

# KYOGLE COUNCIL

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## 2022/2023 ANNUAL REPORT

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## 2022/2023 year at a glance

**409.35**

kilometres of road  
re-sheeted/graded

**59,906**

potholes patched

**42,620**

pool attendances

**33,568**

visits to Kyogle library

**32**

timber bridges replaced

**\$88.7M**

CapX and flood damage  
works completed

**3627.98**

tonnes of waste  
landfilled

**1185.04**

tonnes of materials  
recycled

**31.7**

days to process a  
development application  
(average)

**\$15.64M**

value of development  
approved throughout  
the LGA

**74**

compliments from the  
community

**15.3**

kilometres of sealed  
roads rehabilitated

## Summary of Achievements

This year has been the most challenging period for the organisation and its people, as we continued our recovery from the catastrophic 2022 flood event, whilst further investing in our villages, roads, preschools, parks, gardens, pools, library services and community.

External drivers essentially forced major changes upon the organisation in order to adapt, and has altered the way we do business at all levels. Council met the challenge by developing a staged resourcing strategy.

The focus remained on prioritising the massive recovery process resulting from the February 2022 flooding natural disaster, but Council continued to deliver improved services and facilities to our community, and to progress the strategic priorities set by the elected body.

The largest annual capital works program ever recorded by Kyogle Council was delivered, with more than \$88 million of works completed. The second largest annual program was delivered the previous year, with more than \$27 million delivered in 2021/22.

Our financial position remains strong, and external grant funding is still being secured at much higher than expected rates. The main issue that remains is the time frame for flood restoration funding and delivery of other externally funded projects, as we prioritise flood restoration works.

Council is now well positioned to deliver the upscaled works program over the next two to three years, and plan for the longer-term future as we transition into the “new” business as usual post recovery.



*Deep Creek Road which has been built back better following the flooding natural disaster of February-March 2022.*



Achievements include:

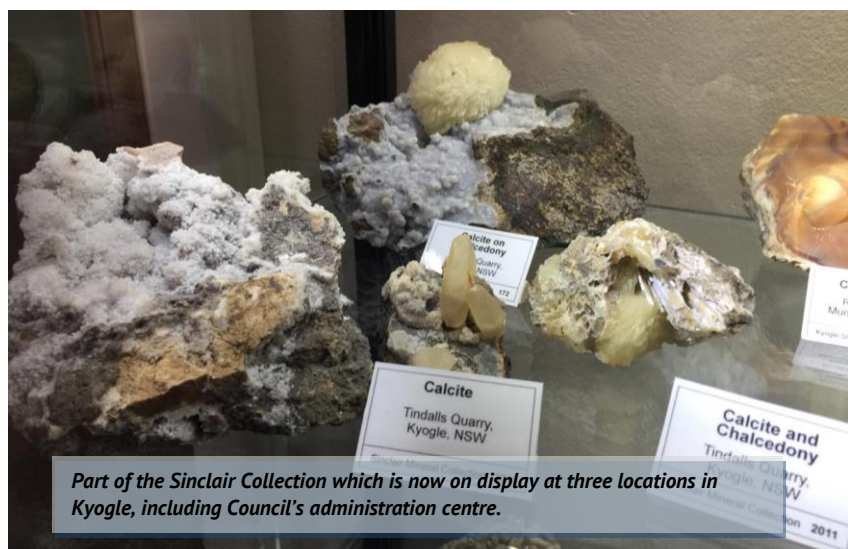
- A total of 32 timber bridges replaced with concrete or steel structures – 29 bridges replaced under the Fixing Country Bridges Program, two bridges jointly funded by Fixing Country Bridges and the Bridge Renewal Program and one bridge completed under the Kyogle Page Bridge Package;
- 15.3km of sealed roads rehabilitated;
- 409.4km of roads re-sheeted/graded, which includes the emergency works associated with the February 2022 floods and natural disaster;
- More than 59,000 potholes patched;
- 42,620 pool attendances;
- Funding of a Community Recovery Officer to work with our various communities across the LGA to help in the flood recovery and build future resilience;
- Adoption of a Community Resilience Plan;
- Ongoing promotion of the Northern Rivers NSW regional brand;
- Initial sealing of 1km section of Dyraaba Road completed under the Fixing Local Roads Program;
- Continued support of the Kyogle Writers Festival, Pumpkin Festival and a series of other events across the LGA;
- Bonalbo Caravan Park refurbishment completed;





- Aeration fountain and viewing platform, *see picture above*, completed at Bonalbo Norman Johnson Park;
- Purchasing of land at Tabulam for future water and sewerage treatment plants;
- Installation of new field lights at Kyogle High School Oval;
- Pavement rehabilitation and drainage works on Sextonville Road between Saunders Road and Doubtful Creek completed;
- Flood damage repairs at Woodenbong Preschool, Bonalbo Preschool, Kyogle Tennis Court Amenities and Kyogle Visitor Information Centre;
- Council staff received 74 compliments from the community;
- Collins Creek Road initial seal to Tims Lane completed using a combination of flood damage and Council co-contributions to build back better;
- Implemented a new three-bin waste collection service for general waste, recyclables and food and organics waste including community education campaign;
- Completed masterplans for the Kyogle Main Street and Woodenbong Main Street;
- Implemented a Planning Proposal to support agritourism across the Kyogle local government area (LGA);
- 91 development applications approved with a total value of \$15.64 million;
- Partnering with Tweed Shire Council to progress the Northern Rivers Feral Deer Prevention Program;
- Partnered with the RSPCA to roll out the Keeping Cats Safe at Home Program including a school education program on responsible cat ownership;
- Adopted the Flying-fox Camp Management Plan and developed protocols for managing extreme weather incidents and works near the flying-fox camp;

- Successful in securing \$200,000 grant from the Environmental Trust and LGNSW to create 4.7 hectares of flying-fox habitat north of the Kyogle Recreation Reserve;
- Adopted the Illegal Dumping and Litter Prevention Strategy and successful in securing \$72,000 grant from the EPA to implement key priority actions;
- Installed three separate displays in Kyogle to showcase the Sinclair Collection – a substantial collection of minerals, crystals and fossils gifted to Council by the family of the late Lloyd and Glenys Sinclair;
- Installation of electric vehicle charging stations in Kyogle, Woodenbong, Bonalbo and Tabulam;
- Continuing marketing of the ‘Kyogle Up for It’ campaign to promote tourism and visitors to the Kyogle LGA;
- Eleven exhibitions held in the Roxy Gallery showcasing local artists and ten exhibitions in the ‘Steppin’ Up Gallery’ to support young, emerging artists and artists living with a disability;
- Adoption of revised Customer Services Policy;
- Election commitment from NSW Labor for the removal of EPA Waste Levy;
- Renewable energy targets hit ahead of schedule;
- Adoption of revised Keeping Animals in Urban Areas Local Orders Policy;
- KMI Hall Supper Room improvements completed;
- Art on Bundjalung Market held in partnership with Arts Northern Rivers;
- More than \$500,000 in community and resilience grants awarded;
- Streetlight conversion to LEDs completed;
- Improvements to playgrounds and community open spaces across the LGA;
- Funding secured for the remainder of the Clarence Way upgrades;
- Bushfire Prone Land Mapping updated;
- Local Heritage Funding Program launched;
- Secured betterment funding for Grieves Crossing and the Clarence Way to allow for building back better post flooding natural disaster;
- Additional community development staffing and improved community engagement and support;
- Mobile phone blackspot mapping completed across the LGA.



## Financial Result

Council's surplus from all activities for the year ended 30 June 2023 totalled \$74,824,000. This compares to a surplus in 2022 of \$30,607,000. The 2023 result can be summarised as follows:-

	2022 \$'000	2023 \$'000
Result from continuing operations	20,677	33,529
Less Depreciation	(9,296)	(9,518)
Results from continuing operations before capital amounts	11,381	24,011
Capital grants and contributions	23,403	57,982
Gain/(loss) on disposal of assets	(4,177)	(7,169)
Surplus/(Deficit) from all activities	30,607	74,824



*Council, in partnership with Arts Northern Rivers, hosted the Art on Bundjalung Market in Kyogle.*



## Kyogle Council Profile

Kyogle Council is a small rural council (pop. 9,359) that covers a large geographical area (3,584km<sup>2</sup>) with a complex road and bridge network (1,321km roads and 264 bridges) and a high proportion of the LGA dedicated for National Parks and State Forests (approx. 30%).

Kyogle Council adjoins the Scenic Rim Council in Queensland and the Northern Rivers LGAs of Tweed, Lismore, Richmond Valley, Clarence Valley and Tenterfield in New South Wales.

Kyogle Council comprises a large and diverse region with spectacular environmental and cultural attributes. The LGA is within two hours' drive of Brisbane and is one hour from the Gold Coast and NSW coastal communities of Byron Bay, Ballina and Tweed Heads. This, combined with a superb climate and a close proximity to all services, education and recreation, makes the Kyogle area an ideal place to live and work.

The district boasts a wide range of natural assets, including the World Heritage-listed Border Ranges, Toonumbar National Park and no fewer than 12 State Forests, all within easy reach of the towns and villages.

An abundance of well-maintained facilities, picnic spots, camping sites, lookouts and walking trails will ensure that you enjoy all Kyogle the LGA has to offer.



*Looking west from Culmaran Creek Road.*

# Vision, Mission, & Values

## Community Vision

Working together to balance Environment, Lifestyle, and Opportunity.

## Our Mission

To meet the challenges of our unique and diverse region.

## Our Values

- Respect and respond to community needs
- Improve the quality of our services
- Be open and accessible
- Act with honesty and integrity
- Value people's contribution
- Support the culture of teamwork, cooperation and safety



## Elected Representatives

Nine Councillors represent three wards of the council area and are responsible for the direction and control of Council's affairs in accordance with the Local Government Act and associated legislation. Councillors for the 2021-2024 term are:

### A Ward

Cr Kylie Thomas (Mayor)  
Cr Hayden Doolan  
Cr Janet Wilson

### B Ward

Cr John Burley  
Cr Robert Cullen  
Cr Maggie May

### C Ward

Cr Tom Cooper (Deputy Mayor)  
Cr Danielle Mulholland  
Cr James Murray



*Kyogle Council: Back from left, Councillors James Murray, Rob Cullen, Hayden Doolan; centre from left, Councillors Tom Cooper (Deputy Mayor), Maggie May, and John Burley; front from left, Councillors Kylie Thomas (Mayor), Janet Wilson, and Danielle Mulholland.*

## Attendance at Council Meetings

During the year the following meetings were conducted.

The attendance from Councillors 1 July 2022 to 30 June 2023 is summarised in the table below:

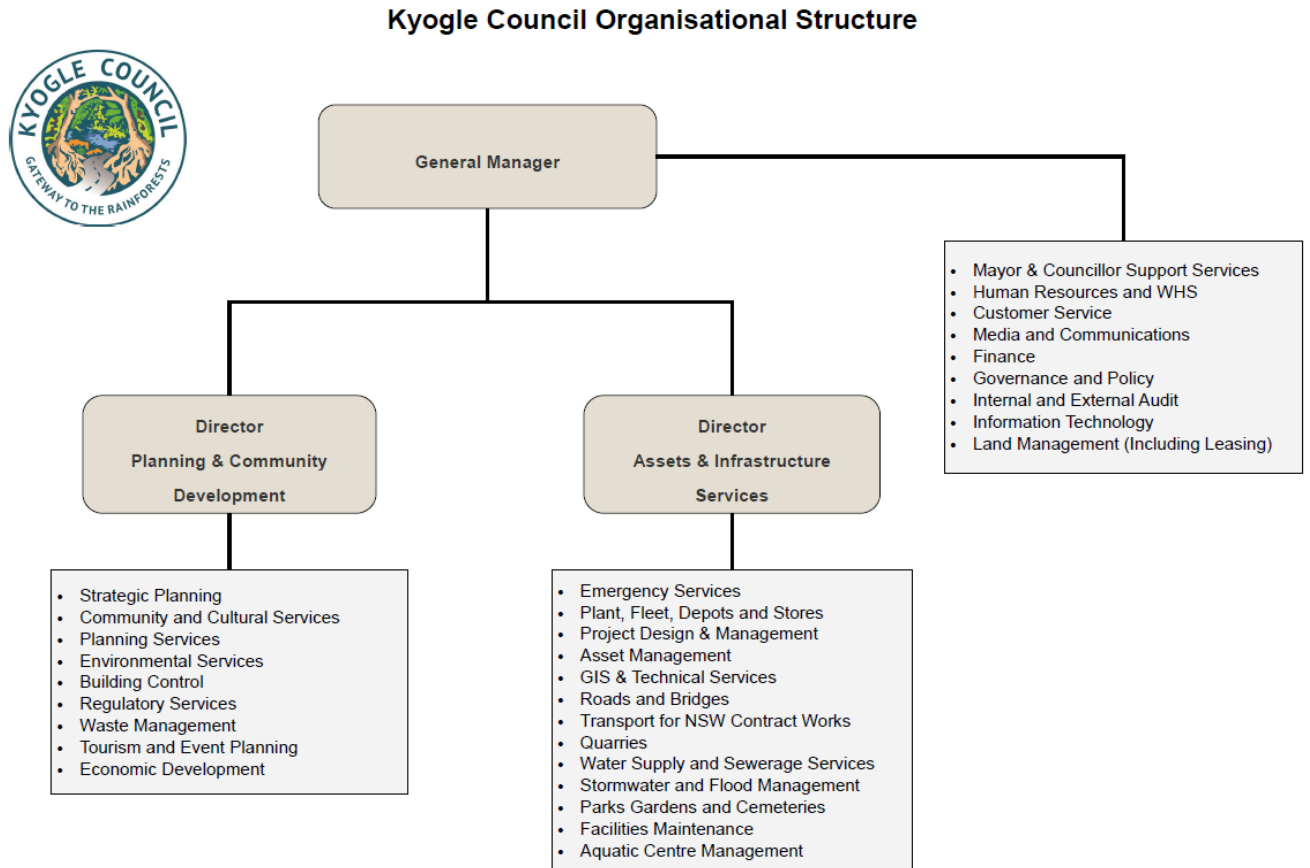
Councillor Name	Ordinary Meetings attended (11 held)	Extraordinary Meetings attended (1 held)
Cr Hayden Doolan	10	0
Cr John Burley	11	1
Cr Maggie May	8	1
Cr Robert Cullen	10	1
Cr Danielle Mulholland	9	1
Cr Tom Cooper	10	1
Cr Kylie Thomas	10	1
Cr James Murray	11	1
Cr Janet Wilson	8	0



*Council provides free admission to its three public swimming pools on Australia Day each year.*

# Organisational Structure

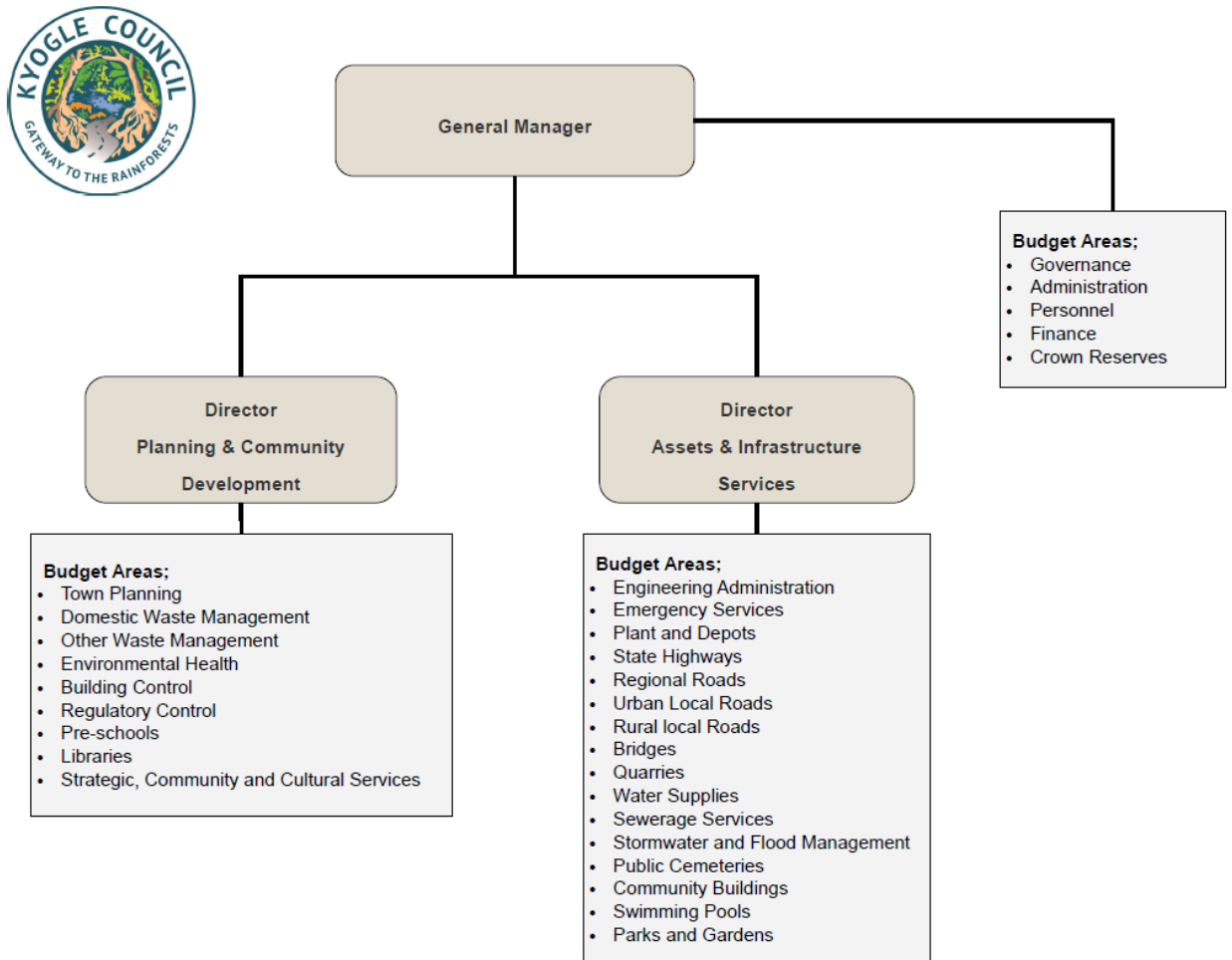
The Organisational Structure shown below was adopted by Council in October 2022.



# Principal Activities

The principal activities and their respective budget areas identified in the Integrated Planning and Reporting Framework are outlined below;

## Organisational Structure by Budget Area



## Key Strategic Priority Areas

The following key strategic focus areas are identified in Council's Community Strategic Plan.

### **Prosperity**

Prosperity is about a lot more than just money. It's about having the right job opportunities to attract and retain people in the area, it's about having a good variety of local shops and businesses that provide the community with access to the products and services they need, and it's about appropriate economic growth and a healthy environment that supports quality of life.

Community feedback shows there is a desire to continue supporting agriculture as the heart of the local economy, but that it should be agriculture for the 21st Century – innovative, value-added, sustainable, and regenerative. On the other hand, people want to see diversity too, including expansion of the visitor economy and support for emerging businesses and industry sectors.

### **Housing**

Having secure, affordable accommodation in a safe, appropriate home is a basic human right but for many in our region finding a suitable home is becoming more and more difficult.

Housing prices in the Kyogle LGA are competitive compared to neighbouring LGAs but this is a double-edged sword. While it can make property more affordable for buyers and renters, it reduces the financial incentive for property developers. As a result, there hasn't been much new housing coming into the market over recent years, and there isn't a great deal of variety when it comes to housing types.

Like many regional areas in NSW, the Kyogle LGA has an ageing population and this will likely lead to an increase in demand for smaller homes, like units and townhouses, together with access to facilities and support services. It's important that we create the right conditions for growth and choice in the local housing market, to provide the accommodation options required by our communities.

### **Liveability**

Friendly, peaceful, rural, green and community-minded are all words people use to describe what they love about living in the area. While population growth isn't a goal of this plan, a stable population will support some of the things people value like local shops, schools and services. That's why it's important that we provide well maintained, well-serviced and attractive towns and villages where people want to live, as well as a healthy environment that contributes to the wellbeing and prosperity of the community. Beyond places and spaces, there is a recognition that community spirit is something that needs to be supported and nurtured and a desire to focus on people as well as assets.

### **Sustainability**

Reducing greenhouse gas emissions in order to limit global warming and begin reversing the impacts of climate change is an urgent priority, not just for Kyogle, but for the nation and the world. There is also a strong desire within the community to protect native plants, animals and ecosystems and build our resilience to natural disasters such as droughts, fire and floods.

## Audited Financial Reports

### Section 428(4)(a)

A complete set of Kyogle Council's 2022/23 Financial Statements and the audit report from Thomas Noble and Russell will be attached to this document as Appendix 1, upon completion and will also appear on Kyogle Council's website at [www.kyogle.nsw.gov.au](http://www.kyogle.nsw.gov.au).

Due to the ongoing impact of the catastrophic flood emergency that devastated the Northern Rivers in 2022 Kyogle Council was given an extension to 15 December 2023 to complete and adopt the annual financial statements. Key figures have been inputted into this version of the report to be presented to Council at an extraordinary meeting of Council on 27 November 2023, as is required under the Local Government Act 1993.

The figures appearing below should be taken as draft until the financial statements have been approved by the NSW Auditor General's office.



*The Bingebeebebra Creek Bridge was one of 32 timber bridges Council replaced during the 2022-2023 financial year.*

## Condition of Public Works

### Section 428(2)(d)

The information contained in Special Schedule No. 7 comprises accounting estimates formulated in accordance with the NSW Local Government Code of Accounting Practice and Financial Reporting. Nothing contained within this Schedule may be taken to be an admission of any liability to any person under any circumstance



Assets within all asset classes are reported by condition (1-5) as part of the annual asset accounting process. The condition numbers are defined as follows;

1. Excellent: Only planned maintenance is required
2. Good: Minor maintenance required plus planned maintenance
3. Average: Significant maintenance required
4. Poor: Significant renewal/upgrade required
5. Very Poor: Unserviceable

All assets with condition scores of less than 4 are deemed to be in a satisfactory standard. This leaves all assets in conditions 4 and 5 deemed to not be in a satisfactory standard.

The estimated cost to bring these assets to a satisfactory standard is also known as the “infrastructure backlog”. This is calculated as the accumulated depreciation of all assets deemed not to be in a satisfactory standard, ie conditions 4 and 5.

The total infrastructure backlog calculated at the end of the 2022/23 financial year was \$34.26M, which is down from the 2021/22 figure of \$52.15M.

## Buildings and Other Structures

Estimate of cost (at current values) to bring these buildings/major facilities up to a satisfactory standard.

The total estimated cost to bring these facilities to a satisfactory condition is \$1,270,000, up from \$531,000 in 2021/2022.

Required Annual Maintenance.

The required annual maintenance for these buildings and other structures is \$230,000, with the 2022/2023 expenditure \$353,000.

### ROADS



Estimate of cost (at current values) to bring these roads/structures up to a satisfactory standard.

The total cost to bring these asset types to a satisfactory standard is:

- Sealed roads \$17,586,000 down from \$25,683,000 in 2021/2022
- Unsealed roads \$4,922,000 down from \$11,813,000 in 2021/2022
- Bridges \$7,793,000 down from \$11,510,000 in 2021/2022
- Footpaths \$128,000 up from \$119,000 in 2021/2022
- **Total \$30,429,000 down from \$49,125,000 in 2021/2022**

Required Annual Maintenance.

The required annual maintenance for the road assets is \$4,292,000, with the 2022/2023 expenditure \$3,489,000.



## **STORMWATER DRAINAGE**

Estimate of cost (at current values) to bring these drainage facilities up to a satisfactory standard.

The estimated cost to bring drainage to a satisfactory standard is \$1,350,000, which is up from \$1,246,000 in 2021/2022

Required Annual Maintenance.

The required annual maintenance for these drainage systems is \$49,000, with the 2022/2023 expenditure \$106,000.

## **WATER & SEWERAGE**

Council operates water and sewerage schemes in Kyogle, Bonalbo and Woodenbong.

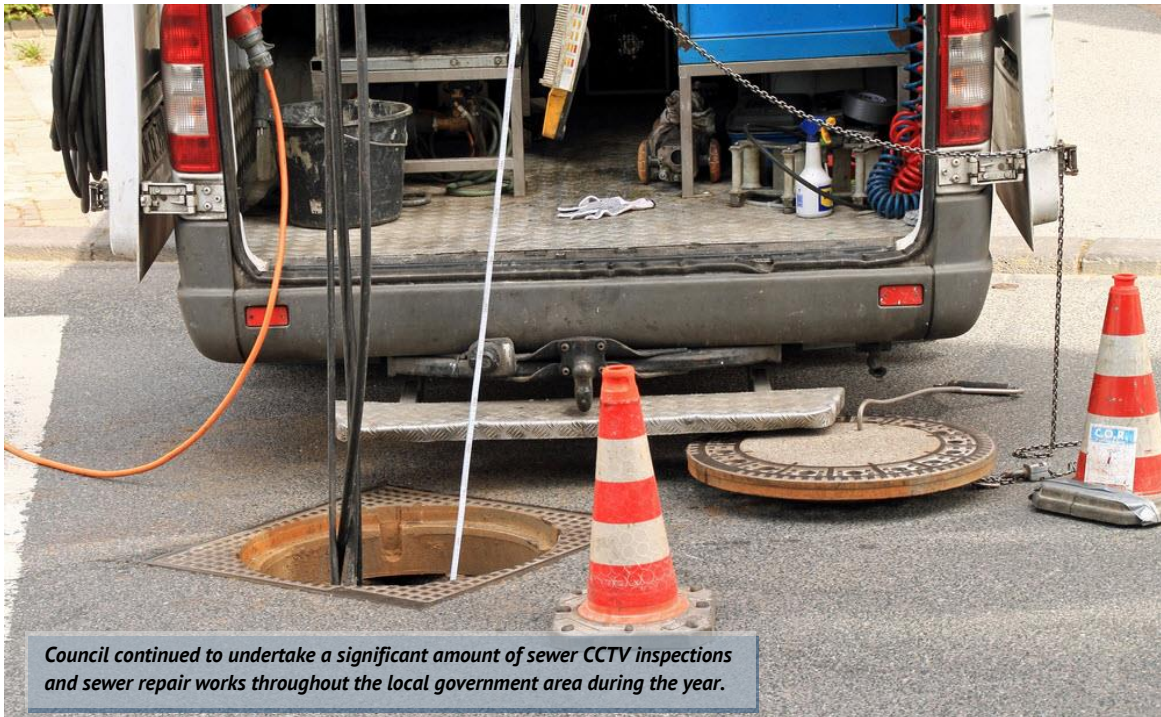
Estimate of cost (at current values) to bring these water and sewerage facilities up to a satisfactory standard.

The total cost to bring these asset types to a satisfactory standard is;

- Water \$21,000 up from \$20,000 in 2021/2022
- Sewer \$1,186,000 down from \$1,223,000 in 2021/2022
- **Total \$1,207,000 down from \$1,243,000 in 2021/2022**

Required Annual Maintenance.

The required annual maintenance for these systems is \$513,000 with the 2022/2023 expenditure \$731,000.



## **SWIMMING POOLS**

Council operates swimming pools in Kyogle, Bonalbo and Woodenbong.

Estimate of cost (at current values) to bring these swimming pool facilities up to a satisfactory standard.

The total cost to bring these asset types to a satisfactory standard was zero, as all existing assets were deemed to be of a satisfactory standard.

Required Annual Maintenance.

The required annual maintenance for these swimming pools is \$64,000 with the 2022/2023 expenditure \$60,000.

# Cost of Legal Proceedings

Cl 217(1)(a3)

## Legal Costs - Outstanding rates and charges/seeking legal opinions legal action

### Summary of Legal Proceedings

Council conducted the recovery of overdue rates and outstanding debts in 2022/2023. These costs are added to the outstanding balance and recovered. The amount expended on this activity was \$21,406.39.

Legal expenses were incurred for the purposes of representing Council in legal proceedings and in seeking legal opinions on various issues coming before Council, advice on contracts, property transfers, road realignments and investigation of illegal structures and animal control. The amount expended on this activity was \$26,405.00

The total cost of the above legal proceedings was \$47,811.39.



*The view looking west from Deep Creek Road.*

## Mayoral & Councillor Fees, Expenses & Facilities/ Senior Staff Contracts /Overseas Travel/Training and Professional Development

Section 428(4)(b), cl 217(1)(a), cl 217(1)(a1), cl217(1)(b)

### Fees and Expenses relating to the Mayor and Councillors

Under the Local Government Act 1993, Councillors are to be paid an annual fee, payable monthly in arrears. The Mayor is entitled to receive a fee in addition to the Councillor annual fee for the responsibilities of that office.

<b>Expense/Allowance</b>	<b>2022/2023</b>
Mayoral Allowance including Deputy Mayoral Allowance	25,300.00
Councillors fees	104,380.65
Superannuation	13,194.02
Travel allowance	10,484.23
Provision of office equipment & supplies	Nil
Telephone expenses	3,373.24
Conference and Seminar expenses	7,827.27
Sundries and IT expenses	9,960.04
Councillor sustenance	2,858.58
Expenses of spouses	Nil
Overseas visits	Nil
Childcare expenses	Nil
<b>TOTAL</b>	<b>177,378.03</b>



*Kyogle Council Mayor Cr Kylie Thomas at the Country Mayors' Association Skills Forum with, from left, Blayney Shire Council Mayor Scott Ferguson, Liverpool Plains Mayor Doug Hawkins OAM and Parkes Mayor Ken Keith OAM.*

### Councillor Expenses and Facilities

Council has developed a Policy for the Payment of Expenses and Provision of Facilities for Councillors. This policy addresses the provision of expenses to be paid in relation to approved travel outside the Kyogle Council area, travel involving the use of private vehicle, reimbursement of the cost of Council related telephone calls. A copy of the policy can be read and downloaded from the Council website at [www.kyogle.nsw.gov.au](http://www.kyogle.nsw.gov.au).

### Councillor Training and Professional Development

Councillor	Attendance at Councillor Workshops/Briefings (9held)	Attendance at Financial/Code of Conduct Training
Cr Mulholland	7	2
Cr Burley	7	2
Cr Wilson	6	1
Cr Cooper	9	1
Cr Cullen	5	1
Cr Murray	8	2
Cr Thomas	7	2
Cr May	2	0
Cr Doolan	1	0

There was no overseas travel undertaken by any Councillors or senior staff representing Council during the 2022/2023 financial year.



*Politicians, Councillors, staff, and community members at the official opening of the new Cedar Point Bridge.*

### Senior Staff Contracts

There were three senior staff members as designated in the Local Government Act during the financial year ended 30 June 2023. The General Manager is employed under a performance-based contract. Total remuneration package for the General Manager was \$289,253.28 (includes salary, superannuation, and fringe benefits tax).

Total remuneration for senior staff other than the General Manager was \$603,910.73 (including salary, superannuation and vehicle costs).

**Statement of total number of persons who performed paid work on Wednesday 23 November 2022.** There were:

- 123 persons employed by the council on a permanent full-time, permanent part-time or casual basis or under a fixed-term contract
- 4 persons employed by the council as senior staff members,
- 6 persons engaged by the council, under a contract or other arrangement with the person's employer, wholly or principally for the labour of the person
- 14 persons supplied to the council, under a contract or other arrangement with the person's employer, as an apprentice or trainee

## Major Contracts Awarded

Section cl 217(1)(a2)

### Contracts Greater than \$150,000.

Council calls tenders for the supply of various services, including the supply of bitumen, cement stabilisation of roadworks, truck hire, and plant hire. Other purchases may be tendered as necessary throughout the year. Purchases greater than \$250,000 that are subject to formal tendering provisions are shown in the following table.

Supplier	Annual Expenditure (incl GST)
MJ Smith Ground Preparation	\$8,322,667.57
Grahams Quarry Cedar Point Pty Ltd	\$5,730,722.25
Ellis Stabilising Pty Ltd	\$5,554,923.93
Ozwide Bridge Rail & Civil Pty Ltd	\$3,543,964.70
The Control Group Pty Ltd	\$3,359,660.48
NSW Spray Seal	\$3,152,503.65
Kyogle Earthworx	\$3,146,902.76

<b>Supplier</b>	<b>Annual Expenditure (incl GST)</b>
Farragher & Whitehead	\$2,790,014.13
Pan Civil	\$2,612,837.48
Fenwick Drilling Pty Ltd	\$2,487,163.32
Civil Consult	\$2,345,671.35
BCQ Pty Ltd	\$2,128,034.12
Kingsbrae Partnership Pty Ltd	\$1,864,003.43
NSW Treasury Corporation	\$1,636,680.16
Maslen Contractors Pty Ltd	\$1,571,656.00
HXR Pty Ltd	\$1,476,407.75
PayClear Services Pty Ltd	\$1,387,482.41
Richmond Sand, Gravel Landscape	\$1,281,248.27
Country 2 Coast Concreting Pty Ltd	\$1,246,991.38
North Coast Petroleum - Wholesale	\$1,234,054.19
Grahams Precast Concrete Products	\$1,190,629.00
Bromelton Quarry Pty Ltd	\$1,187,526.40
Nviroscope Pty Ltd	\$1,139,403.50
All Pavement Solutions Pty Ltd	\$1,121,347.68
Rpq Pty Ltd	\$1,100,496.35
Rodney Davis Bobcat Hire	\$1,047,513.50
Waeger Constructions Pty Ltd	\$1,038,004.00
Bentley Quarry	\$1,034,475.33
Wagners CFT Manufacturing Pty Ltd	\$999,310.58
Hgt Australia Ltd	\$995,964.61
James Frizelles Sunshine Automotive	\$956,550.94
Richmond Valley Council	\$853,739.63
Mineral Processing Solutions Pty Ltd	\$848,100.00
Public Works Advisory	\$814,957.06
Grahams Concrete	\$789,166.33
Roseberry Creek Farms	\$784,593.81
Versatile Earthworks	\$766,699.44
Vanderfield Pty Ltd	\$718,573.65
FJS All Builds Pty Ltd	\$701,608.84
RDO Equipment Pty Ltd	\$654,556.22
NORTEC Employment & Training	\$640,665.60
Road Safety Barriers Pty Ltd	\$617,463.08
IFind Underground Service Locations	\$593,657.20
Solo	\$572,204.95
Pirlo's Excavation	\$511,370.07
Statewide Mutual	\$486,646.08
Ezyquip Hire Pty Ltd	\$481,038.92
GRI Road Services Pty Ltd	\$478,928.67
Planit Consulting Pty Ltd	\$470,479.80
Conplant Hire	\$469,556.06
TT Construction Pty Ltd	\$467,460.16
S & F Murray Contracting	\$408,946.21



<b>Supplier</b>	<b>Annual Expenditure (incl GST)</b>
Far North Coast Conveyancing	\$399,151.61
D-Rex Excavator & Bobcat Hire	\$398,223.89
Wagners Cement Pty Ltd	\$356,420.88
Kyogle Council	\$351,384.39
Hitachi Construction Machinery	\$347,568.47
Piling & Concreting Australia (PCA) Pty Ltd	\$343,887.50
Regional Geotechnical Solutions Pty Ltd	\$342,576.30
Origin Energy	\$340,455.06
MJS Tipping	\$338,820.82
Allstate Linemarking Services Pty Ltd	\$338,739.40
Humes Ltd	\$336,348.78
Ahoy Traffic Control and Labour Hire Services Pty Ltd	\$334,065.72
Somerville Laundry Lomax Solicitors	\$323,957.14
Southern Queensland Steel Pty Ltd	\$316,122.51
Saunders Civilbuild Pty Ltd	\$305,189.50
Coops Tipper Hire Pty Ltd	\$300,192.75
Dept of Environment, Climate Ch	\$299,347.17
Essential Energy (Sluos)	\$271,300.07
State Cover Mutual Limited	\$269,890.58
MCTrucks Pty Ltd	\$260,494.84
Neumann Steel Pty Ltd	\$257,919.08
Lack Group	\$247,584.43
National Australia Bank - Loans	\$244,804.88
Altus Traffic Pty Ltd	\$221,229.44
Jo&Co Know How	\$215,412.94
Coates Hire	\$211,662.42
SV Carpentry	\$211,523.52
Boral Construction Materials	\$209,279.40
Mr B Harris	\$202,247.10
Andersons Engineering	\$199,161.48
Industrial Galvanisers	\$197,314.61
LDC Earthmoving & Equipment Pty Ltd	\$189,669.41
MoCrib	\$187,757.39
James Atkinson	\$178,356.00
Protest Geotechnical Pty Ltd	\$172,331.50
The Concreters Northern NSW Pty Ltd	\$164,950.03
Willplay Pty Ltd	\$163,295.91
Wicks & Parker Cranes Pty Ltd	\$162,263.93
Barrier Signs	\$158,610.52
Australian Soil & Concrete Tes	\$157,259.30
Mr J Miller	\$154,880.64
KIS Quarries	\$154,665.80
The Sustainable Advantage Pty Ltd	\$154,068.15
Smith Plant Hire (NSW) Pty Ltd	\$150,013.22



*A new shade sail is installed over playground equipment at the Woodenbong Recreation Reserve.*

## Modern Slavery Act 2018

Local governments have an important role to play in combating modern slavery, and local government entities are encouraged to voluntarily comply with the Modern Slavery Act, 2018 (the Act) where they have capacity to do so.

The Department of Home Affairs (the Department) advises that the Act explicitly excludes state and territory governments from the Reporting Requirement. Consistent with this approach, local government entities are not required to comply with the Reporting Requirement. This ensures that local government entities are treated in the same way as state and territory governments under the Act.

Although falling into the above category, Kyogle Council supports all endeavours to stamp out the serious exploitation of people in the manufacturing and supply of

goods and services and strongly supports the following statement from the Department;

*Modern slavery can occur in every industry and sector and has severe consequences for victims. Modern slavery also distorts global markets, undercuts responsible business and can pose significant legal and reputational risks to entities.*

Kyogle Council's procurement practice is to support the local economy where possible and to;

*To deliver quality outcomes at competitive prices while recognising the impact of procurement decisions on local industry and economic development*

*To ensure that all legislative and statutory requirements and guidelines are met in relation to tendering and procurement*

Council has adopted a Statement of Business Ethics and considers the business ethics of those we engage.

In May 2022 Council undertook a review of its investment partners' ethical and sustainable business practices, and was satisfied that all adhered to the Modern Slavery Act, 2018. A report on the review was presented to Council at the 14 June 2022 Ordinary meeting. A further review was undertaken, and a report was presented to Council 11 September 2023.



***A total of 119 cubic metres of shotcrete were applied to a landslip under the Geneva Bridge to stabilise the site while designs for a permanent fix were designed. The landslip under Geneva Bridge was one of scores of serious landslips which occurred as a result of the February- March 2022 floods.***

# Bushfire Hazard Reduction Programs

## Section 428(2)(1)

### Bushfire Hazard Reduction

Kyogle Council is a member of the Northern Rivers Local Emergency Management Committee (LEMC) and plays an active part with regular attendance by the nominated Local Emergency Management Officer (LEMO).

Kyogle Council is a member of the Northern Rivers Bush Fire Management Committee (BFMC) and plays an active part with regular attendance by senior staff.

Kyogle Council has staff member appointed to the Fire Access and Fire Trails (FAFT) subcommittee and plays an active part in updating the plan as required.

The Bushfire Risk Management Plan, prepared by the regional Bush Fire Risk Management

Committee identifies the different land tenure, vegetation types and land management practices and provides objectives and strategies for addressing bush fire risks in these areas.



*Aunty Kali explains how cool burnings work to protect the land, flora and fauna at a special youth screening of the film Cool Burning at the Kyogle library.*

During 2022/2023 hazard reduction carried out by Kyogle Council continued through its ongoing roadside slashing operations throughout the road network.

Council, where necessary, continues through its Development Assessment process, to control and in some cases restrict development of housing in areas where adequate fire protection zones cannot be established.

All new development in the Council area must conform to the Planning for Bushfire Protection Guidelines 2001.

Through its Local Emergency Management Committee, Council continues to support and encourage the development of evacuation and emergency plans.

Kyogle Council has identified a significant fire trail that is now listed as the number 1 priority for the Northern Rivers BFMC FAFT plan and awaiting full funding to implement (over Iron Pot to Peacock, over Mount Brown).

Kyogle Council in partnership with the RFS has had its Bushfire Prone Land mapping reviewed and endorsed by the Northern Rivers BFMC in 2023.

Kyogle Council is assisting in a review of Neighborhood Safer Places in preparedness for the bush fire season with a new location identified in Kyogle township at the last BFMC meeting and under consideration by the RFS.

NSW RFS mitigation crews have undertaken Asset Protection Zone (APZs) works around significant communication facilities in Kyogle LGA (Haystack, Mt Donaldson, Homeleigh & Mallanganee)

NSW RFS mitigation crews have undertaken community protection works through the Assist Infirm, Disabled and Elderly Residents program (AIDER) in Roseberry Creek, Wadeville & Tabulam and continue to attend jobs upon request.

The RFS and NSW National Parks and Wildlife Service (NSWNPWS) have recently undertaken a number of planned hazard reduction burns in the Richmond Range & Border Range Notational Parks. These hazard reduction burns are both for community protection (1400ha burn in Richmond Range NP) and environmental for the Eastern Bristle Bird population around the Border Ranges National Park.

NSW RFS supported Cultural Burning workshops hosted by Jagan Alliance in conjunction with the Local Aboriginal Land Councils in Tabulam. Workshops held at Tabulam Rural Fire Brigade Station and attended by brigade members.

NSW RFS supported Cultural Burning activities at Cine Cera (Border Ranges property) with Githabul Rangers and Local Land Services.

# Multicultural Services

## Section 428(2)(j)

The Council area's ethnic groups, and languages spoken as per the 2021 Census are set out in the tables below. Total population is 9,359

### Birthplace

Place of birth	Number	Proportion of total population
Australia	7,453	79.6%
England	266	2.8%
New Zealand	148	1.6%
Germany	53	0.6%
Philippines	45	0.5%
South Africa	30	0.3%

### Language spoken at home

Language	Number	Proportion of total population
English	8,140	87.0%
German	38	0.4%
Spanish	19	0.2%
French	17	0.2%
Italian	16	0.2%
Mandarin	13	0.1%
Japanese	11	0.1%



*A book Discussion Group meets at the Kyogle library once a month.*

The Roxy Gallery supports local emerging artists from culturally diverse backgrounds of all ages and abilities.

Council continues to sponsor events that cater to a wide cross-section of the community through sports, cultural activities and business development.



*Summerland Giant Pumpkin and Watermelon Festival is just one of many events across the LGA that Council supports.*

## Council Subsidised Private Works

Section 67(3), cl 217(1)(a4)

All private works undertaken by Council were carried out in accordance with the approved fees and charges and the works estimating and costing procedures as fixed by Council.

The scope of other private works carried out by Council included plant hire, supply and delivery of road materials, and minor sewer, drainage and water jobs and other general works. Income from the work was \$8,209.81

Private Works are documented by way of an “Private Works and Services Request” which details job description, location, application name, estimated cost, payment details and other relevant job information.



*Council had a community information stall at both the Woodenbong and Kyogle Shows this year, with staff able to provide visitors to the show with information about the new waste collection service, the threat posed by feral deer and fire ants, and how to prepare for natural disasters.*

## Financial Assistance Provided

### CI 217(1)(a5)

Grants provided by Council under Section 356 on the Local Government Act 1993 during the 2022/2023 Year are shown below. Appropriate advertisements are placed in Council's Newsletter and local media seeking applications from local groups and individuals. Council granted the following donations during the 2022/2023 year:



<b>ORGANISATION</b>	<b>VALUE</b>
Quarterly Determinations- (Various small grants determined by Council under Financial Assistance Policy)	\$42,126
Kyogle Historical Society	\$5,521
Australia Day Committee (Kyogle)	\$4,026
Australia Day Committee (Woodenbong)	\$4,026
Australia Day Committee (West)	\$4,026
Various Halls	\$8,136
Learn to Swim / Life Education	\$13,753
North Coast Academy of Sport	\$1,340
Kyogle Citizens Band	\$1,158
Kyogle NAIDOC celebrations	\$3,995
Kyogle Youth Ventures	\$2,802
Bonalbo Show	\$1,775
Woodenbong Show	\$1,775
Kyogle Show	\$1,775
Tabulam Preschool	\$1,657
Fairymount Preschool	\$1,657
Cawongla Preschool	\$1,657
Bundgeam Preschool	\$1,657
<b>TOTAL</b>	<b>\$102,862</b>



*Close to 30 people took part in a Walk and Talk along Fawcett Creek to launch Council's Flying-fox Habitat Project. The project involves flying-fox habitat restoration and creation on a 4.7-hectare site at the northern end of the Kyogle Recreation Reserve.*

# Activities to Implement Equal Employment Opportunity Management Plan

CI 217(1)(a9)

Kyogle Council is wholly committed to the principles of Equal Employment Opportunity and providing a workplace in which people are treated with fairness, dignity and respect. During the year the EEO Policy has been reviewed in consultation with the Consultative Committee and adopted by Council.

Council's Equal Employment Opportunity Management Plan establishes objectives, actions, targets and performance indicators which are focussed on eliminating and ensuring the absence of discrimination in employment on the grounds of age, race, sex, marital status, parenthood, carers' responsibilities, physical or mental impairment, and, religious or political affiliation, while promoting equal employment for women, members of racial minorities and physically handicapped persons.

The aim of Council's Equal Employment Opportunity Management Plan is to:

1. Demonstrate to staff and the community the commitment by management and the Council to Equal Employment Opportunity (EEO);
2. To ensure there is an understanding of Equal Employment Opportunity principles and to keep all staff informed of issues relating to the Equal Employment Opportunity Management Plan.
3. To ensure that the policies, procedures and practices of Kyogle Council promote the principles of Equal Employment Opportunity.
4. To ensure that all people have a right to be considered for a job, training opportunity, or other benefit for which a person is skilled or qualified.
5. Implement practices that ensure staff selections must be accurate, fair, accountable, systematic and based solely on merit.
6. Make staff aware that they are obliged to follow non-discriminatory practice and maintain a workplace free from discrimination.
7. Establish that Kyogle Council is a responsible employer, which is legally accountable for discrimination in employment matters.

The provisions of the Equal Employment Opportunity Management Plan are reflected in the following activities:

- Communication and awareness of EEO principles.
- Ensure recruitment processes are in accordance with EEO principles.
- Appointment, promotion and transfer processes are in accordance with EEO principles.

- Training and Development Procedures are in accordance with EEO principles.

### **Communication and Awareness**

Council ensures that all employees are aware of:

- EEO principles.
- Their responsibilities in relation to EEO principles.
- The existence of the EEO Management Plan and where it is located.
- Council’s intolerance of harassment in the workplace.

This has been achieved through communicating Council’s commitment to achieving EEO as part of Council’s induction program, and ensuring EEO awareness is a performance standard contained in all position descriptions which require all employees to observe and implement the principles and intent of EEO.

There is a performance measure in all staff reviews relating to awareness of EEO and compliance with EEO principals.

### **Recruitment Process**

Council ensures that the principles and intent of the Equal Employment Opportunity Management Plan are supported throughout the recruitment process by:

- Ensuring all positions vacant advertisements include a statement of inclusion and EEO principals
- Ensuring that those who convene interview panels are aware of and implement EEO principles throughout the recruitment process.
- Ensuring that those who convene interview panels comply with Council’s recruitment and selection procedures.



- Include knowledge and understanding of EEO principles as criteria for appointment to a supervisory position.

This has been achieved through ensuring EEO principles are included in interview skill training; ensuring interviews for management and supervisory positions include questions relating to EEO responsibilities; developing a competency assessment on EEO principles; and, including knowledge and understanding of EEO principles as an essential criterion for all positions with Council.

### **Appointment, Promotion and Transfer Processes**

In the appointment, promotion and transfer of employees, Council's Equal Employment Opportunity Management Plan ensures that:

- All appointments and transfers are based on merit and/or position related criteria.
- All employees who are injured at work and unable to return to their pre-injury duties are assessed fairly for suitable duties in accordance with their abilities.

This has been achieved through monitoring appointments, promotions and transfers to ensure they are based solely on merit and demonstration of the employee's ability to meet the criteria; when opportunities to act in higher positions are available they are assigned in accordance with EEO principles and Council's Higher Grade Duties procedure which establishes the process for selecting employees for relieving opportunities; and ensuring that suitable duties are offered based on the injured worker's functional capabilities in addition to worksite assessments where required.

Council's Workforce Management Plan has been developed and is being utilised to help with monitoring the aging workforce and succession planning for relevant roles

### **Training and Development Procedures**

Council ensures that training is arranged according to the needs of Council and individuals and complies with EEO principles.

This is achieved through organising training according to the needs of Council and individual employees career development considerations; organising, where practical, group training so that employees are given equal opportunity to participate at the same time; continuous examination of in house and external training courses and materials to ensure they are non-discriminatory and consistent with Council's EEO principles.

A council-wide training plan has been developed and endorsed by the Consultative Committee and includes trainees, apprentices and volunteers where relevant

Implementation of Council's Equal Employment Opportunity Management Plan is an ongoing commitment by Council to continue to review its policies and procedures on recruitment, selection, appointment, promotion, training and development, grievance and harassment functions to ensure the principles and intent of Equal Employment Opportunity are continually achieved.

## Organisations Having Delegated Authority

CI 217(1)(a6)

### County Councils

Kyogle Council was previously a member of the Far North Coast County Council that exercised functions in relation to noxious weeds control on its behalf. This County Council has now been merged into ROUS County Council and Kyogle Council has a Service Level Agreement with ROUS for the delivery of noxious weed control services. Kyogle Council is no longer formally a member of any County Council.



*A Rous County Council weed biosecurity officer was part of a team that worked on a tropical soda apple infestation which appeared following the floods.*

### Regional Library

Kyogle Council has delegated Richmond Valley Council as the administering Council for the Richmond Upper Clarence Regional Library.

### Other Groups

Council had formal arrangements with several local management groups for maintenance of parks and reserves and operations of caravan parks and camp grounds in the villages. A list appears below.

<b>Organisation</b>	<b>Comments</b>
Kyogle Lions Club	Organises Australia Day Activities
Woodenbong Australia Day Committee	Organises Australia Day Activities
West of Range Australia Day Committee	Organises Australia Day Activities
Bonalbo Hall Committee	Village Mowing and Maintenance and Bonalbo Caravan Park
Mallanganee & District Progress Association	Village Mowing and Maintenance and Mallanganee Campground
Old Bonalbo & District Progress Association and Old Bonalbo Soldiers Memorial Hall	Village Mowing and Maintenance
Woodenbong Progress Association	Village Mowing and Maintenance and Woodenbong Campground
Tabulam Turtle Divers	Village mowing and maintenance

## Controlling Interest in Companies & Joint Ventures

Cl 217(1)(a7), Cl 217(1)(a8)

### Companies in Which Council Has a Controlling Interest

Council did not have a controlling interest in any companies during the reporting period.

### Joint Ventures in Which Council Has an Interest

- Richmond/Upper Clarence Regional Library - Kyogle Council is involved in a jointly funded arrangement with Richmond Valley Council to provide library services through the management of the Richmond/Upper Clarence Regional Library.
- North-East Weight of Loads Group (NEWLOG) - Council is also a member of the North-East Weight of Loads Group. The constitution of the group specifies the Council as having a one tenth “ownership” of the group’s net assets. The stated objectives of the group include generally promoting the aims of reducing damage to Council and classified roads by policing vehicle weight limits.
- Statewide Mutual - pooling arrangement with various NSW local government authorities to acquire insurance coverage and best practice systems for risk management.

# Rates and Charges Written Off

## Clause 132

During 2022-2023, Council wrote off the following rates and charges.

Pension Write Offs (55% recovered from State Government \$193,525.68)	\$ 351,864.88
Rates, Charges and Interest	\$ 437.49
<b>TOTAL</b>	<b>\$ 352,302.37</b>

## Activities for Young People

Council controls three buildings that are used as pre-schools within the Council area. These buildings are included in Council's maintenance schedule, and have funding allocated to them on an annual basis for maintenance and upgrading. Council also provides assistance to other pre-schools run within the Council area in privately owned/licenced facilities.

Seven playgrounds and four sports fields are also maintained or managed by Council, some with the assistance of community groups. A series of improvements to these facilities have been completed during the year and this continues to be a focus for Council subject to available funds. The portable shade shelters continue to be well used and are available free of charge to community and sporting groups.

Council supported youth activities throughout the LGA in partnership with Kyogle Together, and with funding provided by the NSW Government for the Swoopin Season youth action project through the NSW Stronger Country Communities Program.



*The new shade sail over the playground at Woodenbong.*

Council provides a building free of charge and supports the activities of the Kyogle Youth Centre through a partnership with Kyogle Together. Financial support is provided to Kyogle Youth Ventures which provides mentoring for young people identified “at risk”.

The Roxy’s dedicated display space for emerging artists. The “Steppin’ Up” Gallery (located in the glass display area in the foyer on ground level) offers an opportunity for young and emerging artists and has showcased young artists living with a disability. In addition, three major Roxy Gallery exhibitions displayed the works of local youth artists.

Support was also given to reconciliation celebrations in Kyogle.

## Access and Equity Activities

### Cl 217(1)(d)(i)

Kyogle Council is committed to meeting the needs of its community. To assist in providing or advocating for appropriate and accessible services and facilities for its community, Council has adopted the Disability Action and Inclusion Plan 2017, Community Strategic Plan, Council also participates in the Kyogle Public Transport Working Group which is convened by Social Futures.

An access and equity activity is defined as one that assists Council to:

- Promote fairness in the distribution of resources, particularly for those most in need
- Recognise and promote people’s rights and improve the accountability of decision makers
- Ensure that people have fairer access to the economic resources and services essential to meeting their basic needs and improving their quality of life
- Give people better opportunities for genuine participation and consultation about decisions affecting their lives.

### Children

Council has undertaken a number of activities to improve services to children. These include:

- Continuing to implement work and projects identified in the Pedestrian Access and Mobility Plan.
- Conducting safety audits of children’s play areas and equipment
- Providing donations for pre-schools and playgroups, after school care, learn to swim and Life Education
- Delivery of children- specific programs through the Kyogle Library





## Youth

Council has undertaken a number of activities to improve services to youth. These include:

- Providing donations for young people to develop skills in their areas of expertise through the Financial Assistance Policy
- Convened meetings of transport working group project to facilitate affordable transport for young people
- Sponsorship of events for Youth Week
- Liaison, information sharing and supporting youth workers in the LGA including KYAC, formerly branded as Swoopin Season.
- On-going funding to Kyogle Youth Ventures
- Participation at regular meetings of the Kyogle Youth Interagency.
- Kyogle Council administers the Facebook page – Kyogle and Villages Future Food Producers – and promotes and shares ongoing opportunities through this medium.
- Continued operation of the “Stepping Up Gallery” – a dedicated gallery space for young and emerging artists.

## Older People

Activities undertaken to improve services to aged people include:

- Continued support of the Kyogle Community Centre for use by seniors organisations and the community

- Encouraging the provision of affordable transport of through participation in
- Roxy Gallery exhibitions featuring local works by older community members
- Liaison, information sharing and supporting aged care workers in the LGA
- Provided assistance through the Financial Assistance Policy for programs relating to older residents.
- Council’s adopted Local Strategic Planning Statement (LSPS) includes actions to support the growth of the local housing market and to identify options to extend choice in the market. The LSPS includes a commitment to commission a Housing Needs Assessment that will also consider access to support services for older people and those living with a disability.



*A ceramic vase by Mic Eales of Mallanganee’s Littlecreek Studio. Works by Mr Eales and his students featured in an exhibition at Council’s Roxy Gallery during March.*

### People with Disabilities

Activities undertaken to improve services for people with disabilities include:

- Encouraging the provision of affordable transport through participation in the public transport working group
- Delivery of projects across community buildings and parks and gardens with a focus on accessibility
- Exhibitions by young artists living with disabilities in the “Steppin Up” Gallery and Roxy Gallery

### Women

Activities undertaken to improve services for women include:

- Participation at regular meetings of the Kyogle Interagency – Anti-violence Alliance Planning and organising events that promote safe communities for women including the 16 days of activism against violence project
- Hosting an International Women’s Day breakfast in partnership with the Kyogle District Chamber of Commerce

## Community

Council has undertaken a number of activities to improve services to the community. These include:

- Distribution of a monthly newsletter to inform the public about council activities and community news
- Regularly updating Kyogle Council website and Facebook page to inform residents of Council news and promote Kyogle Local Government Area to people outside the area
- Facilitation of community and industry forums to inform council decision making and planning
- Regular attendance at community meetings.
- Promotion of recycling and waste management services
- Facilitation of cultural activities through provision of an art gallery and director that promote the work of local artists.
- Providing timely information and community organisations with funding enquiries. Development of centralised LGA-wide database.
- Participation in the Public Transport Working Group to assist with the provision of public transport for transport disadvantaged people.
- Continued support of Kyogle Together, Kyogle Family Support Services and Social Futures with activities and programs.
- Direct financial assistance for community groups and individuals and the provision of support for community funding applications



*Council and RSPCA staff visited local schools to share information with students on caring for pet cats and what it means to be a responsible pet owner.*

- Provision of traffic control and event establishment.
- Sale of works by local artists from the Roxy Gallery and Visitor Information Centre.
- Events calendar live on the Kyogle Council website that community can fill in. Development of Up For It events page for major public events.
- Ongoing community support to apply for funding to implement actions noted in the Visions of the Villages reports and other community priorities as they emerge.
- 4 x Facebook options for distribution of information – Kyogle Council; Council’s Roxy Gallery; Visitor Information Centre; Kyogle and Villages Future Food Producers.
- Kyogle LGA events regularly promoted in Council’s community newsletter and events promoted on the event calendar on Council’s website.
- Links to Kyogle and District Chamber of Commerce and local progress associations and directories included in Council platforms.
- Ongoing promotion to businesses and community groups of supports available for drought, bushfire, flood and COVID recovery.
- Ongoing Community Resilience Planning across the LGA in villages areas.
- Ongoing participation in flood recovery networks, online and in-person meetings to advocate community and business needs.
- Staff attend Kyogle and District Chamber of Commerce, Tidy Towns, Tabulam Progress Association, Bonalbo Progress, Mallanganee Progress & Woodenbong Progress meetings regularly.
- Participation in Domestic Violence prevention group which meets quarterly and has a large representation from the services provided in Kyogle LGA.
- Kyogle Transport Working Group meets quarterly and has representation from transport providers and services developing transport options for targeted groups in the community.



*Kyogle Council hosted a Northern Rivers Local Emergency Management Committee information session for Community Responder Groups at the Roxy Gallery at the beginning of the year.*

- Kyogle Aboriginal Advisory Group provides an ongoing forum to implement collaborative projects.
- Council received two Community Recycling Stations to encourage correct disposal of problem household items such as batteries, light bulbs, printer cartridges, glasses and mobile phones. The CRS are located in the Kyogle Library and Bonalbo Community Hall.
- Council sponsors a range of events that have an economic impact through the Economic Development operating budget.
- Council has adopted its Local Strategic Planning Statement, which signposts a number of LEP revisions that will support business growth and economic development.



*A total of 400 trees were planted along Fawcetts Creek, opposite the Kyogle Recreation Reserve, by community volunteers as part of a collaborative project initiated by Council to restore 1 ha of riparian vegetation along the creek.*

# National Competition Policy

Council has declared that the following are business activities:

## Category 1 Business Activities

- Transport

## Category 2 Business Activities

- Water
- Sewer
- Quarries
- Domestic Waste

## Expenses, Revenues and Assets for Category 1 Business Activities

Competitive neutrality principles have been applied to Council's Business Activities through the development of a corporatised model. These principles include the factoring in of applicable commercial entity employee on-costs; taxation equivalent payments and removal of costs not imposed in the commercial sector.

Applying the full impact of competitive neutrality principles noted above, the revenues, expenses and assets at 30 June 2023 for the Category 1 business activity is:

Revenue	(\$,000)	8,067
Expenses	(\$,000)	8,335
Assets	(\$,000)	(778)

## Implementation of Competitive Neutrality Principles

Summary of progress to implement principles of Competitive Neutrality:

- Council has established a complaints handling system for competitive neutrality issues.
- Separate internal reporting has been established for each business activity
- Introduced implementation of full cost attribution
- Introduced system to make subsidies to business activities an explicit transaction
- Council complies with the same regulations as the public sector

## Competitive Neutrality Pricing Requirements in Relation to Category 1 Business Activities

Category 1 business has full cost attribution to satisfy competitive neutrality requirements.

### **Complaints Handling Mechanism for Competitive Neutrality Complaints**

Council adopted a Complaint Handling Policy in February 2006. This policy covers all formal complaints including Competitive Neutrality Complaints. Council's Electronic Complaints System records, tracks and reports on all verbal and written requests and complaints.

### **Actual vs. Projected Performance for Category 1 Activities**

Council has maintained a breakeven budget for its Category 1 Activity

## Stormwater Management Services

CI 217(1)(e)

Council has continued to implement strategies identified in the Urban Stormwater Strategy for Kyogle, the Kyogle Integrated Water Cycle Management Strategy and the Kyogle Floodplain Risk Management Plan.

Council collected revenue of from the Stormwater Special Rate in 2021/22.

## Public Interest Disclosure Act 2022

New Public Interest Disclosures legislation commenced in October 2023. An updated policy is being presented to council for adoption in November 2023

The General Manager ensures all staff are aware of their responsibilities under the PID act via;

- New staff induction
- Staff training

There were no public interest disclosures made during 2022-2023.

## Code of Conduct Complaints

Under Part 11 of the Kyogle Council Code of Conduct and Procedures for the administration of the Code of Conduct, the General Manager must report annually to Council on code of conduct complaints.

Model Code of Conduct Complaints Statistics		
Kyogle Council		
Number of Complaints		
1	a The total number of complaints <b>received</b> in the period about councillors and the General Manager (GM) under the code of conduct	8
	b The total number of complaints <b>finalised</b> in the period about councillors and the GM under the code of conduct	6
Overview of Complaints and Cost		
2	a The number of complaints <b>finalised at the outset</b> by alternative means by the GM or Mayor	0
	b The number of complaints <b>referred to the Office of Local Government (OLG)</b> under a special complaints' management arrangement	0
	c The number of code of conduct complaints <b>referred to a conduct reviewer</b>	8
	d The number of code of conduct complaints <b>finalised at preliminary assessment</b> by conduct reviewer	0
	e The number of code of conduct complaints <b>referred back to GM or Mayor</b> for resolution after preliminary assessment by conduct reviewer	0
	f The number of finalised code of conduct complaints <b>investigated by a conduct reviewer</b>	6
	g The number of finalised complaints investigated where there was found to be <b>no breach</b>	1
	h The number of finalised complaints investigated where there was found to be a <b>breach</b>	5



i	The number of complaints referred by the GM or Mayor <b>to another agency</b> or body such as the ICAC, the NSW Ombudsman, OLG or the Police	6
j	The number of complaints being investigated that are <b>not yet finalised</b>	2
k	The <b>total cost</b> of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	25,075

### Preliminary Assessment Statistics

3	The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:	
a	To take no action (clause 6.13(a) of the 2020 Procedures)	0
b	To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2020 Procedures)	0
c	To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2020 Procedures)	0
d	To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2020 Procedures)	1
e	To investigate the matter (clause 6.13(e) of the 2020 Procedures)	7

### Investigation Statistics

4	The number of investigated complaints resulting in a determination that there was <b>no breach</b> , in which the following recommendations were made:	
a	That the council revise its policies or procedures	0
b	That a person or persons undertake training or other education (clause 7.40 of the 2020 Procedures)	0
5	The number of investigated complaints resulting in a determination that there <b>was a breach</b> in which the following recommendations were made:	
a	That the council revise any of its policies or procedures (clause 7.39 of the 2020 Procedures)	0

b	In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.37(a) of the 2020 Procedures)	0
c	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.37(b) of the 2020 Procedures)	0
d	In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.37(c) of the 2020 Procedures)	2
6	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	3

### Categories of misconduct

7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:

a	General conduct (Part 3)	2
b	Non-pecuniary conflict of interest (Part 5)	0
c	Personal benefit (Part 6)	0
d	Relationship between council officials (Part 7)	3
e	Access to information and resources (Part 8)	0

### Outcome of determinations

8	The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewer's recommendation	0
9	The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG	0

# Government Information (Public Access) Act 2009

## **Review of Release of Government Information Under s.7 (3) of GIPA**

Kyogle Council has reviewed the type of information held by Council that should be made publicly available and is satisfied that all such information is currently available to the public where reasonable to do so.

## **Number of Applications Received During 2022/23**

163 access applications were received during the 2022/23 reporting period.

## **Number of Applications Received During 2022/23 and Refused**

Nil

## **Completed Annual Report Tables for the 2022/23 Reporting Period**

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm / deny whether information is held	Application withdrawn
Media	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Members of Parliament	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Private sector business	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Not for profit organisations or community groups	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Members of the public (application by legal representative)	110	Nil	Nil	2	Nil	Nil	Nil	Nil
Members of the public (other)	53	Nil	Nil	4	Nil	Nil	Nil	Nil

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm / deny whether information is held	Application withdrawn
Personal information applications	34	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Access applications	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

(other than personal information applications)								
Access applications that are partly personal information & partly other	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil

<b>TABLE C: Invalid applications</b>	
<b>Reason for invalidity</b>	<b>No of applications</b>
Application does not comply with formal requirements (section 41 of the Act)	Nil
Application is for excluded information of the agency (section 43 of the Act)	Nil
Application contravenes restraint order (section 110 of the Act)	Nil
Total number of invalid applications received	Nil
Invalid applications that subsequently became valid applications	Nil

<b>TABLE D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 to Act</b>	
	<b>Number of times consideration used</b>
Overriding secrecy laws	Nil
Cabinet information	Nil
Executive Council information	Nil
Contempt	Nil
Legal professional privilege	Nil
Excluded information	Nil
Documents affecting law enforcement and public safety	Nil
Transport safety	Nil
Adoption	Nil
Care and protection of children	Nil
Ministerial code of conduct	Nil
Aboriginal and environmental heritage	Nil

	Number of occasions when application not successful
Responsible and effective government	Nil
Law enforcement and security	Nil
Individual rights, judicial process and natural justice	Nil
Business interests of agencies and other persons	Nil
Environment, culture, economy and general matters	Nil
Secrecy provisions	Nil
Exempt documents under interstate Freedom of Information legislation	Nil

	Number of applications
Decided within the statutory timeframe (20 days plus any extension)	199
Decided after 35 days (by agreement with applicant)	Nil
Not decided within time (deemed refusal)	Nil
<b>Total</b>	<b>199</b>

	Decision varied	Decision upheld	Total
Internal review	Nil	Nil	Nil
Review by Information Commissioner	Nil	Nil	
Internal review following recommendations under section 93 of Act	Nil	Nil	Nil
Review by ADT	Nil	Nil	Nil
<b>Total</b>	<b>Nil</b>	<b>Nil</b>	<b>Nil</b>

	Number of applications for review
Applications by access applicants	Nil
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	Nil

## Environmental Planning and Assessment Act

Kyogle Council has not entered into any planning agreements during the 2022/2023 year.

## Carers Recognition Act 2010

S8(2)

Kyogle Council does not provide services directed at carers and/or people being cared for by carers.

## Enforcement & Compliance with Companion Animals Act

Reg cl217(1)(f) & Companion Animals Act 1998

### Lodgement of pound collection data with the Department of Local Government

Summary of Pound Data for 2022/2023	Cats	Dogs	Total
Seized & transferred to Council's Facility	0	5	5
Returned to Owner	1	10	11
Abandoned or stray	0	0	0
Surrendered by Owners	0	1	1
Released to Owners	0	2	2
Euthanized	0	2	2
Sold	0	1	1
Released for rehoming	0	1	1
Died at Council's Facility	0	0	0
Stolen or Escaped from Council's facility	0	0	0

### Lodgement of data relating to dog attacks with the DLG

Council has a procedure in place to notify the Department when council officers have investigated complaints of dog attacks. Statistics relating to dog complaints appear below:

### Complaints received

Nuisance Dogs	Aggressive Dogs	Warning Notices issued	Declarations made
76	48	21	11

### **Animal management/activities expenditure**

Expenditure for animal management for the 2022/2023 financial year was \$164,444.

### **Companion animal's community educations programs**

Council produces a monthly newsletter which is distributed to all residents. This newsletter regularly contains articles relating to the provision of care for dogs and cats. Council is also partnering with NSW RSPCA to deliver their 'Keeping Cats Safe at Home' Program across the Kyogle local government area.



*Council continues to partner with RSPCA NSW for the Keeping Cats Safe at Home program.*

### **Strategies to promote and assist with de-sexing of dogs and cats**

Council does not currently have any strategies in place to promote and assist with de-sexing of dogs.. Council is partnering with the NSW RSPCA to deliver a free cat desexing program. 209 cats were desexed in 2022/23 under the Program.

### **Strategies to seek alternatives to euthanasia for unclaimed animals**

Council complies with the provisions of the *Companion Animals Act 1998* which require Council to seek to rehome animals rather than euthanasia. As per the provisions of the Act, declared dangerous or menacing dogs may be euthanised.

### **Off leash areas provided in the Council area**

Council acknowledges the importance of providing areas where dogs can walk/run without being on a leash and as such provides the following designated areas within the Council area:

- Bonalbo - Recreation Oval
- Tabulam - Recreation Oval
- Woodenbong - Recreation Oval
- Mallanganee - Old Caravan Park
- Wiangaree - Rodeo Ground
- Kyogle - Recreation Reserve - Fawcetts Creek

### **Use of the Companion Animals Fund money**

Council received \$7,752.80 from the Companion Animals Fund for the 2022/2023 year which was used towards the wages of a full-time Compliance Officer and general companion animal compliance.



# Kyogle Council

## Disability Inclusion Action Plan

Council is required to provide a brief report on the implementation of council's Disability Inclusion Action Plan (DIAP). The following tables provide information on the actions and progress in the implementation of Council's DIAP.

i. Building positive attitudes	
1	Utilising the 'Inclusiveness Module' for Induction Training of Council staff.
2	Ensured all disability inclusion actions have an awareness and account for Aboriginal cultural sensitivities that may affect opportunity for interaction or participation.
3	As position descriptions are updated, identification of physical, cognitive and interpersonal requirements inherent to each position are considered.
4	Included representative imagery of people with disability in Council's publications.
5	Recognised and incorporated disability inclusion requirements as part of Council's contractor procurement processes through distribution of "The tradies guide to good access".
6	Developed public messages and campaigns highlighting disability inclusion requirements and benefits to the community through the outdoor gym project and pool upgrades.
7	Actively involved people living with disability in Council's communication campaigns around specific projects including housing, physical activity and access to transport and employment.
8	Consistent with social equity principles, planned for the inclusion of people with disability service needs in guiding community development.

ii. Creating liveable communities

- 1 Identified indicative housing options that may be suited to people living with a disability or for older people by reviewing LEP provisions; Developer contributions and working with the Village communities through the Visions of the Villages Master Planning process.
- 2 Attended meetings of established working group of people with disabilities facilitated by Social Futures. Engaged with Real Art Works to support young artists with disabilities to exhibit in the Stepping Up Gallery.
- 3 MoU with North Coast Community Housing which includes issues regarding housing accessibility and affordability.
- 4 Developed social inclusion programs in partnership with third parties (including Social Futures and Real Art Works) to ensure older people and people with disability needs continue to participate as valued community members.
- 5 Continued to support the local Transport Working Group for local community transport planning purposes.
- 6 In partnership with the Transport Working Group developed and promoted a transport information resource kit for community distribution within Kyogle Council area via links to the "Going Places" website.
- 7 In partnership with the Transport Working Group identified options and implemented strategies to improve bus transport services within Kyogle Council area such as putting in new bus shelters in locations identified by the local community
- 8 Advocated improved access to key buildings and businesses within the LGA through ensuring funding applications for upgrades in include disability access considerations.
- 9 Planning for the review of the Council's *Pedestrian Access and Mobility Plan* (PAMP) with an extended focus on disability inclusion and mobility issues as identified through the Visions of the Village planning process
- 10 Ensured disability inclusion remained a key part of Council's village planning and community infrastructure project delivery

iii. Supporting access to meaningful employment

- 1 Promoted the benefits of a diverse workforce, including people living with a disability, to Council's organisation as a whole
- 2 Reduced procedural barriers to recruiting people from diverse backgrounds, including those living with a disability, without compromising any existing qualification, professional registration or Australian Standards requirements. During COVID working from home was instigated to support employees and reduce their risk of becoming ill.
- 3 Facilitated succession planning, where practicable, for older employees or those that may develop a disability during their work life with Council by implementing phased retirement plans. Employees looking to retire take on trainees and apprentices to ensure the transfer of skills and corporate knowledge whilst enabling the employee to reduce hours of work over time.
- 4 Encouraging people with a disability to apply for Council positions through statement on job advertisements (see #5)
- 5 Providing an explicit diversity commitment, including people with a disability, in job advertisements by including the words "Council is an equal opportunity employer and encourages applications from people with diverse backgrounds, people living with disabilities and indigenous Australians".
- 6 Pro-actively sought a diverse range of applicants, including appropriately qualified/experienced people with disability, for employment shortlists by encouraging people with a disability to apply for Council positions through statement on job advertisements (see #5)

iv. Accessible systems, information or processes

- 1 Council news and information is provided in a variety of accessible formats, including distribution of free hard copies throughout the local government area and electronic forms are available on Council's website.
- 2 Hearing facilities are provided during formal Council Meetings.
- 3 Provision of information through accessible platforms such as the web, Facebook and Council's Newsletter.
- 4 Continuing to implement e-Business initiatives to enable electronic access to development application and other Council processes such as payments.
- 5 Providing accessibility options information for builders and developers interested in developing within the LGA by distributing "The tradies guide to good access".
- 6 Mobile library services provide regular access to online and support services in our outlying villages.

## Appendix 1 - Kyogle Council Financial Statements

The Financial Statements and long form audit report will be available on Council's website in December 2023.

