



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

**Date:** Monday, 13 March 2023  
**Time:** 2pm  
**Location:** Kyogle Council Chambers, Stratheden Street, Kyogle

# **AGENDA**

## **Ordinary Council Meeting**

**13 March 2023**

**Graham Kennett  
General Manager**



Dear Councillor,

In accordance with the provisions of the Local Government (General) Regulation 2005, you are hereby notified of the following Ordinary Council Meeting to be held at the Kyogle Council Chambers, on Monday 13 March 2023, at 2pm.

#### 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.

#### ETHICAL OBLIGATIONS

As per 3.23 of the Code of Meeting Practice, Councillors are reminded that on election to Council they took an Oath/Affirmation of Office in which they pledged to undertake the duties of the office of councillor in the best interests of the people of the Kyogle Local Government Area and the Kyogle Council and that they would faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

#### 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 | Confidential Business Paper                                      |
| Item 16 | 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 to speak at public forum must be received two hours before the meeting, 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 - 13 FEBRUARY 2023**

**Author:** Executive Assistant

**Authoriser:** General Manager

**Attachments:** 1. Minutes 13 February 2023 Ordinary Council Meeting (under separate cover) [↓](#) 

**RECOMMENDATION**

That Council confirms the minutes of the Council meeting of the 13 February 2023.

**PURPOSE / SUMMARY**

This report presents the minutes of the 13 February 2023 Ordinary Meeting to Council for confirmation.

**8 MAYORAL MINUTE**

Nil

**9 NOTICES OF MOTION**

Nil

**10 QUESTIONS WITH NOTICE FROM COUNCILLORS**

Nil

**11 REPORTS FROM DELEGATES**

Nil

## 12 INFORMATION REPORTS

### 12.1 MONTHLY FINANCE REPORT - FEBRUARY 2023

**Author:** Manager Financial Services

**Authoriser:** General Manager

**Attachments:** 1. Monthly Finance Report - February 2023  

#### 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 – February 2023*.

#### 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**

**28 February 2023**

**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**

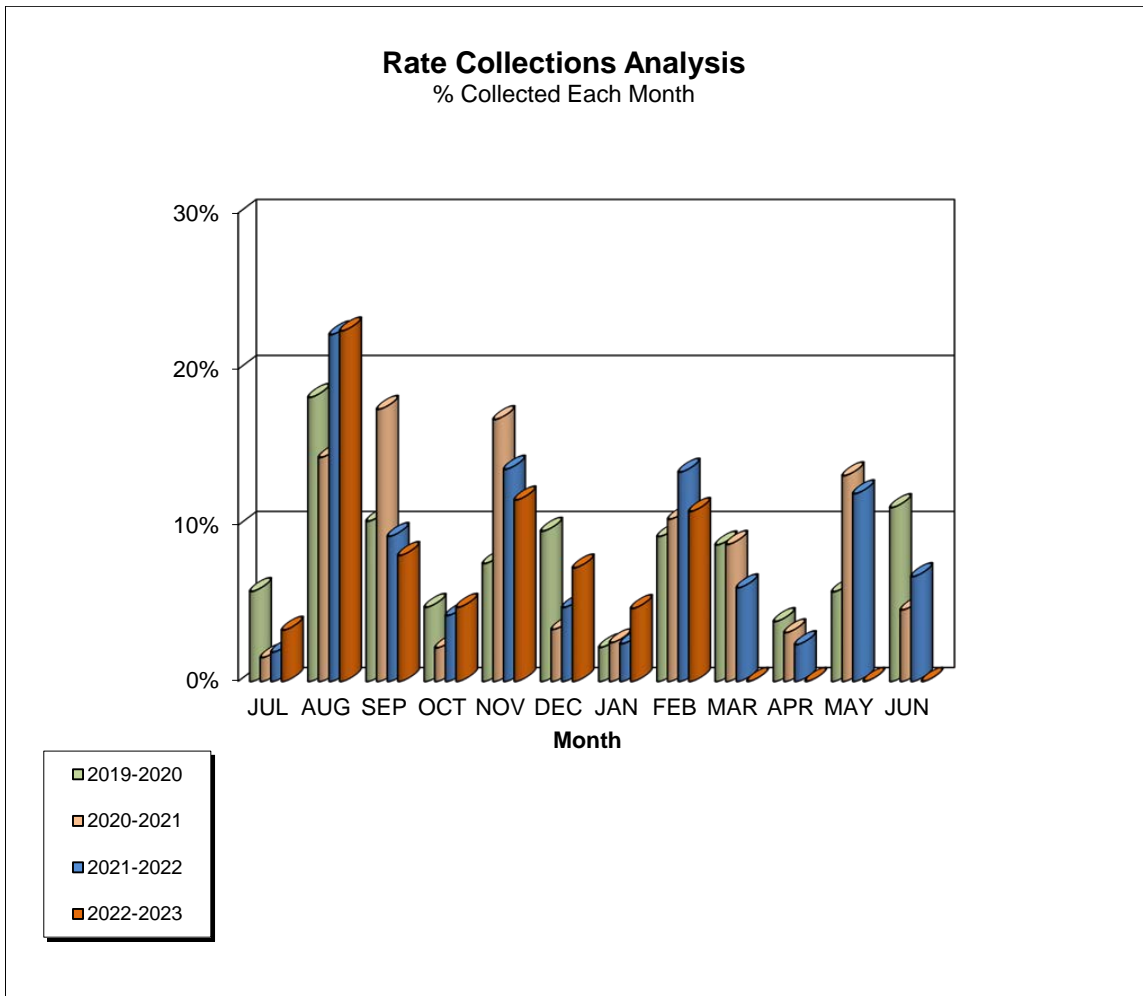
**KYOGLE COUNCIL RATES STATEMENT AS AT 28 FEBRUARY 2023**

	ARREARS 1-Jul-2022	NET CHARGES 2022-2023	PAYMENTS	OUTSTANDING BALANCE 28/2/2023	ARREARS as at 28/2/2023	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2022-2023
RATES, SERVICES AND INTEREST	585,446.44	12,099,577.82	9,252,182.62	3,432,841.64	300,011.81	72.94%	48.76%

PRESENTED TO COUNCIL MARCH 2023

**Note:**

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



**Write offs under delegated authority - Rates and Charges 2022-2023**

July	August	September	October	November	December	January	February	March	April	May	June	Total Write Offs
\$ -	\$ -	\$ -	\$ -	\$ 40.51	\$ -	\$ 38.68	\$ 9.25	\$ -	\$ -	\$ -	\$ -	\$ 88.44

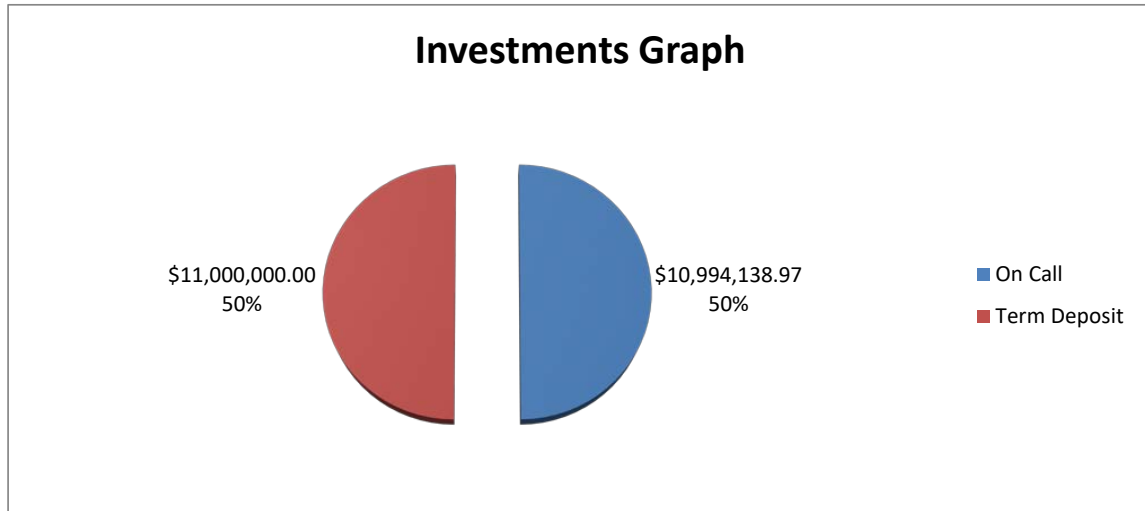
<b>Kyogle Council</b>	
<b>STATEMENT OF FUND BALANCES as at 28-Feb-23</b>	
Fund	Closing Balance
<b>General Fund</b>	
Unrestricted	1,479,084.42
Internally Restricted	3,900,929.00
State Highways	(2,326,454.51)
Quarries	1,084,975.87
Plant	2,280,093.15
Externally Restricted	13,226,430.62
<b>Total General Fund</b>	<b>19,645,058.55</b>
<b>Restricted</b>	
Water Supplies	581,831.89
Sewerage Systems	1,585,331.18
Domestic Waste	148,612.61
Trust Fund	33,304.74
<b>Total Restricted</b>	<b>2,349,080.42</b>
<b>Total Consolidated Funds at Bank</b>	<b>21,994,138.97</b>

KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 28/02/2023								
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		10,994,138.97	49.99%
<b>Total Cash at Call</b>							<b>10,994,138.97</b>	<b>49.99%</b>
Suncorp	Term Deposit	01-Dec-22	02-Mar-23	Fixed	Maturity	3.65%	2,000,000.00	9.09%
NAB	Term Deposit	12-Jan-23	09-Mar-23	Fixed	Maturity	3.30%	1,000,000.00	4.55%
NAB	Term Deposit	16-Feb-23	16-Mar-23	Fixed	Maturity	3.35%	2,000,000.00	9.09%
Suncorp	Term Deposit	19-Jan-23	20-Apr-23	Fixed	Maturity	3.91%	4,000,000.00	18.19%
Suncorp	Term Deposit	23-Feb-23	25-May-23	Fixed	Maturity	3.83%	2,000,000.00	9.09%
<b>Total Cash at Call</b>							<b>11,000,000.00</b>	<b>50.01%</b>
<b>Total Investment Portfolio</b>							<b>\$21,994,138.97</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 Feb-23

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Feb-23	YTD		Feb-23	YTD
K. Thomas	860	2,942	\$0.91	\$782.60	\$2,516.84
H. Doolan	0	0	\$0.80	\$0.00	\$0.00
J. Wilson	0	0	\$0.80	\$0.00	\$0.00
J. Burley	0	466	\$0.78	\$0.00	\$363.48
D. Mulholland	903	1,535	\$0.91	\$821.73	\$1,396.85
M. May	0	0	\$0.80	\$0.00	\$0.00
T. Cooper	0	2,374	\$0.91	\$0.00	\$2,160.34
R. Cullen	0	0	\$0.80	\$0.00	\$0.00
J. Murray	0	0	\$0.80	\$0.00	\$0.00
<b>Total</b>	<b>1,763</b>	<b>7,317</b>		<b>\$1,604.33</b>	<b>\$6,437.51</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 - FEBRUARY 2023**

**Author:** Manager Financial Services

**Authoriser:** General Manager

**Attachments:**

1. **Bridge Program Status Report - February 2023**  
2. **Works Program Progress Report February 2023 (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 – February 2023*.

**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.



## KYOGLE COUNCIL BRIDGE PROGRAM MONTHLY STATUS REPORT 2022/2023

**REPORTING MONTH:** February 2023

**REPORT DATE:** 28/02/2023

### PROGRESS SNAPSHOT

**TOTAL NUMBER OF TIMBER BRIDGES REPLACED = 52 of 93 (55.9%)**  
**FCB DEED PERIOD ELAPSED – 89 of 149 weeks (59.7%) Revised Deed Period**

#### 1 PURPOSE

The purpose of this report is to provide additional commentary on the progress of the Kyogle Council Bridge Replacement Program. For information on the status of each bridge refer to the Monthly Works Program Progress Report.

#### 2 MONTHLY HIGHLIGHTS

Highlights for February 2023 include:

- Three FCB bridges completed (Ironpot Creek Road, Capeen Creek No.2 and Tunglebung Trynney)
- Betterment funding has been obtained for Grieves Crossing (Gradys Creek Road) for alignment, safety and flood immunity improvements.

#### 3 RISKS TO DELIVERY PROGRAM

- The upcoming wet season may impact the program.
- Material lead times: we are experiencing longer lead times when compared to pre COVID. However, there have been improvements for some products. This is becoming less of a risk.

#### 4 PAGE BRIDGE REPLACEMENT PACKAGE

There are eight bridges in the Page Bridge Replacement Package. Seven of the eight have been completed. Updates on the remaining bridge below:

BRIDGE ID	BRIDGE NAME	COMMENTS	EXPECTED COMPLETION
68/8166	Horseshoe Creek Bridge	Site preparation works commencing onsite. The existing bridge will be side tracked during construction. All precast components have been manufactured.	Late April 2023

#### 5 FIXING COUNTRY BRIDGES (FCB)

##### 5.1 GROUP 1 – KYOGLE COUNCIL MANAGED PROJECTS

##### 5.1.1 BRIDGES

There are 70 bridges in the Group 1 FCB program. Thirty-seven of 70 have been replaced and opened to traffic.

Bridge Program Monthly Status Report – February 2023
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The below table summarises bridges in the Construction stage:

BRIDGE ID	BRIDGE NAME	COMMENTS	EXPECTED COMPLETION
138/558	Duck Creek Curtis Dip Bridge	Bridge open to traffic – bridge approach to be sealed.	Seal in to be performed in March
73-17595	Ironpot Creek Bridge	Bridge opened to traffic in mid-February 2023.	Early Feb 2023
29-4448	Capeen Creek No. 2 Bridge	All works complete – bridge opened to traffic in late February 2023.	Late Feb 2023
131-1738	Tunglebung Creek Trynney No.1	Bridge opened to traffic in mid-February 2023.	Mid-February 2023
269-157	Levers Road	Prestressed planks have been installed. Deck construction in progress.	Early March 2023
44-1070	Deep Creek Bodycotes No.2 Bridge	Piling and abutment works complete. Superstructure works in progress.	March 2023
31-721	Chestnut Road Bridge	Piling works complete - abutment works in progress.	March 2023
140-6330	Larsson Road Bridge	Piling works complete - abutment works in progress.	Early April 2023
138-12136	Duck Creek Gears Bridge	Site preparation works in progress. Piling works programmed for early March.	Late April 2023

The next bridges planned for construction are:

- 253-152 Slaters Rd Bridge – Depending on timing of powerline relocation
- 138-13999 Duck Creek Allens Bridge
- 112-7844 Roseberry Creek Comerford No.1
- 106-14873 Old Lawrence Road
- 35-322 Collins Valley Road

### 5.1.2 BRIDGE TO PIPES

Seven of the eight FCB bridge to pipe projects have been completed. The Station Road (256-9294) bridge to pipe replacement is programmed for late 2023 – all precast materials are on Station Road.

### 5.2 GROUP 2 – BRIDGES

There are six bridges in Group 2. Ozwide is ramping up to start works in early March 2023 on Tims Lane 92-218, Old Cob O Corn Road Bridge 103-1951 and Baileys Bridge 6-250. All sites will be under full road closure during construction.

The prestressed beams for Tims Lane have been manufactured and delivered to Gooding's Depot.

Additional Betterment Funding has been obtained for Grady's Creek Grieves Crossing. Further planning and design works are required for this project.

### 6 OTHER BRIDGE REPLACEMENTS

Geotechnical investigations have commenced for flood damaged Risk Road and Sugar Glider Road bridges. Survey works are programmed for March 2023. The Infrastructure Delivery team has commenced procurement for the planning and design activities for the Round 2B FCB Bridges on Babyl Creek, Duck Creek and Paddys Flat Road.

## 13 STAFF REPORTS

### 13.1 ILLEGAL DUMPING AND LITTER PREVENTION STRATEGY - ADOPTION

**Author:** Manager Development & Regulatory Services

**Authoriser:** General Manager

**Attachments:** 1. **Kyogle Council Illegal Dumping and Litter Prevention Strategy 2023-2027 (under separate cover)** 

#### SUMMARY / PURPOSE

The purpose of this report is to obtain Council approval to adopt the *Illegal Dumping and Litter Prevention Strategy 2023 - 2027* (the Strategy), following the recent conclusion of the public exhibition stage.

#### RECOMMENDATION

That Council:

1. Notes the report, *Illegal Dumping and Litter Prevention Strategy – Adoption*;
2. Adopts the Kyogle Council Illegal Dumping and Litter Prevention Strategy 2023 - 2027.

#### BACKGROUND INFORMATION

Since 2009, reported cases of illegal dumping and littering across the Kyogle Local Government Area (LGA) have been increasing. In 2021, there were more than 80 separate incidents of illegal dumping reported and investigated by Council officers, totalling approximately 450 cubic metres of waste. Seventy-five per cent of incidents of illegal dumping involved dumping of household waste and abandoned vehicles. It is estimated that Council spent more than \$42,000 cleaning up these incidents of illegally dumped waste.

In 2021, the NSW Environment Protection Authority (EPA) provided Council with a grant to undertake the Illegal Dumping Baseline Data Project (the Project). The Project enabled Council to collect historic dumping data and establish a good understanding of illegal dumping behaviour in the Kyogle LGA.

The priority illegal dumping challenges identified during the project for the Kyogle LGA include:

- dumping household waste in public place bins
- dumping household waste on public land at Council stockpile sites
- dumping waste at sites just off, or near, main roads
- dumping in bushland areas just outside Kyogle township
- dumping vehicles or vehicle parts on roadsides and in parks
- dumping waste in, and near, state forests and national parks.

#### PREVIOUS COUNCIL CONSIDERATION

On 10 October 2022, Council approved the release of the *Draft Illegal Dumping and Litter Prevention Strategy 2023-2027* (the Draft Strategy) for public exhibition for a period of 42 days (CO/1022/7).

**REPORT**

The Strategy has been prepared to help reduce the adverse impacts of illegal dumping and littering. The Strategy outlines the key actions Council will endeavour to implement over the next five years (2023-2027) in an effort to address illegal dumping behaviour across the Kyogle LGA.

The Strategy includes both general actions designed to help tackle illegal dumping behaviour common to all six priority challenges listed above, as well as specific actions for each priority challenge. The majority of actions involve:

- increasing education and community awareness of the risks, challenges and consequences of illegal dumping
- increasing effort to prevent and deter people from illegal dumping
- increasing effort in regulating and enforcing illegal dumping laws to act as a further deterrence.

The Strategy also recognises that reducing the impacts of illegal dumping and littering is a shared responsibility. Council, local businesses, land managers (eg Crown Land, NSW National Parks and Wildlife Service, Forestry Corporation of NSW, NSW Department of Planning and Environment, Regional Roads NSW), catchment management groups, water authorities and the local community all have a role to play in making sure we protect our LGA from the adverse impacts of littering and illegal dumping. Accordingly, several actions focus on engaging with these key stakeholders and working together collectively to reduce the incidents of dumping across the LGA.

The Draft Strategy was placed on public exhibition from 11 October 2022 – 22 November 2022. Council only received comment from one resident who found it disturbing that Council needs to address such illegal behaviours from community members. Accordingly, no changes have been made to the Draft Strategy other than adjustment of implementation timeframes taking into account the adoption date for the Strategy and external funding program cycles which had not been announced at the time of public exhibition (see Budget and Financial Implications below).

**BUDGET AND FINANCIAL IMPLICATIONS**

It is envisaged that the actions outlined in the Strategy will be implemented with existing Council resources and/or external funding. The EPA has announced two new grant programs for NSW councils to specifically obtain funding for projects aimed at preventing illegal dumping and littering. Council intends to submit applications for funding to implement the Strategy over the next five years under these programs. In this regard, having a Council-approved Strategy in place will be essential if Council is to be successful in obtaining external grant funding.

Round 1 applications close on 31 March 2023 for projects to be completed between July 2023 – June 2024. Council officers are proposing to apply for funding in Round 1 to implement actions to address the highest priority challenge; dumping household waste in public place bins.

## 13.2 KYOGLE AND WOODENBONG CBD MASTER PLANS

**Author:** Director Planning & Environmental Services

**Authoriser:** General Manager

**Attachments:** 1. Revised Kyogle CBD Master Plan (under separate cover)   
2. Revised Woodenbong CBD Master Plan (under separate cover) 

### SUMMARY / PURPOSE

This report presents to Council the revised Kyogle and Woodenbong CBD Master Plans and recommends that they be placed on public exhibition to allow for community comment on the revised proposals.

### RECOMMENDATION

That Council:

1. Receives and notes the report, *Kyogle and Woodenbong CBD Master Plans*;
2. Places the Draft Master Plans on public exhibition for a period of at least 28 days and reports community feedback to a future Ordinary Meeting of Council prior to adoption of the plans.

### REPORT

#### ***Kyogle CBD Master Plan***

At its Strategic Priorities Workshop of February 2019, Council identified a priority action to develop a new CBD Master Plan for Kyogle. As a precursor to the Master Plan and other public realm projects, Council commissioned, consulted on and adopted an Open Space Design Guide (OSDG), which establishes the rationale and approach to new public realm projects across the Kyogle Local Government Area (LGA).

A draft Master Plan for the Kyogle CBD has been under development since late 2020. Council commenced public consultation in June 2021 and, following significant public comment and feedback, committed to a further revision of the draft Master Plan. This subsequent draft was placed on public exhibition in December 2021, and the related engagement program concluded on 18 February 2022.

At the February 2022 Councillor Workshop, it was noted that there appeared to be community support for the **Stratheden Street/Civic Precinct** plan. Based on the feedback received from the community to date, there was a clear, general consensus that the principle of the refurbishment of the Civic Precinct was welcomed. Following on from the workshop, a further revision of the Stratheden Street/Civic Precinct plan was prepared addressing key issues and opportunities raised through the public consultation process. The revised plan was formally adopted at the April 2022 Ordinary Council Meeting.

Although it was noted that there was considerable support for the “greening” of the main street in principle, the broad community response to the proposals for the **Summerland Way** component of the draft Master Plan continued to demonstrate reservations regarding key elements of the plan, in particular, the potential loss of car parking spaces and other, associated traffic management issues. Accordingly, at its April 2022 Ordinary Council Meeting, Council resolved to investigate “options for the long-term provision of car parking spaces required to support the sustainable growth of the Kyogle business district, before further consideration of a Master Plan for the Kyogle Main Street.”

Pursuant to the Council resolution, officers have explored a range of options for the enhanced provision of car parking in the Kyogle CBD, including land acquisition, increased provision of on-street parking spaces within the CBD and revisions to the previous landscaping proposals for

Summerland Way to preserve more existing parking spaces. During this process, it has not been possible to identify any appropriate locations for the creation of off-street parking spaces where the landowner is currently prepared to sell the land required for such development. Accordingly, the revised plan, which is attached to this report, focusses on new on-street parking arrangements/options.

The revised plan incorporates **461 car parking spaces across the CBD**, broken down as follows:

- 241 bays on **Summerland Way**
  - 50 on western verge (including five disabled bays and two loading bays)
  - 142 central median bays
  - 49 on eastern verge (including three disabled bays and one loading bay)
- 103 bays on **Bloore Street**
  - 41 on western verge
  - 72 on eastern verge
- 40 bays on **Stratheden Street**
  - 22 on northern verge
  - 18 on southern verge (including x1 loading bay opposite Crockford Lane)

1. *NOTE A: the total for Stratheden Street does not include the layover/drop-off bay proposed outside the public toilets in Memorial Hall*

2. *NOTE B: there are several bays cut off in the plans that continue on the northern verge up to Groom Street (included in the above count)*

- 47 bays on **Geneva Street**
  - 27 on northern verge
  - 20 on southern verge (including one disabled bay opposite Exchange Hotel)
- 20 bays on **Roxy Lane**
  - 7 outside Youth Action Centre (including one disabled bay)
  - 13 outside Library/Museum (including two disabled bays and two motorbike bays)

It is considered that this quantum of parking spaces across the town centre is adequate to support business and visitation. It should be noted that the original proposal that was subject to community consultation in 2021 showed 372 CBD parking spaces. The revised proposals are also accompanied by a schedule indicating the proposed maximum parking times for each zone – this will allow for the appropriate turn-over of parking spaces in primary shopping areas.

### **Woodenbong CBD Master Plan**

In May 2021, Council engaged ROSS Planning to lead the development of a landscape and public realm Master Plan for the Woodenbong CBD, focussed on the area around Macpherson Street. This engagement followed an earlier commitment to the community to take a planned approach to the redesign of the key public spaces in the Woodenbong town centre. It also followed on from Council's adoption of its Open Space Design Guide (OSDG) and follows the principles established in the Guide.

Initial community consultation took place in May/June 2021 and a Draft Report and Plan was issued to Council officers for review in August 2021. At its Ordinary Meeting of 8 August 2022, Council resolved to place the Draft Master Plan on public exhibition and, thereafter, for any necessary revisions to be carried out prior to adoption of the final version of the Plan.



The public exhibition period ran from 10 August 2022 until 23 September 2022. Eleven written responses to the draft were received during the formal consultation period, with additional feedback collected from businesses on Macpherson Street. All feedback was collated, summarised and presented to the Councillor Workshop of 24 October 2022, where Councillors were advised that officers would carry out revisions to the draft plan prior to a final revised version being submitted to Council for adoption.

The revised plan is attached to this report. The principal alterations relate to the parking and access arrangements in the vicinity of business/retail premises in Macpherson Street. This plan shows the introduction of median parking that is accessible to both north and southbound traffic, and preserves opportunities for parking and loading/deliveries adjacent to business premises. It is considered that these revisions adequately address the key issues raised during the previous stages of community consultation, however a further round of public exhibition is recommended in order to ensure broad community support for the revised proposals.

### **BUDGET AND FINANCIAL IMPLICATIONS**

There are no budget implications associated with the public exhibition stage of the draft Master Plans.

**13.3 CUSTOMER SERVICES POLICY REVIEW**

**Author:** General Manager

**Authoriser:** General Manager

**Attachments:** 1. Draft Customer Services Policy (under separate cover) 

**SUMMARY / PURPOSE**

To present a draft Customer Services Policy to Council.

**RECOMMENDATION**

That Council:

1. Receives and notes the report, *Customer Services Policy Review*;
2. Places the draft Customer Services Policy on public display for a period of 28 days.

**REPORT**

In accordance with the strategic priorities identified by Councillors, a review of the Customer Services Policy has been undertaken, which includes the identification of measures and targets for inclusion in performance metrics, and clear service level expectations for customers.

As part of the review of the policy, the best practices of neighbouring councils were considered when setting benchmarks.

It is proposed that the attached policy is placed on public display for comment for a period of 28 days.

**BUDGET AND FINANCIAL IMPLICATIONS**

The draft Customer Services Policy includes provisions that recognise the limited resources available to Council, and that this may affect the service standard from time to time. As such, the draft Customer Services Policy does not have financial implications, as it does not seek to establish service levels that would require additional resources and associated costs.

**13.4 PROPOSED BOUNDARY ADJUSTMENT RICHMOND VALLEY COUNCIL AND KYOGLE**

**Author:** Revenue Coordinator

**Authoriser:** General Manager

**Attachments:** 1. Recommendation for part lot boundary adjustments from Richmond valley Council (under separate cover) 

**SUMMARY / PURPOSE**

Boundary adjustment due to part lots held over Richmond Valley and Kyogle Local Government Areas (LGAs).

**RECOMMENDATION**

That Council:

1. Receives and notes the report, *Proposed Boundary Adjustment Richmond Valley Council and Kyogle*;
2. Endorses the attached proposal from Richmond Valley Council to apply for boundary adjustments, with the exception of 895 Bulmer's Road, Hogarth Range – Part Lot 719 DP 787513 and Lot 1-2 DP 456573;
3. Delegates authority to the General Manager to negotiate with Richmond Valley Council for a boundary adjustment for 895 Bulmer's Road, Hogarth Range – Part Lot 719 DP 787513 and Lot 1-2 DP 456573 to move to Richmond Valley Council ownership and maintenance;
4. Endorses Richmond Valley Council making a submission on behalf of both councils for the boundary adjustment to appropriate authorities.

**BACKGROUND INFORMATION**

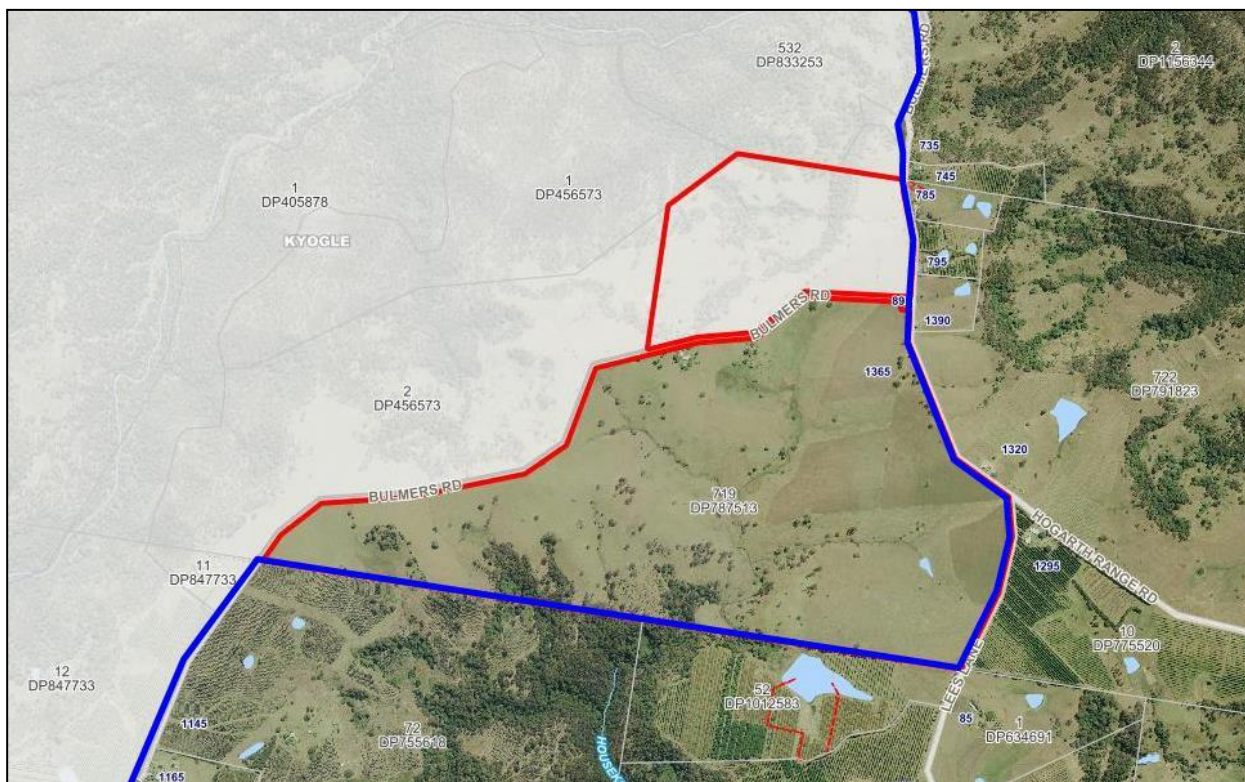
Council received a request from Richmond Valley Council for consideration of boundary adjustments due to part lots which are held over each Council area.

**REPORT**

Richmond Valley Council (RVC), has written to Kyogle Council recommending part lot boundary adjustments, as per the attached. Council staff have reviewed the proposals and recommend the changes proposed by the RVC recommendations, with the exception of 895 Bulmer's Road – Part Lot 719 DP 787513 and Lot 1-2 DP 456573.

The Bulmers Road recommendation would result in a part of the current RVC section of Bulmers Road ending up in the Kyogle Local Government Area. This would result in the road going through Kyogle Council, Richmond Valley Council, Kyogle Council, Richmond Valley Council, National Parks, and Kyogle Council. The proposal is untenable and not in the interests of the residents, or the Councils.

As such, it's recommended that the General Manager be delegated the authority to negotiate the transfer of Bulmers Road – Part Lot 719 DP 787513 and Lot 1-2 DP 456573 be located fully within the RVC LGA, and keep the continuous length of Bulmers Road within RVC.



The boundary adjustment for these part lots would benefit these residents who currently have to deal with both Kyogle Council and Richmond Valley Council in relation to their land.

### **BUDGET AND FINANCIAL IMPLICATIONS**

It is estimated that Kyogle Councils overall rateable land valuations with the base date 1 July 2019 will decrease by the following amounts:

- Farmland \$3,145,500
- Rural residential \$318,000

This reduction in our land valuations will result in an estimated loss of income for rates and charges in the order of \$6,580, which equates to 0.08% of the overall rates revenue of \$7,727,500.

**13.5 INTERNAL AUDIT COMMITTEE****Author:** Manager Corporate Services**Authoriser:****Attachments:** 1. **Unconfirmed minutes Internal Audit Committee 12 December 2022****SUMMARY / PURPOSE**

To present to Council the minutes of the 12 December 2022 Internal Audit Committee meeting, and update Council on the changes to the Office of Local Government Guidelines for Risk Management and Internal Audit.

**RECOMMENDATION**

That Council:

1. Receives and notes the minutes of the 12 December 2022 meeting of the Internal Audit Committee;
2. Receives a report on options for sharing an Audit, Risk and Improvement Committee with other councils in our region and/or the Northern Rivers Joint Organisation (NRJO) before adopting Terms of Reference and structure for its Audit, Risk and Improvement Committee consistent with the new Office of Local Government Guidelines;
3. Calls for expressions of interest for a Chair of Council's Audit, Risk and Improvement Committee who meets the requirements of the new Office of Local Government Guidelines.

**BACKGROUND INFORMATION**

In December 2022 the Office of Local Government issued comprehensive *Guidelines for Risk Management and Internal Audit for Local Government in NSW*. A copy can be found here; <https://www.olg.nsw.gov.au/councils/governance/risk-management-audit-and-internal-controls/risk-management-and-internal-audit-framework-for-local-councils-in-nsw/>

The guidelines require that from 4 June 2022, all councils and joint organisations are required to have an audit risk and improvement committee. Councils and joint organisations can share audit risk and improvement committees.

From 1 July 2024, all councils and joint organisations are required to have a risk management framework and an internal audit function.

The objective of the Audit, Risk and Improvement Committee is to provide independent assurance to council by monitoring, reviewing and providing advice about the council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

The committee is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the council. The committee will provide independent advice to council that is informed by the council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies and subject matter experts.

**REPORT**

The unconfirmed minutes of the Internal Audit Committee from 12 December, 2022 are included in the attachments to this report.

At the last meeting of Council's Internal Audit Committee, long-standing Chair Andrew Stevens advised that, due to increasing work commitments, he was stepping down from the committee, and it would be his last meeting. The committee and staff thanked Andrew for his tireless commitment over many years, and acknowledged the outstanding contribution he had made.

On the understanding that the release of the new Office of Local Government Guidelines was imminent, the Committee resolved that:

*Council explore options for sharing an Audit, Risk and Improvement Committee with other Councils in our region and/or the Northern Rivers Joint Organisation.*

The General Manager has had preliminary discussions with the other NRJO member councils, including ROUS County Council, and the NRJO. All councils have individual standalone committees in place, with ROUS sharing its committee with the NRJO.

There may be an opportunity to share either a full committee with one of these councils, but there seems little opportunity for sharing on a regional basis. Further investigation is to be undertaken to assess the options available to Council. In the meantime, as Council is required to have a committee but is unable to hold meetings without a quorum and a Chair, it is proposed to undertake an expression of interest process to fill the vacant Chair position.

The position of the chair of an audit, risk and improvement committee is pivotal to the committee's effectiveness and is the focal point for the committee's relationship with the council, the internal audit function and external auditor. The chair acts as the interface between the audit, risk and improvement committee and the general manager and other staff, the governing body, the external auditor, and the internal audit function.

To be successful in their role, a chair must:

- *have strong leadership qualities*
- *have the personal courage to raise and deal with tough issues and express opinions frankly, and to support other committee members to do the same*
- *be able to recommend the appointment of committee members to the governing body*
- *maintain effective working relationships between committee members and with the council*
- *keep the governing body and general manager informed and brief them on the strategic and technical aspects of internal audits and risk and control issues*
- *lead effective committee meetings including:*
  - *planning for and setting agendas for meetings, ensuring committee members are adequately informed of matters to be considered prior to meetings and allowing sufficient time for discussion of those matters at the meeting*
  - *ensuring the meeting runs smoothly and that the views of members are heard*
  - *focus the committee's deliberations on the most important issues*
  - *seek the input of advisers, observers and other experts to maximise committee deliberations*
  - *summarise discussion outcomes and actions, including assigning responsibility and timeframes for actions*
- *maintain an effective working relationship with the council's external auditor*
- *oversee the internal audit function and be alert to external accountability and internal audit concerns*
- *arrange for all committee members to maintain an up-to-date knowledge of the council and its activities, including any financial or regulatory developments, and*
- *know the strengths and weaknesses of the committee, and individual committee members and how this may affect the opinions of the committee*

**BUDGET AND FINANCIAL IMPLICATIONS**

The cost of the Audit, Risk and Improvement Committee operations is covered by the existing budget. The cost of the Internal Audit Function, will need to be included in budget preparations and the Long Term Financial Plan from July 2024.

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**INTERNAL AUDIT COMMITTEE MEETING MINUTES****12 DECEMBER 2022**

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**MINUTES OF KYOGLE COUNCIL  
INTERNAL AUDIT COMMITTEE MEETING  
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE  
ON MONDAY, 12 DECEMBER 2022 AT 12.30PM**

**PRESENT:** Mr Andrew Stevens, Mr Steve Klaassen, Cr Tom Cooper (Deputy Mayor).

**IN ATTENDANCE:** The General Manager, Executive Manager Corporate Services, Finance Manager, Executive Assistance to the General Manager, Adam Bradfield of Thomas Noble and Russell (Auditors), Jodie Bosworth of Thomas Noble and Russell (Auditors).

The Meeting opened at 12.35pm.

**1 APOLOGIES**

Ms Debbie Johnston, Cr Janet Wilson (observer), Jodie Bosworth (TNR).

**2 OPENING PRAYER**

The Deputy Mayor read the opening prayer.

**3 TRADITIONAL LANDS ACKNOWLEDGEMENT**

The Deputy Mayor acknowledged that 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 MARCH 2022**

**RESOLVED IAC/1222/1**

Moved by Cr Tom Cooper, seconded by Mr Steve Klaassen

That the Committee confirm the minutes of the meeting held on 9 March 2022.

**CARRIED**

FOR VOTE - Unanimous vote



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**INTERNAL AUDIT COMMITTEE MEETING MINUTES****12 DECEMBER 2022****5.2 PRESENTATION OF DRAFT FINANCIAL STATEMENTS****RESOLVED IAC/1222/2**

Moved by Mr Andrew Stevens, seconded by Mr Steve Klaassen

That the Internal Audit Committee receives and notes the Draft Financial Statements for 2021 - 2022.

**CARRIED**

FOR VOTE - Unanimous vote

**5.3 COMPLIANCE****RESOLVED IAC/1222/3**

Moved by Mr Steve Klaassen, seconded by Cr Tom Cooper

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

**CARRIED**

FOR VOTE - Unanimous vote

**5.4 AUDIT RISK AND IMPROVEMENT COMMITTEES UPDATE****RESOLVED IAC/1222/4**

Moved by Mr Andrew Stevens, seconded by Mr Steve Klaassen

That the Internal Audit Committee:

1. Receives and notes the report, Audit, Risk and Improvement Committee Update;
2. Recommends Council explore options for sharing an Audit, Risk and Improvement Committee with other Councils in our region and/or the Northern Rivers Joint Organisation.

**CARRIED**

FOR VOTE - Unanimous vote

**5.5 ANNUAL REPORT ON INSURANCE RISK AND BUSINESS CONTINUITY PLAN****RESOLVED IAC/1222/5**

Moved by Mr Andrew Stevens, seconded by Mr Steve Klaassen

That the Internal Audit Committee, receives and notes the Annual Report on Insurance Risk and Business Continuity Planning.

**CARRIED**

FOR VOTE - Unanimous vote

Andrew Stevens foreshadowed resigning his position as chair of the committee due to work commitments. Mr Stevens strongly recommend that Council join a combined ARIC.

General Manager thanks Andrew for his commitment and help.

**INTERNAL AUDIT COMMITTEE MEETING MINUTES**

**12 DECEMBER 2022**

The Meeting closed at 1.44pm.

The minutes of this meeting were confirmed at the Internal Audit Committee Meeting held on 12 August 2024.

.....  
CHAIRPERSON

**14 URGENT BUSINESS WITHOUT NOTICE**

**15 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:

**15.1 Regional Roads Transport Recovery Package**

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

**15.2 Quarries Strategy and Resourcing Update**

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

**16 CLOSE OF MEETING**