B4.
3. Pursuant to section 59(1) of the Environmental Planning and Assessment Act 1979, request Parliamentary Counsel's Office to prepare a draft legal instrument.
4. Upon receiving a draft LEP amendment and an Opinion that the plan can be made from Parliamentary Counsel's Office, authorises the General Manager to finalise and implement the Planning Proposal under delegated authority, including any minor changes that may be required in making the final plan.

#### BACKGROUND INFORMATION

The Kyogle central business district (CBD) presently has a number of vacant premises and vacant or partially vacant sites that detract from the vitality and appearance of the CBD and represent an underutilisation of part of the principal commercial area in the Kyogle Council local government area. Through its land use planning instruments and controls, Council has the ability to control permissible development and Councillors have indicated a willingness to consider an amendment to the LEP to stimulate activity and development in the Kyogle CBD.

The Kyogle LEP applies land use Zones B2 Local Centre and B4 Mixed Use to the CBD as shown in Figure 1 below.

Zone B2 denotes the principal commercial area in the LGA and is intended to accommodate predominantly commercial uses including retail premises, personal and professional services, office premises, tourist accommodation and food and drink and entertainment services. Zone B4 Mixed Use is intended to accommodate a mix of commercial, light industrial and residential uses.

Whilst there are a number of issues currently, there are also a number of opportunities:

- Although vacant premises are an issue, they also offer space for establishment of new businesses or for testing or trialling of new or fledgling business ideas.
- Opportunity exists to allow a greater mix of uses without compromising the B2 Zone as the preferred location for retail, office and commercial services.

- There are opportunities for development of additional residential accommodation to take advantage of the proximity of the CBD to services and facilities and its walkable and PWD accessible streets. This will serve to improve dwelling choice and increase activation of the CBD.
- There are a number of existing sites with significant areas of undeveloped land or that are underutilised or that accommodate buildings that are suitable for re-development.

By making some minor amendments to LEP provisions relating to Zones B2 and B4 Council can provide opportunities for development and activity that would not otherwise be possible. These additional opportunities will provide a mechanism to address underutilised sites and premises, to increase activity in the CBD as well as add to the supply and diversity of dwellings.



**Figure 1-** LEP land use zones applying to Kyogle CBD

### PREVIOUS COUNCIL CONSIDERATION

Council resolved to prepare a planning proposal to amend the LEP and seek a Gateway Determination from the Department of Planning, Industry and Environment at its Ordinary Meeting of 9 June 2020. Further, upon receipt of an affirmative Gateway Determination, Council resolved to carry out the required public exhibition and agency consultation in connection with the proposed amendment.

Public consultation in connection with the proposed amendment was carried out between 9 December 2020 and 5 February 2021.

### REPORT

The aim of the LEP amendment is to assist to achieve a business district that is economically prosperous and socially and culturally vibrant. The objectives of the amendment are:

- To provide statutory planning mechanisms that can respond to or facilitate adaptive re-use or re-development of vacant or underutilised premises or sites.
- To increase social and economic activity in the CBD by encouraging more pedestrians, diners, social interaction, cultural attractions and events, commerce and retail activity and tourists and visitors.
- To achieve more residential development in the CBD that is suitable to accommodate older persons, persons with a disability and smaller households.

- d) To ensure the CBD (principally the B2 Zone) retains a sufficient quantum of commercial floor space to meet future demand.
- e) To ensure that new development contributes to activity along its street frontage, where the site is fronting Summerland Way, Stratheden Street and Geneva Street.

The specific, proposed provisions of the amendment are noted in the planning proposal (attached to this report).

Three submissions were received during the exhibition period, as follows:

1. Comment to the effect that the proposed intent of the provision to consider *“temporary use of buildings for retailing or exhibition of agricultural produce, locally produced (packaged) food and drink products, art, craft products and events, community and tourism services and promotion”* as Exempt Development is compromised by the proposed operating hours. The hours specified in the Schedule (ie that “the use may only occur between the hours of 8am and 6pm Monday to Friday, 8am and 4pm Saturday and 9am and 1pm Sunday”) are consistent with normal retailing hours in the Kyogle CBD, and are required to protect the amenity of residential properties in the vicinity. It should be noted that the proposed hours are those which must be observed for the development to be considered as “exempt” – the provision exists for operators to apply for extended operating hours, where any amenity concerns can be adequately addressed.
2. Query regarding the intent of the proposed provision *“to introduce requirements for active building frontages”*. A response was provided clarifying that this provision would not apply to existing uses – it will be a mechanism to ensure active frontages on key streets are not lost when changes of use are sought in the future.
3. The Biodiversity and Conservation team of the Department of Planning Industry and Environment initially objected to the proposed amendment on the basis that the amendment appeared to relax planning controls that relate to development in areas categorised as either High Hazard Floodway or Extreme Hazard. Subsequently, and following further consultation, this objection has been withdrawn in recognition of the fact that the planning and development controls that relate to development in the High Hazard Floodway and Extreme Hazard floodway are not altered or compromised in any way by the proposed amendment.

In view of the above, there are no objections to the proposed amendment.

## **BUDGET AND FINANCIAL IMPLICATIONS**

The approval and finalisation of the LEP amendment carries no financial implications for Council.



Our Ref: DOC20/1019020  
Your Ref: PP\_2020\_KYOGL\_001\_00

General Manager  
Kyogle Shire Council  
PO Box 11  
Kyogle NSW 2474

Attention: Mr Lachlan Black, Planning Services Coordinator

Dear Mr Kennett

**RE: Proposed Amendment to the Kyogle Local Environmental Plan 2012 – alterations to provisions applying to Zones B2 and B4**

Thank you for your e-mail dated 10 December 2020 about the Planning Proposal to amend provisions relating to the B2 Local Centre and B4 Mixed Use zones in the Kyogle Local Environmental Plan 2012 (LEP 2012) seeking comments from the Biodiversity and Conservation Division (BCD) of the Environment, Energy and Science Group in the Department of Planning, Industry and Environment. I appreciate the opportunity to provide input.

The BCD was formerly part of the Office of Environment and Heritage, but now forms part of a Group that has responsibilities relating to biodiversity (including threatened species and ecological communities, or their habitats), National Parks and Wildlife Service estate, climate change, sustainability, flooding, coastal and estuary matters.

The Planning Proposal aims to amend the LEP 2012 to support the activation of the Kyogle central business district. This will be achieved by introducing several permissible uses within the B2 and B4 zones and local provisions to control development in those zones.

The Planning Proposal states that land in Zone B4 Mixed Use is located along the northern section of Summerland Way on flood-prone land close to Fawcetts Creek, as well as on land fronting Ettrick Street and land that is part of, and adjoining, the North Coast rail line. No further details are provided on the exact locations or the size of, or the flood hazard category, of the flood affected area.

The Planning Proposal contains assessment of the planning control changes in relation to Section 9.1 Directions including Part 4.3 Flood Prone Land and claims that the Planning Proposal is consistent with this direction.

The *Kyogle Floodplain Risk Management Study* (KFRMS) dated April 2009 prepared by BMT WBM recommended flood mitigation option 'Scheme B' that included works for the construction of a levee to protect 'The Flats' area plus additional flood breakout for Fawcetts Creek into the Richmond River. These works have been completed. Figure 7-18 of the KFRMS, titled Scheme B Primary Hazard Category Zones, shows the different flood hazard categories with the levee and breakout works constructed and is the relevant mapping for assessing current conditions for the flood hazard category in Kyogle.

Our review of Figure 7-18 indicates parts of the planning area subject to this Planning Proposal are identified as being a High Hazard Floodway or an Extreme Hazard (see Figure 1 below).

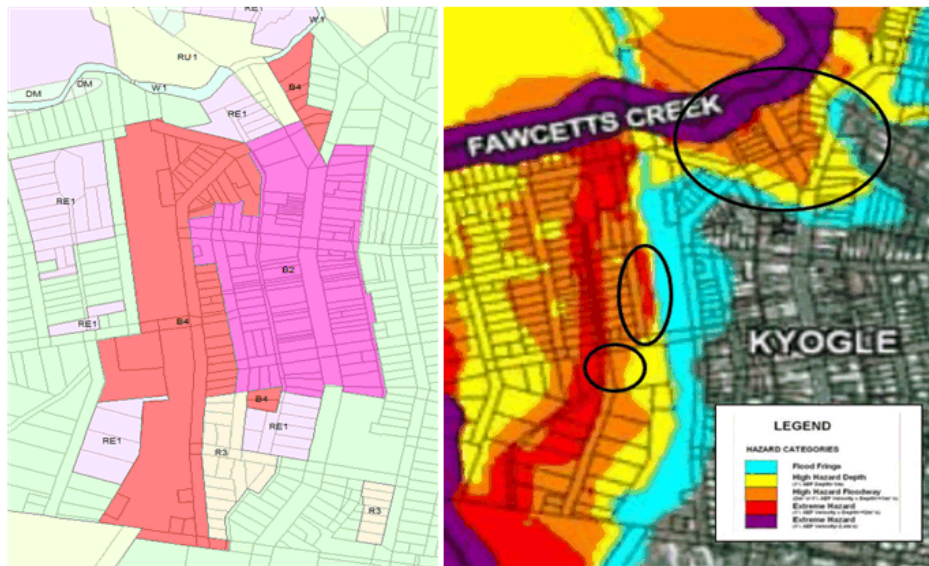


Figure 1. Extract of zone map showing B2 and B4 zoned land in Kyogle town centre and extract of Figure 7-18 from the Kyogle Floodplain Risk Management Study 2009 showing flood hazard categories.

Under Section 9.1 Direction - 4.3 Flood Prone Land, planning proposals are not to contain provisions that permit development in a floodway area. The Planning Proposal seeks to amend zoning land use controls to allow attached dwellings and multi dwelling housing in the B2 and B4 zones, including the areas identified in the KFRMS as either High Hazard Floodway or an Extreme Hazard. This is inconsistent with this Section 9.1 Direction.

Therefore, the BCD objects to the proposed changes sought by the Planning Proposal for land in the planning area that is mapped as either High Hazard Floodway or Extreme Hazard in Figure 7-18 of the KFRMS.

However, the BCD does not raise an objection to the Planning Proposal in relation to flooding for parts of the planning area that are not mapped as either High Hazard Floodway or Extreme Hazard in Figure 7-18 of the KFRMS.

To address our objection the Kyogle Shire Council could amend the Planning Proposal to instead include only the parts of the lots in the B2 and B4 zoned land that are not mapped as either High Hazard Floodway or an Extreme Hazard in the KFRMS in Schedule 1 Permitted Additional Uses of the LEP 2012 to enable the additional land uses and controls in those parts of the planning area only.

If you have any questions about this advice, please do not hesitate to contact Ms Rachel Lonie, Senior Conservation Planning Officer, at [rachel.lonie@environment.nsw.gov.au](mailto:rachel.lonie@environment.nsw.gov.au) or 6650 7130.

Yours sincerely

20 January 2021

**DIMITRI YOUNG**  
**Senior Team Leader Planning, North East Branch**  
**Biodiversity and Conservation**

cc: Ms Lucy Walker, Manager Local & Regional Planning, Local Regional Planning, Planning and Assessment, DPIE



Our Ref: DOC21/190536  
Your Ref: PP\_2020\_KYOGL\_001\_00

General Manager  
Kyogle Shire Council  
PO Box 1  
Kyogle NSW 2474

Attention: Mr Chris White, Director Planning and Environmental Services

Dear Mr Kennett

**RE: Further advice Kyogle Town Centre Reactivation B2 and B4 zones – flooding issue**

I refer to the e-mail dated 12 March 2021 from Mr Sean Cochran of GeoLink to the Biodiversity and Conservation Division (BCD) of the Biodiversity, Conservation and Science Directorate in the Environment, Energy and Science Group of the Department of Planning, Industry and Environment about our objection to the proposed planning proposal for the Kyogle Town Centre Reactivation B2 and B4 zones in relation to flooding. I appreciate the opportunity to provide further input.

The BCD objected to the planning proposal on the premise that the proposed changes would permit development in a floodway area (specifically High Hazard and Extreme Hazard), which is not consistent with Planning Direction 4.3 Flood Prone Land.

We have reviewed Mr Cochran's advice and note that Clause 6.2 Flood planning of the Kyogle Local Environmental Plan 2013 states:

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
  - (a) is compatible with the flood hazard of the land...
- (4) A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.

The Kyogle Floodplain Risk Management Plan (FRMP) has been developed in accordance with the Floodplain Development Manual.

To determine the flood hazard of the development area in accordance with cl6.2 (3)(a) we are advised the Kyogle Council must consider the adopted FRMP. Part 4 of Clause 6.2 of the LEP establishes the connection between flood terminology under the clause regarding flood hazard, the Floodplain Development Manual and the adopted FRMP.

The Flood Planning Matrix within the FRMP (Table A-5) identifies new development within the High Hazard and Extreme Hazard floodway zones is an Unsuitable Land Use - Not considered suitable for development.



Mr Cochran's advice also indicates that 'new development' includes all development applications lodged with the council and that a change of use to residential would trigger the need for development approval under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Hence, the application of clause 6.2 of the LEP and the Flood Planning Matrix within the FRMP (Table A-5) to these development applications would exclude approval of an Existing Lot - New Development within the High Hazard and Extreme Hazard floodway zones.

We note a discrepancy in the Flood Planning Matrix (as shown below in highlighted text) which prescribes the Floor Level of a New Habitable Building in a High Hazard Floodway as being allowed if it is greater than or equal to the 100 year ARI event peak flood level + 0.5m freeboard. This is inconsistent with the Land Use Suitability and Fill Level for Flood Hazard Category C in Table A-5.

**FLOOD PLANNING MATRIX**

TABLE A-5: RESIDENTIAL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT WITHIN KYOGLE URBAN AREAS							
Controls	Development / Building Type	No Hazard	Flood Hazard Category				Additional Constraint <sup>2</sup>
			A Flood Fringe	B High Hazard Depth	C High Hazard Floodway	D Extreme Hazard	
Land Use Suitability & Fill Level	Existing Lot - New Development	N/A	L1	L1	L1	L1	L1
	Ancillary Building/Public Amenity (eg. Shed/Shelter/Toilet)	N/A	L1	L1	L1	L1	L1
	Subdivision	N/A	L2	L2	L2	L2	L2
	Other Developments (eg. levees, roads, dams, bridge etc)	N/A	L3	L3	L3	L3	L3
	New Other Community Service (School, etc) /Special Evacuation Needs (eg. aged care) New Emergency Services (eg. hospitals, etc) /Critical Infrastructure (eg. major telephone exchange, etc)	N/A	L4	L4	L4	L4	L4
Floor Level	New Ancillary Building (eg. shed, carport)	N/A	F1	F1	F1	F1	F1
	New Commercial or Industrial Building	N/A	F2	F2	F2	F2	F2
	New Habitable Building	N/A	F3	F3	F3	F3	F3
	Building Extension New Emergency Services (eg. hospitals, etc) /Critical Infrastructure (eg. major telephone exchange, etc)	N/A	F4a	F4b	F4b	F4b	F4a
	New Other Community Service (School, etc) /Special Evacuation Needs (eg. aged care)	N/A	F5a	F5a	F5a	F5a	F5a
Building Components	N/A	B1	B1	B1	B1	B1	
Structural Soundness	Small-scale Development (eg. shed, toilets, shelter)	N/A	S1	S2	S2	S2	S3
	Medium-scale Development (eg. house, building extension)	N/A	S1	S2	S2	S2	S3
	Large-scale Development (eg. levee, raised road, bridge)	N/A	S1	S2	S2	S2	S3
Flood Impact	Existing Lot - New Development	N/A	I1	I2	I2	I2	I2
	Ancillary Building/Public Amenity (eg. Shed/Shelter/Toilet)	N/A	I1	I2	I2	I2	I2
	Subdivision	N/A	I2	I3	I3	I3	I3
	Building Extension	N/A	I1	I1	I2	I2	I2
	Other Developments (road raising, bridge, levee)	N/A	I2	I2	I3	I3	I3
Evacuation & Access	Existing Lot - New Development	N/A	E1	E1	E1	E1	E1
	Ancillary Building/Public Amenity (eg. Shed/Shelter/Toilet)	N/A	E1	E1	E1	E1	E1
	Subdivision	N/A	E2	E2	E2	E2	E2
	Emergency Services (eg. hospitals, etc) /Critical Infrastructure (eg. major telephone exchange, etc)	E3	E3	E3	E3	E3	E3
	Other Community Service (School, etc) /Special Evacuation Needs (eg. aged care)	E3a	E3a	E3a	E3a	E3a	E3a
Flood Awareness, etc	N/A	A2	A2	A2	A2	A2	

Note 1: Refer to Figure 2.2 showing the area specified as "Urban Areas" for the purpose of these controls

In summary, Mr Cochran has advised us that the change of use to residential in the B2 and B4 zones would trigger the need for development consent and that such development would be identified under the Land Use Suitability control as a higher order consideration in the Flood Planning Matrix which describes High Hazard Floodway and Extreme Hazard Floodway as being unsuitable for development.

Therefore, the additions to Schedule 1 of the LEP as outlined in our previous letter are not required as the planning and development controls that are in place will ensure that new development (including a change to residential dwelling) will not be permitted within High Hazard and Extreme Hazard floodway areas.

Based on the above information, the BCD removes its objections to the planning proposal.

However, we recommend the council:

1. Reviews and update its Flood Planning Matrix to remove the inconsistency for Floor Level for New Habitable Buildings in the High Hazard Flood Category.
2. Writes to landholders of land zoned B2 or B4 that lies within the High Hazard Floodway and the Extreme Hazard Floodway, to advise them that the changes resulting from this planning proposal will not enable new residential development in those areas as the change to residential would require development consent and would not be consistent with the Flood Planning Matrix in the Kyogle Floodplain Risk Management Plan.

If you have any questions about this advice, please do not hesitate to contact Ms Rachel Lonie, Senior Conservation Planning Officer, at [rachel.lonie@environment.nsw.gov.au](mailto:rachel.lonie@environment.nsw.gov.au) or 6650 7130.

Yours sincerely



24 March 2021

**DIMITRI YOUNG**  
**Senior Team Leader Planning, North East Branch**  
**Biodiversity and Conservation**

cc: Mr Chris White, Director Planning & Environmental Services  
Mr Craig Diss, Manager Local & Regional Planning, DPIE

**13.6 FINALISATION OF LEP AMENDMENT NO. 15 - PLANNING PROPOSAL TO REMOVE VARIOUS ITEMS FROM SCHEDULE 5 ENVIRONMENTAL HERITAGE OF THE KYOGLE LEP 2012**

**Author:** Director Planning & Environmental Services

**Authoriser:** General Manager

**Attachments:** 1. Heritage NSW Response  

**SUMMARY / PURPOSE**

This report presents the results of agency and community consultation in connection with the planning proposal to remove six bridges from Schedule 5 Environmental Heritage of the Kyogle Local Environmental Plan 2012. The report seeks a resolution to make arrangements for the making of the proposed LEP amendment.

**RECOMMENDATION**

That Council:

1. Receives and notes the report *Finalisation of LEP Amendment No. 15 – Planning Proposal to remove various items from Schedule 5 Environmental Heritage of the Kyogle LEP 2012*.
2. Reiterates its support for the planning proposal to amend the Kyogle LEP 2012 for the removal of six identified bridges from Schedule 5 Environmental Heritage of the LEP.
3. Pursuant to section 59(1) of the Environmental Planning and Assessment Act 1979, requests Parliamentary Counsel's Office to prepare a draft legal instrument.
4. Upon receiving a draft LEP amendment and an Opinion that the plan can be made from Parliamentary Counsel's Office, authorises the General Manager to finalise and implement the Planning Proposal under delegated authority, including any minor changes that may be required in making the final plan.

**BACKGROUND INFORMATION**

Schedule 5 of the Kyogle Local Environmental Plan 2012 (the LEP) contains numerous items that have been determined to be of heritage significance to the community. Some of these items are structures or facilities that are owned by Council and serve as public assets and infrastructure, including a number of bridges.

Since being listed in the LEP these bridges have suffered damage or deterioration to the point that they no longer provide a satisfactory level of service and their replacement is required, or in two cases, has actually been carried out. As part of its ongoing bridge replacement program, Council has recently sought external funding for the replacement of a number of these bridges but has been informed that they are ineligible for funding due to them being heritage listed.

Given some of the bridges have been replaced and for the others their replacement is imminent, it is considered that they no longer require to be listed in Schedule 5 of the LEP. Removal of their heritage listing will also mean they will not be excluded from external funding on the basis of their heritage listing.

**PREVIOUS COUNCIL CONSIDERATION**

At its ordinary meeting of 12 October 2020, Council resolved:

1. Council receive and note the report, Proposed amendment to the Kyogle Local Environmental Plan- removal of heritage listed bridges.

2. Council authorise the General Manager to prepare a planning proposal to amend the Kyogle Local Environmental Plan 2012 to remove the following items from Schedule 5 and the associated Heritage Map:
  - Minneys Bridge on the Clarence Way at Pagan's Flat.
  - Matthews Bridge on Green Pigeon Road at Green Pigeon.
  - Montgomerys Bridge on Iron Pot Creek Road at Ettrick.
  - Tabulam Bridge on the Bruxner Highway at Tabulam.
  - The Risk Station Bridge on The Risk Road at The Risk.
  - Paddys Flat Bridge on Paddys Flat Road at Paddy's Flat.
3. Council authorise the General Manager to submit the planning proposal to the Department of Planning, Industry and Environment for Gateway Determination and, subject to affirmative Gateway Determination, authorise the General Manager to make any changes to the planning proposal required by the Department and carry out public exhibition and agency consultation as required.
4. A further report be presented to Council following the conclusion of public exhibition and agency consultation outlining the outcomes of exhibition including submissions received.

## REPORT

NSW Department of Planning Industry and Environment provided a Gateway Determination on 15 January 2021 confirming that the planning proposal should proceed subject to consultation with Heritage NSW, NSW Rural Fire Service and the wider community. Plan making powers were also delegated to Council, meaning that Council can liaise directly with Parliamentary Counsel's Office to arrange making of the plan amendment.

Council notified Heritage NSW and NSW Rural Fire Service of the proposed amendment on 22 February 2021, requiring submissions to be made by 15 March 2021. Heritage NSW responded on 11 March 2021 raising no objection to the proposal and, although an acknowledgement of receipt of notification was received from NSW Rural Fire Service, no subsequent comment was received. The planning proposal was also advertised concurrently on Council's website, and no community representations were received in connection with the proposal.

As no submissions raising objection were received, the planning proposal can now be finalised, in accordance with the recommendation of this report.

## BUDGET AND FINANCIAL IMPLICATIONS

The approval and finalisation of the LEP amendment carries no financial implications for Council. However, and as noted elsewhere, the removal of heritage listing from these bridges will enable Council to apply for external funding to carry out their repair and/or replacement.



Our ref: DOC21/121942

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

Email: [council@kyogle.nsw.gov.au](mailto:council@kyogle.nsw.gov.au)

Attention: Mr Chris White, Director Planning and Environmental Services  
[chris.white@kyogle.nsw.gov.au](mailto:chris.white@kyogle.nsw.gov.au)

### Planning Proposal – Removal of heritage bridges

Dear Mr Kennett

Thank you for the opportunity to comment on the planning proposal for the removal of six heritage bridges from Schedule 5 under *Kyogle Local Environmental Plan 2012*.

We have reviewed our records and believe the proposal is unlikely to have a direct physical or visual impact on any heritage items listed on the State Heritage Register. Therefore, we have no specific comments to make in relation to heritage that is protected under the *Heritage Act 1977*.

We note that the “Clarence River Road Bridge” Bruxner Highway, Tabulam (Item no. 154) is described in Schedule 5 as a State heritage item. This item was removed from the State Heritage Register by the then Minister and published in the NSW Government Gazette on 5 August 2016. As such, we support updating the status of this item in Schedule 5.

We note that the planning proposal intends to remove the former State item and 5 other items of local heritage significance from Schedule 5 and listed under Council’s LEP being:


- Bridge over Minney’s Creek, Clarence Way, Pagan’s Flat (item no. 394) No
- Bridge over Fawcetts Creek, Green Pigeon Road, Green Pigeon (Item no. 365)
- Montgomery’s Bridge, Iron Pot Creek Road, Ettrick (Item no. 157)
- Bridge over the Clarence River, Bruxner Highway, Tabulam (Former SHR item) (Item no. 154)
- Risk Station Bridge, The Risk Road, The Risk (Item no. 408)
- Bridge over Tooloom Creek, Paddys Flat Road, Paddys Flat (Item no. 395)

As these items are listed under your LEP, Council is the consent authority, and the assessment and consideration of any impacts on these items rests with Council.

Prior to finalisation of the planning proposal, Council should be satisfied that all necessary due diligence, assessments and notifications have been undertaken.

If you have any questions please contact Andreana Kennedy, Senior Heritage Policy Office, Strategic Relationships & Planning at Heritage NSW, Department of Premier and Cabinet by phone on 02 8289 6692 or via email at [andreana.kennedy@environment.nsw.gov.au](mailto:andreana.kennedy@environment.nsw.gov.au).

Yours sincerely



A handwritten signature in black ink, which has been partially obscured by a red rectangular redaction box.

**Rochelle Johnston**  
**Manager, Heritage Act Programs**  
**Heritage NSW**

**As delegate of the Heritage Council of NSW**

11 March 2021

**13.7 ADOPTION OF AMENDMENT TO THE KYOGLE DEVELOPMENT CONTROL PLAN TO INTRODUCE DEVELOPMENT GUIDELINES APPLICABLE TO NON-RESIDENTIAL DEVELOPMENT IN ZONES B2 LOCAL CENTRE AND B4 MIXED USE**

**Author:** Director Planning & Environmental Services

**Authoriser:** General Manager

**Attachments:** Nil

**SUMMARY / PURPOSE**

This report presents to Council the outcomes of public exhibition of the proposed amendment of the Kyogle Development Control Plan (DCP) to introduce development guidelines applicable to non-residential development in Zones B2 Local Centre and B4 Mixed Use, and seeks a resolution to adopt the amendment.

**RECOMMENDATION**

That Council:

1. Receives and notes the report *Adoption of amendment to the Kyogle Development Control Plan to introduce development guidelines applicable to non-residential development in Zones B2 Local Centre and B4 Mixed Use*;
2. Adopt the amended Development Control Plan as per the draft chapter placed on public exhibition and give notice of adoption of the amended DCP in the Richmond River Independent and on Council's website.

**BACKGROUND INFORMATION**

The Kyogle Development Control Plan (DCP) provides guidelines for development of various types in various LEP Land Use Zones. The DCP is utilised by proponents of development to guide their design of development proposals and to provide criteria against which Council staff assess development applications. Currently there are no DCP guidelines for development in the Kyogle town centre (Zones B2 Local Centre and B4 Mixed Use), which means there is no guidance or criteria for development in this area. To address this issue draft guidelines have been prepared which are proposed to constitute a new chapter in the DCP.

The adoption of development guidelines for the Kyogle town centre is a critical step in ensuring that the overall appearance and functionality of the CBD is protected and enhanced, to the benefit of local businesses and the wider community. The proposed guidelines are proportionate measures that will allow appropriate development and investment in the town centre whilst also ensuring that it remains an attractive and vibrant centre. As the key services and facilities hub for the wider Kyogle local government area (LGA), it is vital to the broader regional economy that the Kyogle township remains a competitive and attractive location for business and visitation.

**PREVIOUS COUNCIL CONSIDERATION**

At its ordinary meeting of 9 November 2020, Council resolved that it:

1. Receives and notes the report on the proposed amendment to the Kyogle Development Control Plan (DCP).
2. Places the draft DCP chapter on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act and Regulation.
3. Reviews the draft DCP chapter in light of any submissions received during public exhibition.
4. Be presented with a further report following the conclusion of the public exhibition and that the report outline the outcomes of the exhibition including submissions received.

**REPORT**

In accordance with Part 3 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Reg), public exhibition of the draft DCP was undertaken between 8 December 2020 and 5 February 2021.

As a result of agency consultation, comments were received from Transport for New South Wales (TfNSW) on 14 January 2021. TfNSW raised no objections to the proposed amendment, and noted the following items for information:

- a) In accordance with the Roads Act 1993, Council is the Road Authority and responsible for maintenance for all the State and Regional classified roads in Kyogle LGA.
- b) MR83 - Summerland Way is a classified (State) road. Any new access requires approval from council together with TfNSW's concurrence in accordance with Section 138 of the Roads Act 1993. It is noted that the Draft DCP aims to prevent any new access points to Summerland Way. TfNSW supports this approach.
- c) Generally any new road works on the Summerland Way should be designed to TfNSW requirements using AUSTRROADS standards and may require a Works Authorisation Deed (WAD) with TfNSW to manage the works.
- d) All advertising signs should comply with the standards set out in Planning NSW "Transport Corridor Outdoor Advertising and Signage Guidelines 2007".

In addition, TfNSW noted that "formal referrals on future development applications will permit the appropriate comments from TfNSW and will be based upon the scale and nature of the proposed development".

No other submissions were received in connection with the proposed amendment of the DCP and, therefore, Council is now able to proceed to amend the DCP to incorporate the proposed guidelines (which will now constitute Chapter 12 of the DCP).

**BUDGET AND FINANCIAL IMPLICATIONS**

There are no financial implications for Council occasioned by the adoption of the proposed amendment to the DCP.



**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 Outstanding Rates and Charges**

This matter is considered to be confidential under Section 10A(2) - b 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 discussion in relation to the personal hardship of a resident or ratepayer.

**16.2 Tender for Supply of All-Terrain Crane**

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.

**16.3 Tender for Supply of Precast Bridge Components**

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**