



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

Date: Monday, 8 April 2024
Time: 2pm
Location: Kyogle Council Chambers, Stratheden Street, Kyogle

AGENDA

Ordinary Council Meeting

8 April 2024

Chris White
Acting 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 8 April 2024, 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

CHRIS WHITE
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.

Council acknowledges that this meeting is being held on the Traditional Lands of the Bundjalung people and we acknowledge elders, past and present and future.

Adopted by Council on 11 December 2006.
Resolution 111206/21

DISCLAIMER

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

CHRIS WHITE
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 left with Customer Service staff at Council's Administration Centre, sent to PO Box 11, Kyogle, NSW, 2474, or emailed to council@kyogle.nsw.gov.au.

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

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

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

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

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

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

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

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

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

Order Of Business

1	Open Meeting	9
2	Apologies and applications for a leave of absence by councillors	9
3	Opening Prayer	9
4	Acknowledgement of Country	9
5	Declaration of Interests	9
6	Public Forum	9
7	Confirmation of Minutes	10
	7.1 Council Report - 11 March 2024.....	10
8	Mayoral Minute	11
	Nil	
9	Notices of Motion	12
	9.1 Notice of Motion - Cr John Burley: Health and Wellbeing Hub.....	12
	9.2 Notice of Motion - Cr Janet Wilson: Review of Code of Meeting Practice	14
10	Questions with Notice from Councillors	16
	10.1 Questions With Notice.....	16
11	Reports from Delegates	19
	11.1 Delegate's Report - General Manager's Recruitment and Review Sub Committee.....	19
12	Information Reports	21
	12.1 Monthly Finance Report - March 2024	21
	12.2 Works Program Progress Report - March 2024.....	28
13	Staff Reports	33
	13.1 Draft Operational Plan 2024/2025 and Delivery Program 2024/2028	33
	13.2 Six Monthly Review of Delivery Program and Operational Plan 2023/2024	35
	13.3 Bonalbo Floodplain Risk Management Plan and Study	36
	13.4 Re-scoping the Kyogle Health and Wellbeing Hub	38
	13.5 Climate Change Adaptation Strategy and Action Plan.....	41
14	Urgent Business Without Notice	44
15	Confidential Business Paper	44
	Nil	
16	Close of Meeting	44

- 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 - 11 MARCH 2024**

Author: Executive Assistant

Authoriser: General Manager

Attachments: 1. **Minutes 11 March 2024 Ordinary Meeting (under separate cover)** [↓](#)

**RECOMMENDATION**

That Council confirms the minutes of the Council meeting of 11 March 2024.

PURPOSE / SUMMARY

This report presents the minutes of the 11 March 2024 Ordinary Meeting to Council for confirmation.

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION**9.1 NOTICE OF MOTION - CR JOHN BURLEY: HEALTH AND WELLBEING HUB****Attachments: Nil****MOTION**

That Council proceeds with calling tenders for the Kyogle Health and Well Being Hub project based on the current completed design to enable the consideration of tenders by Council before the commencement of the Local Government election caretaker period commencing Friday August 16, 2024.

RATIONALE

The proposed Kyogle Health and Well Being Hub has been strongly supported by Council and the community. The July/August 2021 Council Newsletter included an artist's impression of the proposed new complex within the Kyogle Memorial Pool site, and advised the community as follows;

Kyogle is to get a multi-purpose community sports stadium featuring a 25-metre indoor pool, a hydrotherapy pool, and community gym thanks to a \$4.5 million grant through the Bushfire Local Economic Recovery (BLER) Package. The Health and Wellbeing Hub, to be built on the Kyogle pool precinct, will also serve as an emergency evacuation centre for the wider district during natural disasters. Council will contribute \$1.5 million of its own funds to the \$6 million project, which has been designed to be fully accessible. Work on the Health and Wellbeing Hub, which has been on the drawing board in one form or another for a number of years, is expected to start next year and be completed by June 2023.

The General Manager has advised that the current deadline for the BLER is June 2025 for the completion of the project.

The March 2024 Works Program Progress Report states that the design has been finalised, an updated cost estimate has been sourced based on this design, and the project has been on hold due to the 2022 flood and associated recovery works. The report also shows that the remaining budget for the project in the current year is \$5.928 million, and that a variation application to extend project funding is underway. The report shows there is also \$340,000 in the current year's budget for pool renewals that are flagged as being available for repairs to the Kyogle pool concrete structures and filter system renewals.

The General Manager has advised that the external cost estimate was over \$9 million for construction including project management and contingencies, and that the funding partners have not provided approval for additional funding at this stage, but that this still remains a possibility, subject to the final costs and Council contribution.

For Council to be in the best possible position to obtain additional funding for the project, and to allow the project to be completed on time, there is an urgent need to get a market price through a tender process. This will allow both Council and the funding partner to consider funding for the project based on an actual price for construction. In order for this to occur, the tender process needs to be completed before the current Council enters its caretaker period, which starts in mid-August this year.

Project delays up to this point have been understandable, but this important recovery and future resilience project needs to now be given top priority.

STAFF COMMENT

It is noted that, in the rationale supporting the Notice of Motion, comment is made that "[additional funding for the project] still remains a possibility". In meetings with representatives of the funding

body held in January and February 2024, it was made unequivocally clear to Council officers that no additional funding for the project would be made available and that the timeline for completion of the project remains end of June 2025. The funding partner (NSW Government) now requires the submission of a project plan for a rescope proposal to be submitted by 30 April 2024, in order to provide confidence that a range of benefits envisaged under the original proposal can still be delivered.

Should Council proceed to tender with the current completed design, which has been estimated as costing over \$9 million by an independent Quantity Surveyor, it is not realistic to expect that the project will be affordable within the current budget of \$6 million – nor is it the case that additional funding will be made available to make up the substantial shortfall. The time taken in going out to tender would also effectively prevent Council from meeting the funder's requirement to submit a rescope proposal by 30 April 2024 – thereby jeopardising the \$4.5 million awarded to Council under the Bushfire Local Economic Recovery Fund. In these circumstances, however, Council would be able to consider reallocating its current funding commitment of \$1.5 million to other projects/initiatives.

The rescoping of the project to meet the requirements of the funding body is now a priority. It is proposed that this rescoping be accompanied by a master planning exercise for the wider precinct, which will protect and preserve the opportunity for delivery of all components of the current proposal in future stages.

9.2 NOTICE OF MOTION - CR JANET WILSON: REVIEW OF CODE OF MEETING PRACTICE

Attachments: Nil

MOTION

That Council:

1. Review the Code of Meeting Practice to address the changes in technology for, and public perception of, people living with disability;
2. Support this review by providing training for councillors through Hearing Australia.

RATIONALE

In November/December 2023, a research article was published in "Ear and Hearing" authored by Nure Alam, Mohammad, Dawes, Piers and Sinha Kampal from the University of Queensland and Macquarie University schools of Economics and Health and Rehabilitation Sciences.

This research provides evidence which reflects what is happening for Australians in regard to hearing health, a sensory disability.

The Kyogle local government area (LGA) statistics show that people living in this LGA are more than likely to experience hearing loss than the general population.

The above research shows that: "Around one in six Australians has some form of hearing loss, ranging from mild to complete hearing loss. That figure is expected to grow to one in four by 2050, due in a large part to the country's ageing population."

"Hearing loss affects communication and social engagement and limits educational and employment opportunities. Effective treatment for hearing loss is available in the form of communication training (for example, lipreading and auditory training), hearing aids and other devices."

The recent discriminatory behaviour displayed in the council chamber highlights the need for a review of the Code of Meeting Practice to support the inclusion of those living with a wide range of disabilities in the life of the council and the LGA.

Council has an opportunity to be a leader on policy development around expanding opportunities for many people who currently feel that their skill and knowledge are not being used to the fullest due to poor understanding of how people manage and live with disabling conditions.

Technology is outstripping the way in which people understand how sensory loss affects how people contribute to community life for example the next generation of assistance listening devices are glasses, further reducing the visibility of sensory loss. This is one small example of technology now being employed by a wide range of people living with disability.

Kyogle ticks many of the boxes identified as risk factors in the research document referred to in the opening paragraph of this report eg agricultural workers, mining workers, a high number of people over 60 years of age.

Governing depends largely on trust and respect and this has been tested in the extreme over the life of this council which depends on retired, older people to provide a volunteer workforce, both in the elected body as advocates and in the many not-for-profit organisations which provide vital services for residents.

This motion is to seek change in the council chamber and to set a higher standard of respect for those living with disability and who may wish to stand for elected office or contribute through a not-for-profit organisation for the common good across the LGA .

This motion attempts to reflect the diverse needs of people living with disability and to send a message to the constituency that Council respects and supports their inclusion in public life through volunteering and other ways that suits their need. In reviewing the Code, it is important to reflect diversity rather than particular conditions which may discourage some of our population from participating in public life and community organisations.

I declare an interest in this matter as a person who lives with sensory disability. My advocacy as a councillor provides a unique opportunity to shine a light on the many issues facing people living with disability.

STAFF COMMENT

Section 360 of the Local Government Act provides the following on the conduct of meetings of councils and committees

- (3) *A council must, not later than 12 months after an ordinary election of councillors, adopt a code of meeting practice that incorporates the mandatory provisions of the model code prescribed by the regulations. The adopted code may also incorporate the non-mandatory provisions and other provisions.*

A draft Code of Meeting Practice must be publicly displayed for a period of no less than 28 days. The public notice must specify a period of not less than 42 days after the date on which the draft code is placed on public exhibition during which submissions may be made to the Council.

It is the practice of Council to adopt a code as soon as practicable after a local government election, with the next election scheduled for September 2024.

Council's Disability Inclusion Action Plan includes the following points:

Creating liveable communities

- 8 *Advocated improved access to key buildings and businesses within the LGA through ensuring funding applications for upgrades include disability access considerations.*

Accessible systems, information or processes

- 2 *Hearing facilities are provided during formal Council Meetings.*

The motion may be best considered through the above mandatory processes and timeframes.

10 QUESTIONS WITH NOTICE FROM COUNCILLORS**10.1 QUESTIONS WITH NOTICE**

Author: Executive Assistant

Authoriser:

Attachments: Nil

The following questions on notice were received from Councillor Danielle Mulholland.

Question

When is the next waste contract up for renewal?

Response

The earliest renewal date for the domestic waste collection contract is 30 June 2030, however, the current contract allows for extension until 30 June 2033.

Questions

Can the red bin be picked up weekly and how much in additional charges would such a service cost?

How much would moving to a weekly bin collection option cost, for all bins?

Can the red bin be larger as a number of residents have reported that the current one is generally considered too small? Is there a larger option and what would be the cost associated with an upgrade?

Response

As stated above, the domestic waste collection contract is now in place until at least 30 June 2030, and requires the contractor to provide waste collection services in line with the current service delivery model. The contract does not allow Council to make major changes to the service delivery model, however, changing service frequency as proposed is considered unnecessary for the following reasons.

Council's 3-bin service is commensurate with the service provided by all other local councils in the Northern Rivers and the vast majority of councils across NSW. The volume of each type of bin provided and frequency of bin service is consistent with that recommended by the NSW Environmental Protection Agency and is designed to assist with achieving adopted goals under the NSW Waste and Sustainable Materials Strategy 2041 regarding reducing waste going to landfill and increasing rates of recycling.

An audit of bin usage was undertaken prior to implementation of the 3-bin service which showed that the majority of residential households in the Kyogle LGA generate up to 40L of landfill waste, 120L of recycling waste and 40L of food waste per week. Based on this finding, the base bin configuration of a 140L landfill bin, 240L recycling bin and 240L food and garden organics (FOGO) bin provides the majority of residents with ample capacity with a weekly FOGO and alternate fortnight recycling/landfill collection service.

The base bin configuration also means that Council is providing service at least cost to residents. Changing the frequency of service when there are no capacity issues for the majority of residents, means that residents would have to incur increased costs for service.

With regard to the red-lid bin, we understand that a 140L bin may be too small for larger households so bin service options to cater for larger household sizes which generate more waste are also included in the new service offering. If a 140 litre landfill bin is not enough capacity for a

family, the property owner may choose to have a 240 litre landfill bin instead. The cost of service is \$155 per year. Similarly, residents can request additional recycling and food and garden organics bins if required.

Question

What alternatives to conventional road base, have been investigated and can any new or emerging products/methods be adapted to our roads to enhance serviceability and longevity?

Response

Council has investigated many alternative products including but not limited to:

- Road base containing recycled glass produced by Lismore Council. This base was effective with some minor compliance issues but expensive and is no longer produce by Lismore Council.
- Polymer based products aimed at decreasing the frequency of grading on our unsealed roads. This product was increasing costs and having minimal effect on the level of service we provided.
- Foam bitumen which Council is currently using on the low-lying spots of the Clarence Way. This is an older product but the first time we have utilised it. The product will help the pavement deal with saturation and should provide a longer pavement life in the flood prone areas.

Question

Does Council have any plans regarding Australia's National Volunteers Week, to be held on 20th-26th May 2024?

Response

Council does not currently have any plans; however, discussions are occurring, and we can provide further information once plans are finalised.

Question

Was Council advised about the International Women's Day dinner at the Kyogle golf club on 20th March, and if so, when? Given that women from the Kyogle LGA and beyond were invited to celebrate the day, following the theme of inclusion, why weren't Councillors invited or advised so they could promote and/or attend the event?

Response

To the best of staff knowledge, Council did not receive any direct communications from the event organiser. Council did receive the Chamber of Commerce's regular newsletter and upon noting the event, placed information about it on council's events' calendar on the council website.

Question

How much will the panel of consultants and contractors for the provision of Urban Services and Urban capital works cost?

Response

This panel will operate similarly to the annual 'Plant and Equipment Hire' panel. Funds to be expended through the panel are part of existing operational, maintenance and capital works budgets.

Question

Will the Executive Director's position for Infrastructure and Works be advertised as it appears the panel mentioned above will support maintenance and construction associated with Council's urban services and assist Council with its significant Capital Works Program?

Response

Please see above response regarding the panel. The Director's position will be advertised shortly.

RECOMMENDATION

That Council receives and notes the report, Questions On Notice.

11 REPORTS FROM DELEGATES**11.1 DELEGATE'S REPORT - GENERAL MANAGER'S RECRUITMENT AND REVIEW SUB COMMITTEE**

Author: Councillor

Authoriser:

Attachments: Nil

SUMMARY / PURPOSE

To provide the Council with an update on the work to date of the General Manager's Recruitment and Review Sub Committee.

RECOMMENDATION

That Council:

1. Retain the services of Leading Roles for the recruitment of the General Manager;
2. Authorise the Mayor to enter into a contract with Leading Roles for the recruitment of the General Manager.

BACKGROUND INFORMATION

At the February 2024 Council meeting, the General Manager's Recruitment and Review Sub-Committee was reconvened with a mandate to initiate the recruitment process. The Sub-Committee comprises the Mayor, the Deputy Mayor, and Cr Rob Cullen. Subsequent to this directive, the Sub-Committee convened on March 4 and March 25 to undertake the requisite procedures, drawing on established practices within Kyogle Council and in consultation with Local Government NSW (LGNSW) and the Governance Officer.

REPORT**Agency Proposals Evaluation**

The Sub-Committee evaluated proposals from four external recruiting agencies: Six Degrees, Capstone, Arete, and Leading Roles. On 25 March, the Sub-Committee conducted online interviews with executives and managers from these agencies.

Key Findings and Considerations

The Sub-Committee found assurance in learning that the current remuneration package for the Kyogle General Manager was deemed highly appropriate. Furthermore, it was observed that the impending election period was expected to have minimal influence on prospective applicants. Notably, a neighbouring Council, despite concluding its recruitment process only last week, received more than 60 applications. Collectively, the recruitment agencies conveyed confidence in the likelihood of successfully filling the position, affirming the Kyogle Local Government Area's appeal to candidates of calibre.

Primary Objective

Central to the Sub-Committee's considerations was finding an agency with substantial expertise in local government recruitment. Emphasis was placed on familiarity with the unique challenges and advantages inherent to operating within the Northern Rivers region, particularly in the aftermath of natural disasters. A key consideration was the agency's track record of placing applicants who not

only remained in their roles, but also expressed satisfaction and alignment with their professional choices.

Agency Selection

Following careful deliberation, the Sub-Committee determined that Leading Roles was the best positioned to undertake recruitment for the General Manager. This decision was informed by Leading Roles' recent successful placements within Kyogle Council, notably in key administrative roles over the preceding 12 months. The agency's comprehensive package, without additional charges, coupled with their willingness to oversee and facilitate the interview process, underscored its suitability for the task.

Conclusion

In light of the evaluation process and the considerations outlined above, the Sub-Committee recommends engaging Leading Roles to lead the recruitment of the General Manager position within Kyogle Council.

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - MARCH 2024

Author: Manager Financial Services

Authoriser: General Manager

Attachments: 1. Monthly Finance Report - March 2024  

SUMMARY / PURPOSE

This report presents financial reports to Council for information.

RECOMMENDATION

That Council receives and notes the information contained in the report, *Monthly Finance Report – March 2024*.

BACKGROUND INFORMATION

Legislative Requirements

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

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

REPORT

The following information is presented for information only.

(A) Finance Reports

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

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

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

(B) Councillors' Travel Expenses Report

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

Kyogle Council



Financial Reports

31 March 2024

Rates Statement

Rates/Charges – Write Off's

Statement of Bank Balances

Summary of Investments

Councillor Travel

Councillor Conference & Seminars

General Manager Training

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

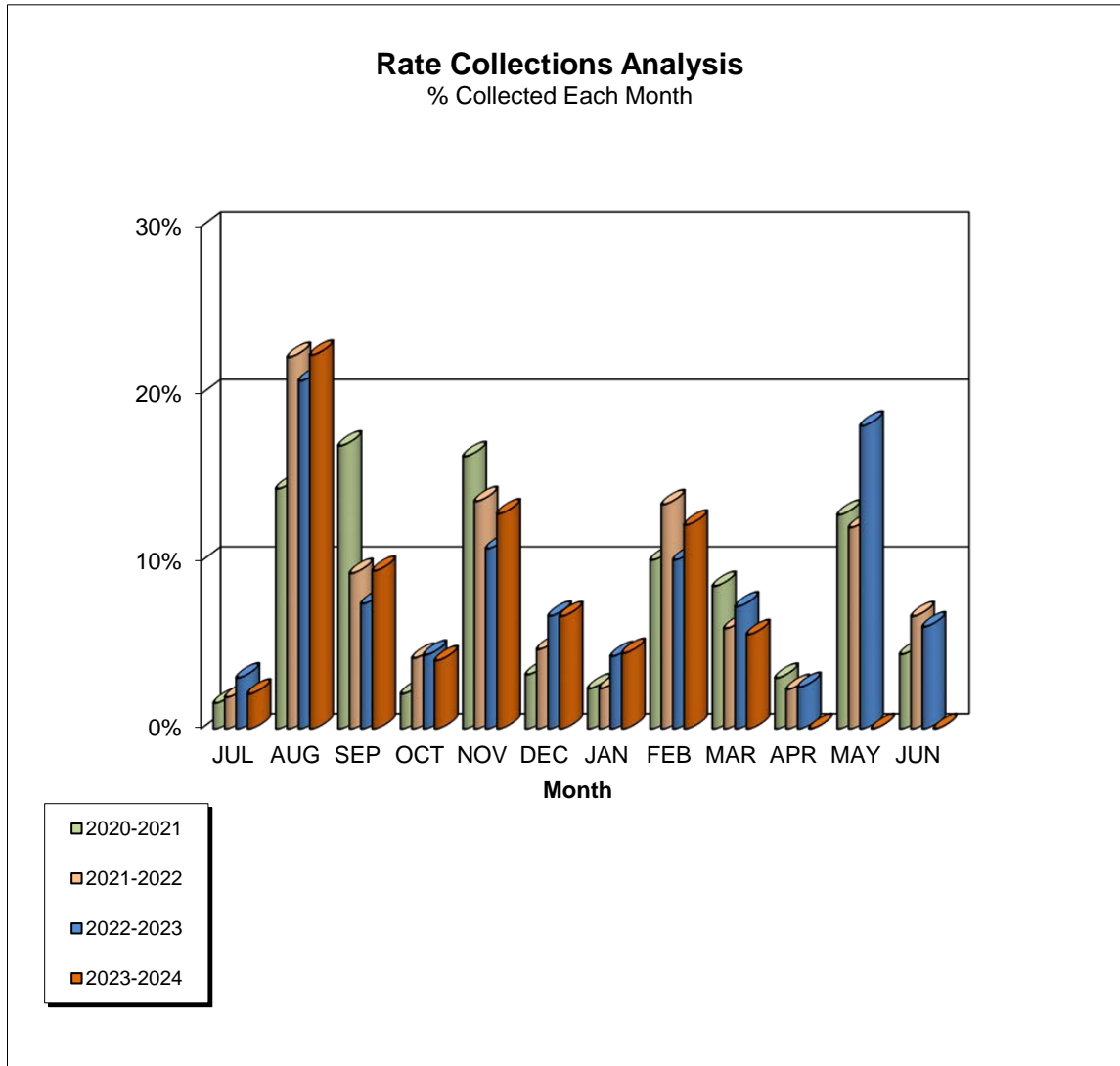
KYOGLÉ COUNCIL RATES STATEMENT AS AT 31 MARCH 2024

	ARREARS 1-Jul-2023	NET CHARGES 2023-2024	PAYMENTS	OUTSTANDING BALANCE 31/3/2024	ARREARS as at 31/3/2024	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2023-2024
RATES, SERVICES AND INTEREST	835,512.13	12,199,343.61	10,394,813.14	2,640,042.60	257,573.94	79.75%	69.17%

PRESENTED TO COUNCIL APRIL 2024

Note:

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

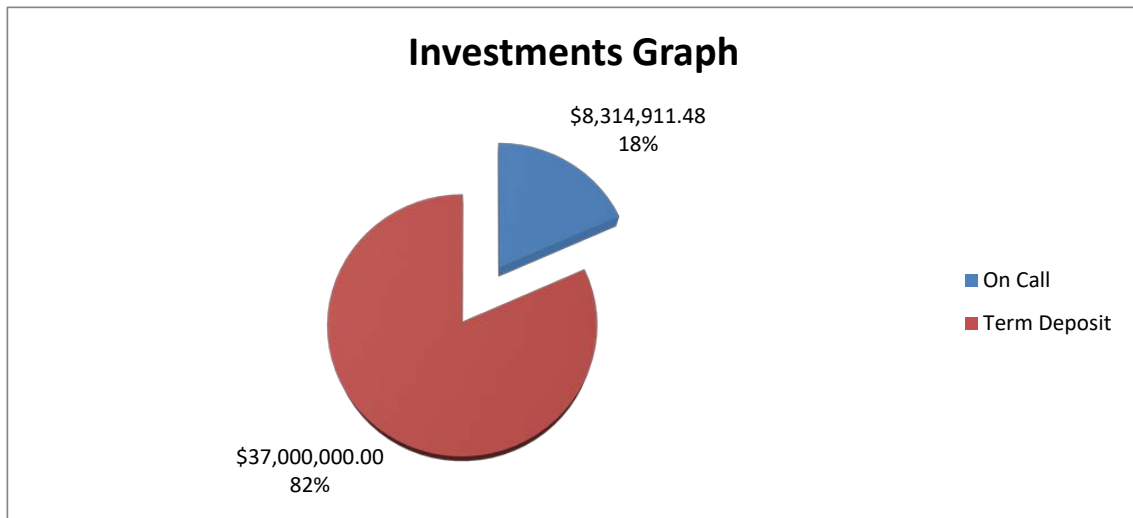


Write offs under delegated authority - Rates and Charges 2023-2024

July	August	September	October	November	December	January	February	March	April	May	June	Total Write Offs
\$ -	\$ -	\$ -	\$ 0.42	\$ -	\$ -	\$ -	\$ -	\$ 2.80	\$ -	\$ -	\$ -	\$ 3.22

Kyogle Council	
STATEMENT OF FUND BALANCES as at 31-Mar-24	
Fund	Closing Balance
General Fund	
Unrestricted	25,557,182.46
Internally Restricted	3,969,957.00
State Highways	(2,024,349.19)
Quarries	1,114,196.21
Plant	1,380,932.57
Externally Restricted	13,783,548.44
Total General Fund	43,781,467.49
Restricted	
Water Supplies	(28,951.51)
Sewerage Systems	1,334,165.18
Domestic Waste	195,645.38
Trust Fund	32,584.94
Total Restricted	1,533,443.99
Total Consolidated Funds at Bank	45,314,911.48

KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/03/2024								
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		8,314,911.48	18.35%
Total Cash at Call							8,314,911.48	18.35%
CBA	Cash Deposit	23-Jan-24	28-Mar-24	Fixed	Maturity	4.63%	6,000,000.00	13.24%
CBA	Cash Deposit	01-Feb-24	04-Apr-24	Fixed	Maturity	4.61%	3,000,000.00	6.62%
Suncorp	Term Deposit	11-Jan-24	11-Apr-24	Fixed	Maturity	4.95%	3,000,000.00	6.62%
Suncorp	Term Deposit	23-Jan-24	24-Apr-24	Fixed	Maturity	5.00%	6,000,000.00	13.24%
Suncorp	Term Deposit	25-Jan-24	02-May-24	Fixed	Maturity	5.00%	3,000,000.00	6.62%
NAB	Term Deposit	08-Feb-24	09-May-24	Fixed	Maturity	5.05%	2,000,000.00	4.41%
NAB	Term Deposit	29-Feb-24	16-May-24	Fixed	Maturity	4.90%	3,000,000.00	6.62%
Suncorp	Term Deposit	22-Feb-24	23-May-24	Fixed	Maturity	4.94%	2,000,000.00	4.41%
CBA	Cash Deposit	14-Mar-24	30-May-24	Fixed	Maturity	4.67%	3,000,000.00	6.62%
Suncorp	Term Deposit	07-Mar-24	06-Jun-24	Fixed	Maturity	4.95%	2,000,000.00	4.41%
NAB	Term Deposit	21-Mar-24	13-Jun-24	Fixed	Maturity	4.98%	4,000,000.00	8.83%
Total Cash at Call							37,000,000.00	81.65%
Total Investment Portfolio							\$45,314,911.48	
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	<u>Responsible Accounting Officer</u>							



**COUNCILLORS TRAVEL EXPENSES
Mar-24**

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Mar-24	YTD		Mar-24	YTD
K. Thomas	0	600	\$0.95	\$0.00	\$563.76
H. Doolan	0	0	\$0.81	\$0.00	\$0.00
J. Wilson	0	0	\$0.81	\$0.00	\$0.00
J. Burley	0	0	\$0.81	\$0.00	\$0.00
D. Mulholland	0	3,365	\$0.95	\$0.00	\$3,169.19
M. May	0	0	\$0.81	\$0.00	\$0.00
T. Cooper	388	4,229	\$0.95	\$387.60	\$4,229.40
R. Cullen	0	0	\$0.81	\$0.00	\$0.00
J. Murray	0	0	\$0.81	\$0.00	\$0.00
Total	388	8,194		\$387.60	\$7,962.35

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.

**Councillors Seminars & Conferences
1 September 2023 to 31 August 2024**

Description	Actual 2023-2024	Actual 2024-2025	Total
Seminars & Conferences - Cr Cooper	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Cullen	\$1,259.09	\$0.00	\$1,259.09
Seminars & Conferences - Cr Murray	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Doolan	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr May	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Thomas	\$1,013.83	\$0.00	\$1,013.83
Seminars & Conferences - Cr Wilson	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Mullholland	\$1,850.34	\$0.00	\$1,850.34
Seminars & Conferences - Cr Burley	\$54.00	\$0.00	\$54.00
	\$4,177.26	\$0.00	\$4,177.26

**General Managers Training
1 July 2023 to 30 June 2024**






Description	Actual 2023-2024
Salaries	\$0.00
Course Registration	\$3,968.49
Travel Expenses	\$490.61
Accomodation	\$270.32
Other	\$80.35
	\$4,809.77

12.2 WORKS PROGRAM PROGRESS REPORT - MARCH 2024

Author: Manager Financial Services

Authoriser: General Manager

Attachments:

1. **Kyogle Council Bridge Program Status report - March 2024**  
2. **Clarence Way Project - Bonalbo to Urbenville - Status Report - March 2024**  
3. **Works Program Progress Report - March 2024 (under separate cover)** 

SUMMARY / PURPOSE

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

RECOMMENDATION

That Council receives and notes the information contained in the report, *Works Program Progress Report – March 2024*.

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.



KYOGLÉ COUNCIL BRIDGE PROGRAM MONTHLY STATUS REPORT 2023/2024

REPORTING MONTH: March 2024

REPORT DATE: 28/03/2024

PROGRESS SNAPSHOT

TOTAL NUMBER OF TIMBER BRIDGES REPLACED = 86 of 92 (93.5%)

FCB DEED PERIOD ELAPSED – 144 of 149 weeks (96.6%) 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

- One bridge opened to traffic in March - Hansen Road
- Design completed for Round 2 FCB bridges and Risk Road Bridge

3 RISKS TO DELIVERY PROGRAM

- Weather conditions – wet weather is continuing to impact sites.
- The completion of the last remaining Group 1 bridges will be after the 30 April 2024 deed period. An extension of time variation has been submitted to TfNSW.

4 FIXING COUNTRY BRIDGES (FCB)

4.1 ROUND 1 GROUP 1 – KYOGLE COUNCIL MANAGED PROJECTS

4.1.1 BRIDGES

Sixty-five (65) of 69 have been replaced and opened to traffic. The below table summarises bridges in the construction stage:

BRIDGE ID	BRIDGE NAME	COMMENTS	EXPECTED COMPLETION
265-257	Hansen Road	All works complete in late March 2024	Complete
152-494	Yabbra Road Bridge	Piling complete – abutment works in progress. Prestressed girders in manufacturing.	May 2024
113-2687	Ryans Creek No.3 Bridge	Piling works completed. Abutment works in progress.	April 2024
291 - 315	Phelps Road Bridge	Piling works in progress.	May 2024
13-109	Bean Creek – Suffolks Bridge	Site preparation works in progress. Piling contractor programmed for early April start.	May 2024

1 of 2

Bridge Program Monthly Status Report – Mar 2024

4.1.2 BRIDGE TO PIPES

All bridge to pipe projects are complete.

4.2 ROUND 1 GROUP 2 BRIDGES

Ozwide Bridge Rail and Civil has been contracted for Design and Construction of the Group 2 bridges. Four of six bridges are completed and opened to traffic. Updates on the remaining bridges are in the table below:

BRIDGE ID	BRIDGE NAME	COMMENTS	EXPECTED COMPLETION
59-1056	Gradys Creek – Grieves Crossing	Geotechnical works complete. Designer finalising alignment option before repricing.	June 2025
59-11123	Gradys Creek – Lamonds No.1	Contractor has moved the start of construction to mid May 2024. Road closure will be in place during construction. Community notification will be released soon.	August 2024
141-62442	Kyogle Road – Little Back Creek	Bridge opened to traffic in late February. Clean up and line marking works remaining.	Complete – except site clean-up.

4.3 ROUND 2 GROUP 1 – BRIDGES

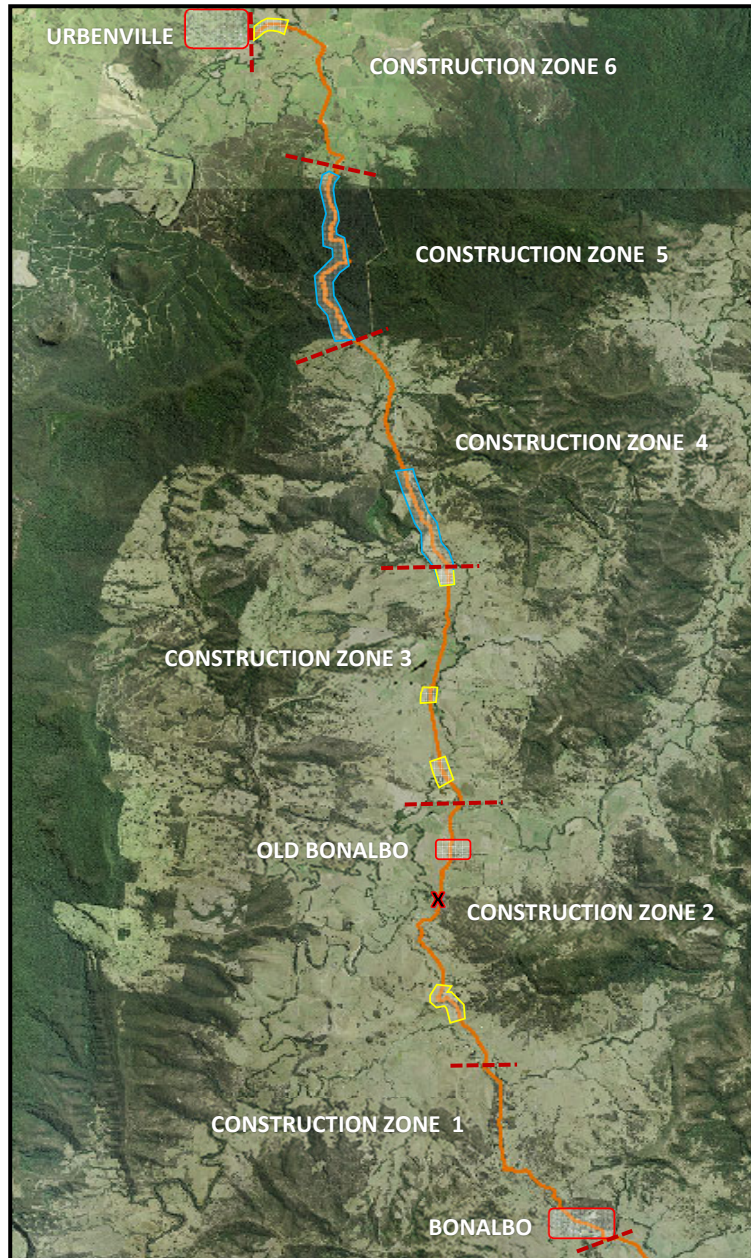
There are three bridges in the FCB Round 2 Program:

- The final design for Paddys Flat Bridge is complete. Procurement of construction materials and environmental review in progress.
- Babyl Creek and Duck Creek Bridges: Works still on track for mid-2024 start onsite.

5 OTHER BRIDGE REPLACEMENTS

Final design for Risk Road and Sugar Glider Road completed. Environmental review and materials procurement in progress.

No significant developments on the bridges in the \$12M TfNSW Regional Roads Program – focus is on completion of the FCB program.



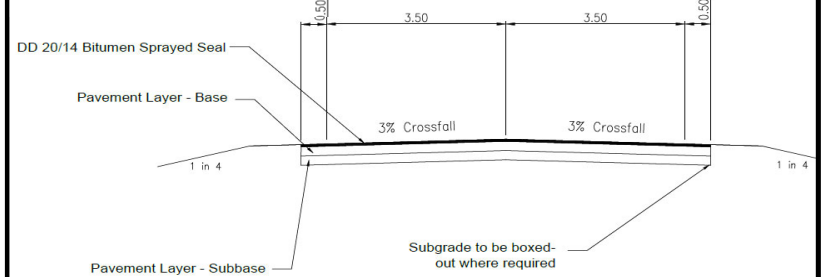
CLARENCE WAY MR361 RRUPP - PROPOSED TREATMENTS

- CZ 1 - 5.5km section from Bonalbo to WH Ralston Bridge (Sandy Creek) - Replace 2 large box culverts in Bonalbo. Reline, extend, and replace select culverts. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, and bitumen seal. Standard centre crown cross section with 8m seal on 8m formation.**
- CZ 2 - 7.5km section from WH Ralston Bridge (Sandy Creek) to Duck Creek Bridge - Raise the level of a stretch that is known to be inundated during flood. Foam bitumen stabilisation for inundation section. Replace Cooksons Bridge with box culvert. Reline, extend, and replace select culverts. Treat remainder with standard slag lime stabilisation, base overlay and bitumen seal. Standard centre crown cross section with 8m seal on 8m formation.**
- CZ 3 - 6.3km section from Duck Creek Bridge to Knockembandy Bridge (Bean Creek) - Standard centre crown cross section with 8m seal on 8m formation. Approximately 1.4km of low lying stretches to be raised, receive drainage improvements, and foam bitumen stabilisation. Reline, extend, and replace select culverts. The remainder of section 3 to be rehabilitated with standard slag lime stabilisation, base overlay and bitumen seal.**
- CZ 4 - 6.4km section from Knockembandy Bridge (Bean Creek) to Yabbra Scrub Southern boundary - Bean Creek cutting has been surveyed and will feature specific design that aims to widen the carriageway and improve the drainage conditions using a one-way crossfall cross-section with kerb and gutter. Reline, extend, and replace select culverts. Standard treatment for pavement stabilisation, base overlay and seal. Standard centre crown cross section with 8m seal on 8m formation for remaining stretch.**
- CZ 5 - 5km section from Yabbra Scrub Southern boundary to Yabbra Scrub Northern boundary - Yabbra Scrub has been surveyed, and has specific design being prepared. Design aims to widen road and improve the drainage to protect the pavements by implementing the one-way crossfall design with kerb and gutter. Reline, extend, and replace select culverts. Standard treatment for pavement stabilisation, base overlay and seal.**
- CZ 6 - 5.6km section from Yabbra Scrub Northern boundary to LGA boundary (Tooloom Creek) - Standard centre crown cross section with 8m seal on 8m formation. One low lying section to be raised and foam bitumen stabilised to provide flood resilience. Reline, extend, and replace select culverts. Standard treatment for pavement stabilisation, base overlay and seal for remaining length.**

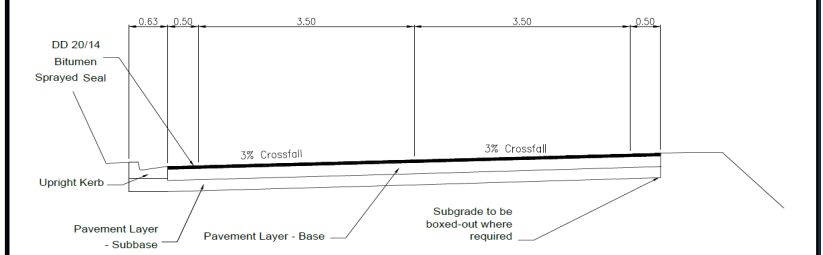
LEGEND

- CLARENCE WAY MR 361**
Standard treatment for pavement stabilisation, base overlay and seal. 
- TOWNSHIPS**
Bonalbo, Old Bonalbo, & Urbenville. 
- SURVEY & DESIGN - FLOOD**
Foam bitumen stabilisation.
Raise road level. Improve drainage. 
- SURVEY & DESIGN - ALIGNMENT**
Widening and improving drainage with one-way crossfall design with kerb and gutter. 
- COOKSONS BRIDGE TO CULVERT**
Replace old timber bridge with reinforced concrete box culvert. 
- EXTENT OF SECTIONS** 

STANDARD CENTRE CROWN CROSS SECTION



ONE-WAY CROSSFALL CROSS SECTION



STAGE	DESCRIPTION	CREW	STATUS	START	FINISH
CONSTRUCTION ZONE 1					
1	1.2km Bonalbo Tip/Cemetery	RC1	COMPLETE	SEP 2023	DEC 2023
2	1.3km Sandy Creek Road intersection	RC1	COMPLETE	DEC 2023	MAR 2024
3	1.1km Bonalbo Town	RC1	NEXT	JUL 2024	OCT 2024
4	1.9km North of Bonalbo Town	RC1	ACTIVE	MAR 2024	JUL 2024
DRAIN	Drainage upgrades Construction Zone 1	CC1	NEXT	APR 2024	MAY 2024
CONSTRUCTION ZONE 2					
1	1.2km North of Sandy Creek Bridge	RC5	PLANNED	JUN 2024	SEP 2024
2	1.5km Hootons Road intersection	RC5	PLANNED	MAR 2024	JUN 2024
3	1.8km Joes Box	RC4	NEXT	MAY 2024	OCT 2024
4	1.8km South Old Bonalbo	RC4	ACTIVE	JAN 2024	MAY 2024
5	1.3km Old Bonalbo	RC4	PLANNED	OCT 2024	JAN 2025
DRAIN	Drainage upgrades Construction Zone 2	CC2	ACTIVE	JAN 2024	JUL 2024
CONSTRUCTION ZONE 3					
1	1.8km Bean Creek Flood Zone	RC2	COMPLETE	OCT 2023	FEB 2024
2	1.3km North Duck Creek Bridge	RC2	ACTIVE	FEB 2024	MAY 2024
3	1.2km Bean Creek Road intersection	RC2	NEXT	MAY 2024	AUG 2024
4	1.9km South Knockembandy Bridge	-	CANCELLED	-	-
DRAIN	Drainage upgrades Construction Zone 3	CC1	COMPLETE	Oct 2023	DEC 2023
CONSTRUCTION ZONE 4					
1	1.1km North Knockembandy Bridge	RC5	PLANNED	DEC 2024	FEB 2025
2	1.3km South Mills Road intersection	RC5	PLANNED	SEP 2024	DEC 2024
3	1.9km North Mills Road intersection	-	CANCELLED	-	-
4	1km Bean Ck 3 Bridge to Bean Ck 4 Bridge	RC3	NEXT	APR 2024	JUN 2024
5	1km Bean Ck 4 Bridge to Yabbra Boundary	RC3	PLANNED	JUN 2024	SEP 2024
DRAIN	Drainage upgrades Construction Zone 4	CC1	ACTIVE	DEC 2023	APR 2024
CONSTRUCTION ZONE 5					
1	1km Yabbra Scrub	RC3	PLANNED	JUN 2025	AUG 2025
2	1.2km Yabbra Scrub	RC3	PLANNED	AUG 2025	OCT 2025
3	1.2km Yabbra Scrub	RC3	PLANNED	NOV 2025	JAN 2026
4	1km Yabbra Scrub	RC2	PLANNED	JUN 2025	AUG 2025
5	1.1km Yabbra Scrub	-	CANCELLED	-	-
DRAIN	Drainage upgrades Construction Zone 5	CC2	PLANNED	JUN 2025	NOV 2025
CONSTRUCTION ZONE 6					
1	1.3km North of Yabbra Scrub	RC3	ACTIVE	JAN 2024	APR 2024
2	1.3km South Boomi Creek Bridge	-	CANCELLED	-	-
3	1.5km South Connells Road	-	CANCELLED	-	-
4	1.2km Urbenville Showgrounds	RC3	COMPLETE	NOV 2023	JAN 2024
DRAIN	Drainage upgrades Construction Zone 6	CC2	ACTIVE	OCT 2024	DEC 2024

LEGEND	
RC = ROAD CONSTRUCTION CREW	NEXT = SECTIONS OF WORK PROGRAMMED FOR CONSTRUCTION NEXT
CC = CULVERT CONSTRUCTION CREW	PLANNED = SECTIONS OF WORK SCHEDULED FOR FURTHER INTO PROGRAM
ACTIVE = SECTIONS OF WORK CURRENTLY BEING CONSTRUCTED	COMPLETE = SECTIONS OF WORK WITH CONSTRUCTION COMPLETE

13 STAFF REPORTS

13.1 DRAFT OPERATIONAL PLAN 2024/2025 AND DELIVERY PROGRAM 2024/2028

Author: Acting General Manager

Authoriser:

- Attachments:**
1. Draft Operational Plan 2024/2025 and Delivery Program 2024/2028 (under separate cover) 
 2. Draft Fees and Charges 2024-2025 (under separate cover) 

SUMMARY / PURPOSE

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

- *Draft Operational Plan 2024/2025 and Delivery Program 2024/2028*
- *Draft Fees and Charges 2024/2025*

RECOMMENDATION

That Council:

1. Receives and notes the report, *Draft Operational Plan 2024/2025 and Delivery Program 2024/2028*.
2. Places the *Draft Operational Plan 2024/2025 and Delivery Program 2024/2028* on public exhibition for a minimum of 28 days and seeks submissions from the community on its content.
3. Places the *Draft Fees and Charges 2024/2025* on public exhibition for a minimum of 28 days and seeks submissions from the community on its content.

BACKGROUND INFORMATION

REPORT

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

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

The majority of fees and charges for 2024/2025 have been indexed by 3% per cent in line with the assumptions included in the LTFP and rounded for practical purposes. Others remain at statutory levels set by the NSW Government.

The IPART rate peg determination for 2024/25 is 4.7% for Kyogle Council, based on the before population growth figure of 4.5% and a population growth factor of 0.2%. This budget paper and draft LTFP have been prepared using this rate peg and an assumed 2.5% each year after that.

The LTFP is dependent on a number of external funding sources. There are a number of projects and programs that have assumed levels of external grant funding, and these are documented in the capital works program. In these cases, the budget is linked to the requirement to firstly secure the amount of external grant funding nominated.

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

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

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

The closing date for submissions is proposed to be 10 May 2024. The final document will be considered by Council at the Ordinary Meeting on 11 June 2024. All submissions received will be provided to Councillors for their consideration.

13.2 SIX MONTHLY REVIEW OF DELIVERY PROGRAM AND OPERATIONAL PLAN 2023/2024

Author: Manager Corporate Services

Authoriser:

Attachments: 1. **Six Monthly Review of Delivery Program and Operational Plan 2023-2024 (under separate cover)** 

SUMMARY / PURPOSE

This report is to provide Council with a copy of the six-monthly reporting documentation for the period July 2023 to Dec 2023.

RECOMMENDATION

That Council receives and notes the attached six-monthly Review of the Delivery Program and Operational Plan.

BACKGROUND INFORMATION

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

Delivery Program

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

REPORT

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

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

Please note that the Government Information Public Access figures now reflect only formal access information requests. Council had previously included informal figures that inflated Kyogle data when compared to most NSW Councils.

13.3 BONALBO FLOODPLAIN RISK MANAGEMENT PLAN AND STUDY

Author: Executive Assistant

Authoriser:

Attachments: 1. **Bonalbo Floodplain Risk Management Plan (under separate cover)**

**SUMMARY / PURPOSE**

This report presents the *draft Bonalbo Floodplain Risk Management Plan* for Council's consideration.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Bonalbo Floodplain Risk Management Plan*;
2. Adopts the *Bonalbo Floodplain Risk Management Plan*.

BACKGROUND INFORMATION

Council received funding from New South Wales Office of Environment and Heritage to undertake a flood study and flood risk management study, and creation of a flood risk management plan for the village of Bonalbo. Council commissioned BG&E Engineering Consultants to manage the project.

The *Bonalbo Floodplain Risk Management Plan* has been prepared in accordance with the New South Wales Government's *Floodplain Development Manual*. The manual guides implementation of the New South Wales Government's *Flood Prone Land Policy*, which has the primary objective of reducing;

"the impact of flooding and flood liability on individual owners and occupiers of flood prone property, and to reduce private and public losses resulting from floods".

The Floodplain Development Manual defines the following steps in the Floodplain Risk Management Process:

- Data Collection
- Flood Study Preparation
- Floodplain Risk Management Study Preparation
- Floodplain Risk Management Plan Preparation
- Floodplain Risk Management Plan Implementation

In accordance with the floodplain risk management process, Council oversaw the completion and adoption of the *Bonalbo Flood Study* in 2021. The findings of the flood study shaped the development of the *Bonalbo Floodplain Risk Management Plan* presented in this report.

PREVIOUS COUNCIL CONSIDERATION

The *Bonalbo Flood Study* was adopted by Council at the ordinary meeting held 11 October 2021.

REPORT

The objective of the *Bonalbo Floodplain Risk Management Plan* is to provide information on the management of flood risk in the future. It outlines a range of measures to manage existing, future and residual risk effectively and efficiently. It also outlines an implementation strategy to guide the implementation of the proposed measures.

The *Bonalbo Floodplain Risk Management Plan* is to be considered in combination with the *Bonalbo Floodplain Risk Management Study* and its attached Appendices. It can be viewed on Council's website at <https://www.kyogle.nsw.gov.au/bonalbo-flood-study/>

The *draft Bonalbo Floodplain Risk Management Plan* was placed on public exhibition on 28 February 2024 and an information session was held at the community markets on 3 March 2024 to explain the study methodology and findings while seeking any concern or feedback. There were no submissions received.

BUDGET AND FINANCIAL IMPLICATIONS

The adoption of the *Bonalbo Floodplain Risk Management Plan* has no immediate budgetary or financial implications that cannot be met by current budget allocations. For future modification measures that are in excess of current budgets, appropriate funding will be sought, and budget allocation requested in due course.

13.4 RE-SCOPING THE KYOGLE HEALTH AND WELLBEING HUB

Author: Assets and Design Coordinator
Authoriser: Director Assets and Infrastructure Services
Attachments: Nil

SUMMARY / PURPOSE

The updated cost estimate for the Kyogle Health and Wellbeing Hub is \$3.4million over the current available budget allocation. This report presents background and proposes re-scoping of the project.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Re-scoping the Kyogle Health and Wellbeing Hub*;
2. Endorses the proposed change of project scope and immediately proceed with funding partner and other stakeholder consultation.

BACKGROUND INFORMATION

Since 2016, Council has been investigating options to relocate the Community Gym out of the flood zone. After a site selection process, the Kyogle Pool Precinct was identified as a preferred location. Initial funding was acquired in 2016 through the NSW Government's Stronger Country Communities Fund (SCCF) Round 1 and the Federal Government's Community Development Grants (CDG) program. Total funding was \$500,000 to complete site master planning and the construction of 'Stage 1' of the masterplan: construction of the new Community Gym and enclosing and heating the existing 'Learn to Swim' pool. The resulting tenders received for the works were no less than \$1.8million. Accordingly, Council proceeded to rescope the available funding and proceed with improvements to the 'Learn to Swim' pool, a new splash park, partial upgrade to site amenities and upgrades to the site solar system. This work took until February 2021 to complete.

In 2020, whilst the above improvements were being implemented, Council engaged consultants to undertake a review of the proposed site layout to see if there was opportunity to reduce the costs of not only Stage 1, but also Stage 2 (Indoor Stadium) and Stage 3 (Indoor heated lap-pool). The outcome was that if all three stages were built as one build, this would be more efficient to deliver. Based on an early concept design, an independent cost estimate was undertaken in 2020 and resulted in a total cost of approx. \$5.7million.

In January 2021, as a result of the 2018/19 Bushfires, Council applied for and was successful in acquiring NSW Government funding from the Bushfire Local Economic Recovery Fund (BLERF) of \$4.5million, along with a Council contribution of \$1.5million to construct all three stages. The project was described as a 'Health and Wellbeing Hub, and was expected to be delivered by July 2023 with an overall objective of:

...to establish a multi-purpose Health and Wellbeing Hub in Kyogle that will deliver multiple, sustainable community benefits and assist in enhancing the competitiveness of the LGA as a place in which to live and work... These services include sports, leisure and recreation venues, associated therapeutic programs and recovery/evacuation facilities in times of natural disaster.

Detailed design of the facility then proceeded and was completed in April 2022, however, as a result of the February/March 2022 Floods, the project was put on hold while Council prioritised the flood response.

Various negotiations have been had and various allowances have been made by the NSW Government in relation to this funding, resulting in an extension to the project to be delivered by 30 June 2025.

In September 2023, an independent cost estimate was undertaken on the detailed design package concluding an estimated cost of approximately \$9.4million.

PREVIOUS COUNCIL CONSIDERATION

At the meeting held 12 November 2018, Council adopted 'Option 1' from the *Kyogle Aquatic Centre – Site Master Plan Options*.

At the meeting held 14 October 2019, Council declined to accept any tenders *Tender 2019/20-004 Kyogle Aquatic Centre Upgrades Stage 1* and cancelled the proposal for the associated contract.

At the workshop held October 2020, Councillors were advised that funds would be sought under the BLERF program to deliver the 'Kyogle Indoor Sports Complex'.

At the workshop held February 2021, Councillors were advised that the BLERF application had been submitted.

REPORT

Rationale for rescoping the project

Since the receipt of the \$9.4million independent cost estimate, approaches have been made to the NSW Government to discuss a financial variation to the project to retain the funding and proceed with the project. Council was invited to participate in a formal variation process (VRAF), but was warned that competition for additional funds was 'tight' and a thorough business case would need to accompany the submission. Although a Business Case accompanied the original BLERF application, as the project at the time was seeking funding less than \$5million, it wasn't required to include a cost-benefit analysis and nor did it provide a financial operating model.

Subsequent discussions with the NSW Government in early 2024 made it clear that a rescope project, that still meets the desired objectives of the program, would be considered more favourably in lieu of applying for additional funds. This would necessitate the need to develop a business case, which ultimately runs the risk of the project not proceeding. This 'rescoping' approach is in line with the recommended Risk Mitigation options detailed in the original project funding application.

The Proposal (rescoped) Project

Given the above, and the close completion deadline of June 2025, Council staff started formulating options to rescope the project. The resulting project proposal (detailed below) takes the idea of a 'Health and Wellbeing Hub' not just being a single facility, but instead a 'precinct' that leverages and invests significantly into Council's existing facilities.

1. Community gym relocation
 - a. Modification of existing pool amenities to make better use of the existing building footprint
 - b. Inclusion of a new gym space within one end of the existing pool amenities building
 - c. Relocation of the pools food and beverage offerings to a more central 'Cabana-Kiosk' style hut
2. Improving the links between the KMI Hall (primary evacuation space), Kyogle pool facilities (amenities) and the Kyogle Senior Centre (commercial kitchen and secondary evacuation space), to allow the precinct to function as an evacuation and recovery hub.
3. KMI Hall Improvements
 - a. Upstairs toilet refurbishment
 - b. Downstairs toilet refurbishment
 - c. Other improvements focused on improving the accessibility and usability of the Hall
 - d. External improvements at ground-floor level to the shopfronts on Summerland Way
4. Improvements to the 50m pool

- a. Pool filtration refurbishment
- b. Repair of the 'hob' surrounding the pool and/or conversion to a 'wet-deck'
- c. Pool shell painting, reline or rehabilitation
- d. Other improvements, which may include pool blankets, refurb of the entire concrete concourse and/or upgrade of shade sails and other furniture

A key point to note is that no new infrastructure is being proposed to be built in the location where the future indoor sports stadium and/or indoor heated pool was to be constructed.

Proposed Community Consultation

Given the completion deadline of June 2025, along with the long history of community consultation associated with the Aquatic Centre project over the past few years, it is proposed to undertake consultation in two phases:

1. Immediate, targeted stakeholder engagement associated with the revised scope of works, eg pool users, hall users etc.
2. Broader community consultation associated with the Pool precinct and surrounding facilities (eg parks), to develop a masterplan. (Funding for this element had already been earmarked to come out of the NSW Government's Local Government Recovery Grants Program.)

Proposed procurement approach

To ensure procurement of the proposed scope of work is as efficient as possible, an Urban Services and Urban Capital Works panel contract has been tendered to the market, aiming to attract a range of potential contractors that could be utilised for this and other Urban Services' projects. The results of the tender are planned to be presented to Council at the May 2024 meeting for a decision.

BUDGET AND FINANCIAL IMPLICATIONS

Nil. The proposal remains within the existing allocated funding for this project.

13.5 CLIMATE CHANGE ADAPTATION STRATEGY AND ACTION PLAN

Author: Manager Development & Regulatory Services

Authoriser: Acting General Manager

Attachments: 1. Meridan Urban - Climate Change Adaption Strategy and Action Plan Proposal (under separate cover) 

SUMMARY / PURPOSE

The purpose of this report is to seek Council approval to prepare a Climate Change Adaptation Strategy and Action Plan for the Kyogle Local Government Area (LGA).

RECOMMENDATION

That Council:

1. Receives and notes the report *Climate Change Adaptation Strategy and Action Plan*.
2. Approves the engagement of Meridian Urban to prepare a Climate Change Adaptation Strategy and Action Plan for the Kyogle Local Government Area (LGA).

BACKGROUND INFORMATION

Climate change is impacting our weather and oceans, natural environment, water resources, agriculture, cultural values, health and wellbeing, built environment and our economy. The effects of climate change pose a number of risks to Kyogle Council and its community which will require action to not only reduce emissions causing climate change, but to adapt and build resilience to climate change and to manage the risks of climate change impacts.

Understanding the future impacts of climate change on the Kyogle LGA and having a strategy and action plan to assist the community to adapt, and build resilience, to climate impacts will be critical for ensuring the ongoing economic viability and liveability of our LGA.

In 2019, Kyogle Council adopted the *Review of Climate Change Assessment and Adaptation Initiatives*. This report was prepared by the Statewide Mutual Liability Scheme for Kyogle Council to assist Council with addressing the potential impact of climate change on local government assets and operations.

In 2019, Council adopted the Sustainable Councils and Communities *Kyogle Council Action Plan*. The plan was developed to help Council prioritise and implement energy efficiency measures and renewable energy upgrades to reduce carbon emissions as a way of helping to limit climate change (i.e. mitigation).

Both of the abovementioned initiatives focussed on addressing the impacts of climate change within Council operations; they did not focus on the impacts of climate change on the Kyogle local government area and community, for example, exacerbated or emerging risks, impacts on land systems, land use, economy, environment, lifestyle, wellbeing, etc.

In 2019, Council established a Climate Change Working Group to provide advice and recommendations around climate change, management of climate risk, and progress on the implementation of identified targets relating to climate change and renewable energy in the Kyogle LGA.

In June 2022, the Working Group made a recommendation to Council to:

- (i) seek proposals for a report on current and projected climate change impacts relevant to the Kyogle LGA (refer Figure 1) from qualified sources using the most up-to-date data and modelling, e.g. CSIRO, academia, IPCC etc.
- (ii) seek proposals for the development of a climate change adaptation impacts assessment strategy and action plan to strengthen community resilience to the projected impacts of climate change. It was envisaged that such a strategy and action plan, would consider the risks and potential adaptation strategies applicable for the Kyogle LGA community as a

whole, recognising that differing land use types, geographical locations and climate zones across the area may require differing strategies.

PREVIOUS COUNCIL CONSIDERATION

At Council's Ordinary Meeting in June 2022, it was resolved that Council:

Seeks proposals for the development of a climate change adaptation risk assessment and action plan to strengthen community resilience to the projected impacts of climate change.

At Council's Ordinary Meeting in December 2023, it was resolved that Council:

Confirms it intends to commission a Climate Change Adaptation Strategy and Action Plan for the Kyogle Local Government Area, and

Request the General Manager to identify a budget for the strategy development in either the forthcoming quarterly budget review to be presented at the February 2024 ordinary Meeting, or as part of the budget process for the 2024/25 financial year.

REPORT

On 7 November 2023, a request for quotes to develop an adaptation strategy and action plan was released to market. The scope of work included the following:

- An overview of the Kyogle LGA and justification of the need to address the impacts of climate change including description of location, demographics, existing climate, topography, biophysical features, land use, economy, social infrastructure etc.
- An overview of climate change, climate projections modelling and climate projections for the Kyogle LGA including projections relating to temperature, hot days, hot and cold extremes, rainfall amount and intensity, based on the most current existing data and modelling (e.g. Intergovernmental Panel on Climate Change or other government-endorsed modelling).
- Discussion of the likely and potential impacts/risks presented by climate change on the Kyogle LGA and its population such as heatwaves, droughts, flooding, water stress, storms and cyclones, wildfire risk and fire weather and discussion of the impacts on key economic activities, lifestyle, community values, aspirations. Biophysical environment etc.
- Identification of key themes for adaptation strategies. For example, this might include, but is not limited to, built environment, agricultural production, natural environment etc.
- Adaptation options/pathways for each key theme including discussion of key barriers and enablers.
- A 10-year action plan which outlines the key actions that should be progressed to achieve the identified adaptation options/pathways. For each individual action a clear description of the action, its relative priority, resources required, lead and partnership agencies and performance indicators was requested.
- An outline of how Council will deliver the strategy including resources available to help deliver the Strategy and how actions will be monitored and reported on.

Community and stakeholder engagement, which may include, amongst other things, workshops throughout the LGA, on-line events, community surveys, was also requested to form part of the strategy and action plan development process.

Council received 29 responses to its request for quotes from consultancies ranging from large well-known multi-disciplinary companies to more specialised environmental and climate risk consultancies. One quote was received from a tertiary education institution.

After a detailed assessment of the responses received, Meridian Urban has been selected as the preferred consultancy to prepare the adaptation strategy and action plan. Meridian Urban is an industry leading consultancy specialising in land use planning strategy and policy, and resilience and adaptation policy in the context of climate change, climate events and natural disaster. They

are experienced in undertaking climate risk and adaptation projects in rural and regional areas and have developed a strong understanding of the local context through their work on Council's Local Growth Management Strategy.

BUDGET AND FINANCIAL IMPLICATIONS

The quoted amount to prepare the adaptation strategy and action plan is \$79,600 excluding GST. An amount of \$85,000 has been included in the Environment Health budget for 2024/25 to complete this piece of work.

14 URGENT BUSINESS WITHOUT NOTICE

15 CONFIDENTIAL BUSINESS PAPER

Nil

16 CLOSE OF MEETING