



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

Date: Monday, 11 November 2024
Time: 2pm
Location: Kyogle Council Chambers, Stratheden Street, Kyogle

AGENDA

Ordinary Council Meeting

11 November 2024

**Marcus Schintler
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 11 November 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 |

MARCUS SCHINTLER
ACTING 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.

MARCUS SCHINTLER
ACTING GENERAL MANAGER

Public Forum (Council Policy)

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

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

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

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

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

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

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

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

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

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

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

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

7 CONFIRMATION OF MINUTES

7.1 COUNCIL REPORT - 14 OCTOBER 2024

Author: Executive Assistant

Authoriser: Acting General Manager

Attachments: 1. Council Report - 14 October 2024

RECOMMENDATION

That Council confirms the minutes of the Council meeting of 14 October 2024.

PURPOSE / SUMMARY

This report presents the minutes of the 14 October 2024 Ordinary Meeting to Council for confirmation.

**MINUTES OF KYOGLE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 14 OCTOBER 2024 AT 2PM**

PRESENT: Cr Tom Cooper, Cr Danielle Mulholland, Cr John Burley, Cr Janet Wilson, Cr Robert Cullen, Cr Olivia Taylor, Cr Brett McNamara, Cr Kieran Somerville, Cr Robin Harley

IN ATTENDANCE: Acting General Manager, Executive Manager Corporate Services, Director Assets and Infrastructure Services, Acting Director Planning and Community Development, Executive Assistant to the General Manager.

1 OPEN MEETING

The Acting General Manager declared the meeting open at 2.03pm and advised those present that the meeting was being webcast. All speakers were advised to refrain from making any defamatory statements or comments. Council accepts no liability for any damages that may result from defamatory comments made at the meeting. All liability rests with the individuals making the comments

2 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

3 OPENING PRAYER

The Acting General Manager read the opening prayer.

4 ACKNOWLEDGEMENT OF COUNTRY

The Acting General Manager acknowledged that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged Elders past, present and emerging.

5 DECLARATION OF INTERESTS

Nil

6 PUBLIC FORUM

Nil

7 STAFF REPORTS

Cr Janet Wilson took the affirmation of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Kieran Somerville took the affirmation of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr John Burley took the oath of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Robin Harley took the affirmation of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Danielle Mulholland took the oath of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Brett McNamara took the oath of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Olivia Taylor took the oath of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Tom Cooper took the oath of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

Cr Rob Cullen took the affirmation of office before the Acting General Manager in accordance with Section 233A of the Local Government Act.

7.2 ELECTION OF MAYOR

The Returning Officer (being the Executive Manager of Corporate Services) advised:

- As required by the Local Government Act 1993, Section 227, the election of Mayor is to be by the Councillors from among their numbers.*
- Section 230 (1) of the Act states that, "A mayor elected by councillors holds the office of mayor for two years."*
- The election procedure will be in accordance with Schedule 7 of the Local Government (General) Regulation 2021.*
- The Local Government General Regulation appoints the General Manager (or a person appointed by the General Manager) as the Returning Officer.*
- Council is required to determine whether the election is to be by preferential ballot, by ordinary ballot or open voting. This will require a resolution of Council.*

RESOLVED CO/1024/1

Moved by Cr Janet Wilson, seconded by Cr John Burley

That Council proceed with the election of Mayor by open voting.

CARRIED

FOR VOTE - Unanimous vote

The Returning Officer advised that he had received one written nomination for the position of Mayor, from Cr Danielle Mulholland.

The Returning Officer then called for further nominations from the floor. No further nominations were received.

As there was only one nomination for the position of Mayor, the Returning Officer declared Cr Danielle Mulholland elected Mayor for the next two years.

Cr Mulholland took the chair.

7.3 ELECTION OF DEPUTY MAYOR**RESOLVED CO/1024/2**

Moved by Cr Janet Wilson, seconded by Cr Olivia Taylor

That Council:

1. Elect a Deputy Mayor;
2. Sets the term of the Deputy Mayor as two years;
3. Proceeds with the election of Deputy Mayor by open voting.

CARRIED

FOR VOTE - Unanimous vote

The Acting General Manager advised that he had received one written nomination for the position of Deputy Mayor from Cr John Burley.

The Returning Officer then called for further nominations from the floor. No further nominations were received.

As there was only one nomination for the position of Deputy Mayor, the Returning Officer declared Cr John Burley elected Deputy Mayor for the next two years.

7.4 COUNCIL DELEGATES**RESOLVED CO/1024/3**

Moved by Cr Danielle Mulholland, seconded by Cr Robert Cullen

That Council:

1. Workshop the appointment of Councillors to committees;
2. Revise Committees of Council in the workshop to ensure they continue to service the best interests of our communities.
3. Appoint the Mayor and Deputy Mayor to those prescribed committees.

Organisation	Delegate(s)
NSW Rural Fire Service "Service Level Agreement"	Mayor Alternate delegate Deputy Mayor
Northern Rivers Joint Organisation (NRJO)	Mayor Alternate Voting Delegate Deputy Mayor
NSW Country Mayors' Association	Mayor Alternate delegate Deputy Mayor
Police Accountability Community Team (PACT)	Mayor Alternate delegate Deputy Mayor

CARRIED

FOR VOTE - Unanimous vote

7.5 FILLING CASUAL VACANCIES**RESOLVED CO/1024/4**

Moved by Cr Janet Wilson, seconded by Cr John Burley

That in accordance with section 291A of the Local Government Act 2009, Council resolves to fill casual vacancies by countback.

CARRIED

FOR VOTE - Unanimous vote

8.1 CONFIRMATION OF MINUTES**RESOLVED CO/1024/5**

Moved by Cr John Burley, seconded by Cr Tom Cooper

That Council confirms the minutes of the 12 August 2024 Ordinary Meeting.

CARRIED

FOR VOTE - Unanimous vote

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

Nil

10 QUESTIONS WITH NOTICE FROM COUNCILLORS

Cr John Burley asked if the Health and Wellbeing Hub workshopped as soon as possible.

Cr Tom Cooper asked if Council staff could be made available to collect rubbish from around the Bonalbo township following Saturday's violent hail storm, which flooded some parts of the Bonalbo village.

Cr Janet Wilson asked if Council could look at its procedures for opening public spaces during heatwaves in light of the Bureau of Meteorology's warning that Australia will face extreme heat this summer.

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS

Nil

13 URGENT BUSINESS WITHOUT NOTICE

The Mayor told the meeting that Acting General Manager Chris White had advised her of his intention to step down from the Acting General Manager's role and return to his substantive role as Director Planning and Community Development.

Cr Mulholland said the Acting General Manager originally took on the role on the condition that he would fill the position for the short term. Cr Mulholland, on behalf of Council, thanked the Acting General Manager for his service and acknowledged the role he had played in leading the Council for the past 10 months.

13.1 ACTING GENERAL MANAGER**RECOMMENDATION****MOTION**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

That Council:

1. Appoint Executive Manager Corporate Services Marcus Schintler as the interim General Manager until a new permanent General Manager can be appointed, effective 25 October 2024;
2. That any member of the Council Executive may act in the role when Mr Schintler is absent, as determined by Mr Schintler.

Executive Manager Corporate Services declared an interest in Item 13.1 and left the meeting at 2.32pm.

13.1 ACTING GENERAL MANAGER**RESOLVED CO/1024/6**

Moved by Cr Danielle Mulholland, seconded by Cr Janet Wilson

That Council:

1. Appoint Marcus Schintler as the interim General Manager until a new permanent General Manager can be appointed, effective 25 October 2024;
2. That any member of the Council Executive may act in the role when Mr Schintler is absent, as determined by Mr Schintler.

CARRIED

FOR VOTE - Unanimous vote

The Executive Manager Corporate Services returned to the meeting at 2.34pm.

14 CONFIDENTIAL BUSINESS PAPER

Nil

6 CLOSE OF MEETING

The Meeting closed at 2.34pm.

7.2 COUNCIL REPORT - 28 OCTOBER 2024

Author: Executive Assistant

Authoriser: Acting General Manager

Attachments:

RECOMMENDATION

That Council confirms the minutes of the Extraordinary Council meeting of 28 October 2024.

PURPOSE / SUMMARY

This report presents the minutes of the 28 October 2024 Extraordinary Meeting to Council for confirmation.

**MINUTES OF KYOGLE COUNCIL
EXTRAORDINARY COUNCIL MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 28 OCTOBER 2024 AT 2PM**

PRESENT: Cr John Burley (Deputy Mayor), Cr Janet Wilson, Cr Robert Cullen, Cr Olivia Taylor, Cr Brett McNamara, Cr Kieran Somerville, Cr Robin Harley.

IN ATTENDANCE: The Acting General Manager, Director of Assets and Infrastructure Services, Manager Development and Regulation, Finance Manager, Jodie Bosworth of auditors HLB Mann Judd, Executive Assistant to the General Manager.

1 OPEN MEETING AND APOLOGIES

The Deputy Mayor declared the meeting open at 2pm and advised those present that the meeting was being webcast (meetings are recorded and the recording is then uploaded to Council's website). The Deputy Mayor cautioned anyone speaking at the meeting to refrain from making defamatory statements or comments. The Deputy Mayor advised everyone at the meeting that Council accepted no responsibility for any damages that may result from defamatory statements made by anyone speaking at the meeting. All liability rests with the individual making the comments.

Apologies were received by Cr Danielle Mulholland and Cr Tom Cooper.

1.1 LEAVE OF ABSENCE

RESOLVED CO/1024/7

Moved by Cr Robin Harley, seconded by Cr Janet Wilson

That Council accept the apology from Councillors Danielle Mulholland and Tom Cooper and grant them both a leave of absence for this meeting.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

2 OPENING PRAYER

The Deputy Mayor read the opening prayer.

3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Deputy Mayor acknowledged that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged Elders past, present and emerging.

4 DECLARATION OF INTERESTS

Nil

5 PUBLIC FORUM

Nil

6 STAFF REPORTS

Jodie Bosworth of HLB Mann Judd addressed the meeting, providing an overview of the audit process.

6.1 PRESENTATION FROM AUDITORS 2023/2024 FINANCIAL STATEMENTS

RESOLVED CO/1024/8

Moved by Cr Janet Wilson, seconded by Cr Brett McNamara

That Council receives and notes the presentation from Council's auditors HLB Mann Judd in relation to the 2023/2024 audit process.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

Ms Bosworth left the meeting at 2.12pm.

6.2 2023/2024 FINANCIAL STATEMENTS

RESOLVED CO/1024/9

Moved by Cr Robin Harley, seconded by Cr Brett McNamara

That Council:

1. Receives and notes the report on the 2023/2024 Financial Statements
2. Adopts the 2023/2024 General Purpose Financial Report and the Statement as to the opinion of the report contained therein;
3. Authorises the Mayor, Deputy Mayor, Acting General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Statement to the General Purpose Financial Report;
4. Adopts the 2023/2024 Special Purpose Financial Report and the Statement as to the opinion of the report contained therein;
5. Authorises the Mayor, Deputy Mayor, Acting General Manager and Manager Financial Services (Responsible Accounting Officer) to sign the Statement to the Special Purpose Financial Report.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

6.3 COUNCIL DELEGATES**RESOLVED CO/1024/10**

Moved by Cr Brett McNamara, seconded by Cr Kieran Somerville

That Council:

1. Receives and notes the report, Council Delegates.
2. Adopts the following Delegates List and Membership structure:

<i>Organisation</i>	<i>Delegate(s)</i>
<i>Kyogle and District Chamber of Commerce</i>	<i>Cr Olivia Taylor and Cr Brett McNamara</i>
<i>National Timber Councils' Association</i>	<i>Cr Danielle Mulholland Alternate – Cr Kieran Somerville</i>
<i>Reconciliation Committee</i>	<i>Cr Robin Harley Alternate – Cr John Burley</i>
<i>Joint Regional Planning Panel</i>	<i>Mayor Cr Danielle Mulholland and Cr Olivia Taylor</i>
<i>General Manager Selection/Review</i>	<i>Mayor, Deputy Mayor, Cr Janet Wilson, Cr Brett McNamara and Cr Olivia Taylor</i>
<i>Audit Risk and Improvement Committee</i>	<i>Cr Janet Wilson Alternates Cr Olivia Taylor and Cr Kieran Somerville</i>
<i>Climate Change Working Group</i>	<i>Cr Brett McNamara, Cr John Burley, Cr Kieran Somerville</i>
<i>Arts Northern Rivers</i>	<i>Cr Janet Wilson Alternates Cr Kieran Somerville and Cr Olivia Taylor</i>
<i>Traffic Committee</i>	<i>Cr Rob Cullen Alternate Cr Robin Harley</i>
<i>Northern Rivers Bushfire Committee</i>	<i>Cr Brett McNamara Alternate Cr Tom Cooper</i>

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

7 URGENT BUSINESS WITHOUT NOTICE

Nil

8 CONFIDENTIAL BUSINESS PAPER**RESOLVED CO/1024/11**

Moved by Cr Robert Cullen, seconded by Cr Janet Wilson

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

8.1 Possible Land Acquisition Roxy Lane

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

Section 10A(4) of the Local Government Act, 1993 provides that members of the public are allowed to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed. Prior to voting on moving the meeting into confidential, the Deputy Mayor asked the gallery if anyone would like to make representations to Council as to why the meeting should not be closed. No one made any representations.

The meeting was closed to the media and the public at 2.33pm

The meeting resumed at 2.41pm.

The Deputy Mayor read the following resolutions of the Confidential Meeting to the open Council meeting:

Item 8.1 Possible Land Acquisition Roxy Lane

Moved by Cr Robin Harley, seconded by Cr Janet Wilson

That Council:

- 1. Receives and notes the report, Possible Land Acquisition Roxy Lane;*
- 2. Approves the acquisition of a portion of Lot 2 DP 327761 by agreement and authorises the General Manager to execute the documentation required to complete the acquisition.*

CARRIED

FOR VOTE - Unanimous vote

ABSENT. DID NOT VOTE – Crs Danielle Mulholland and Tom Cooper

The Meeting closed at 2.41pm.

8 MAYORAL MINUTE

Nil

9 NOTICES OF MOTION

9.1 NOTICE OF MOTION - CR OLIVIA TAYLOR: COMMUNITY ENGAGEMENT - PLAYGROUNDS

Attachments: Nil

MOTION

That Council convene a special community engagement session with parents, children, and young people to discuss playgrounds when the Community Strategic Plan is being reviewed.

STAFF COMMENT

Staff will ensure this is undertaken as part of the community engagement strategy when the Community Strategic Plan is reviewed.

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 Councillors at the last Council meeting or with notice prior to this meeting.

Question – Cr Janet Wilson

The State Government has announced funding for Trainee, Apprenticeships and Cadets through their "Fresh Start for Local Government Apprentices, Trainees and Cadets Program". Council has benefited from programs like this and they provide opportunities for young people to gain a foothold in employment and training. Will Council pursue this funding opportunity during this round?

Response

Council is currently reviewing opportunities with a view to access the program.

Question – Cr Janet Wilson

The State Government is undertaking a community engagement process to seek feedback on planning around improving regional integrated transport. Will Council make a submission to this process and if so, what issues will be raised in relation to the Kyogle Local Government Area (LGA)?

Response

Yes, Council will make a submission on the proposed North Coast Integrated Regional Transport Plan. A workshop is scheduled with relevant Council staff later in November to identify relevant matters for consideration by the NSW Government in developing the Plan. However, matters that are likely to be raised include, but are not limited to:

- the need for studies to understand intra-LGA and inter-LGA travel behaviours, mobility and accessibility issues;*
- the provision of public transport infrastructure and services and active transport infrastructure to improve population mobility and accessibility;*
- transport planning for road network improvements to connect the LGA to key economic and employment nodes, both interstate and interregional. This includes upgrades of key routes such as the Summerland Way and Clarence Way to B-double standards;*
- corridor study for the Mount Lindesay deviation (Dairy Flat to Palen Creek);*
- planning for utilisation of the interstate railway corridor as a key freight route, connecting local and regional markets with key freight distribution nodes in south-east Queensland such as Bromelton State Development Area and Port of Brisbane;*
- planning for an intra-LGA road connection between Kyogle and Bonalbo;*
- flood immunity studies for the Summerland Way (north of Kyogle) and Bentley Road and other points in the state/regional road network which are subject to inundation in a flood event or under threat from erosion/subsidence;*
- provision of active transport tourism infrastructure as per the Kyogle Multiday Cycle Experience and Escarpment Activation and a study to connect the Kyogle LGA to the Northern Rivers Rail Trail.*

Question – Cr Janet Wilson

Council is required to review the Community Strategic Plan (CSP) following an election. I note that residents are raising matters which are important for the future operational plan of the LGA. When will the CSP be reviewed and what are the plans for the community engagement process?

Response

The options available to Council (ie re-adopt the existing CSP or develop a new one) will be discussed at the November Councillor Workshop. Should Council elect to develop a new CSP, officers will develop a consultation timetable for review with Councillors – it is likely that such consultation would commence in early 2025. It should be noted that a new CSP would be required to be adopted by end of June 2025.

Question – Cr Janet Wilson

Could Council look at its procedures for opening public spaces during heatwaves in light of the Bureau of Meteorology's warning that Australia will face extreme heat this summer?

Response

During the normal pool season, if a heatwave is experienced, there are existing operational rules in place for Council pools to have some extended hours, subject to staff availability. Officers can prepare an item for discussion at a forthcoming workshop.

RECOMMENDATION

That Council receives and notes the responses to the questions on notice.

11 REPORTS FROM DELEGATES

Nil

12 INFORMATION REPORTS

12.1 MONTHLY FINANCE REPORT - OCTOBER 2024

Author: Manager Financial Services

Authoriser:

Attachments: 1. **Monthly Finance Report - October 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 – October 2023*.

BACKGROUND INFORMATION

Legislative Requirements

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

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

REPORT

The following information is presented for information only.

(A) Finance Reports

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

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

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

(B) Councillors' Travel Expenses Report

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

Kyogle Council



Financial Reports

31 October 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

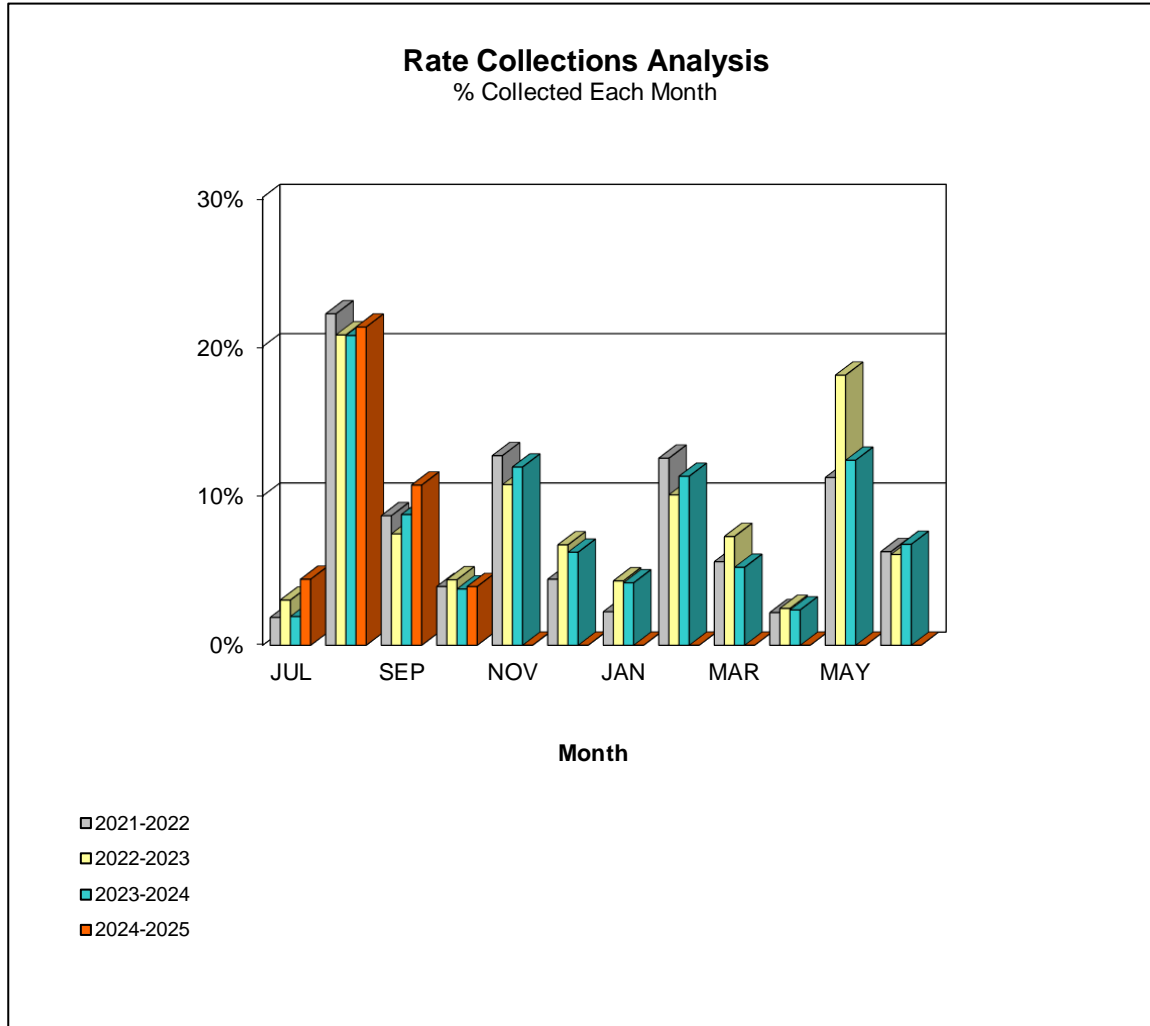
KYOGLÉ COUNCIL RATES STATEMENT AS AT 31 OCTOBER 2024

	ARREARS 1-Jul-2024	NET CHARGES 2024-2025	PAYMENTS	OUTSTANDING BALANCE 31/10/2024	ARREARS as at 31/10/2024	% TOTAL COLLECTED incl. ARREARS	% ARREARS COLLECTED 2024-2025
RATES, SERVICES AND INTEREST	898,214.15	12,267,989.08	5,320,186.21	7,846,017.02	469,857.99	40.41%	47.69%

PRESENTED TO COUNCIL NOVEMBER 2024

Note:

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



Write offs under delegated authority - Rates and Charges 2024-2025

July	August	September	October	November	December	January	February	March	April	May	June	Total Write Offs
\$ -	\$ -	\$ 1,055.70	\$ 1.88	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,057.58

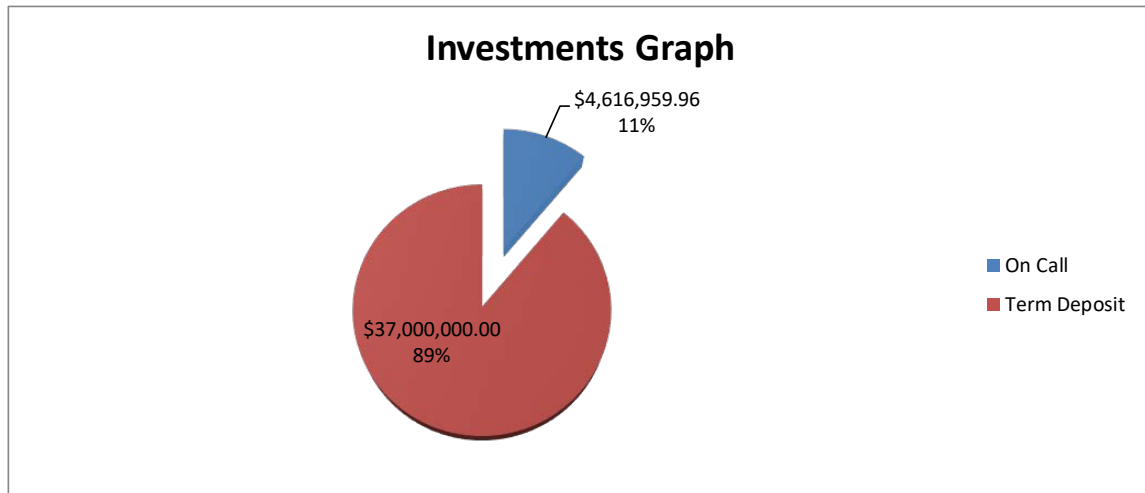
<u>Kyogle Council</u>	
STATEMENT OF FUND BALANCES as at 31-Oct-24	
Fund	Closing Balance
General Fund	
Unrestricted	2,057,978.09
Internally Restricted	3,969,957.00
State Highways	(964,975.15)
Quarries	1,241,762.08
Plant	1,935,133.23
Externally Restricted	31,005,765.14
Total General Fund	39,245,620.39
Restricted	
Water Supplies	(371,866.19)
Sewerage Systems	2,442,420.91
Domestic Waste	263,993.11
Trust Fund	36,791.74
Total Restricted	2,371,339.57
Total Consolidated Funds at Bank	41,616,959.96

KYOGLE COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31/10/2024								
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		4,616,959.96	11.09%
Total Cash at Call							4,616,959.96	11.09%
Suncorp	Term Deposit	25-Jul-24	24-Oct-24	Fixed	Maturity	4.90%	6,000,000.00	14.42%
Suncorp	Term Deposit	01-Aug-24	31-Oct-24	Fixed	Maturity	4.82%	3,000,000.00	7.21%
CBA	Cash Deposit	29-Aug-24	14-Nov-24	Fixed	Maturity	4.64%	6,000,000.00	14.42%
Suncorp	Term Deposit	22-Aug-24	21-Nov-24	Fixed	Maturity	4.82%	2,000,000.00	4.81%
CBA	Cash Deposit	12-Sep-24	28-Nov-24	Fixed	Maturity	4.78%	3,000,000.00	7.21%
Suncorp	Term Deposit	05-Sep-24	05-Dec-24	Fixed	Maturity	4.84%	2,000,000.00	4.81%
NAB	Term Deposit	19-Sep-24	12-Dec-24	Fixed	Maturity	4.90%	2,000,000.00	4.81%
NAB	Term Deposit	26-Sep-24	19-Dec-24	Fixed	Maturity	4.95%	3,000,000.00	7.21%
CBA	Cash Deposit	03-Oct-24	09-Jan-25	Fixed	Maturity	4.83%	3,000,000.00	7.21%
Suncorp	Term Deposit	10-Oct-24	16-Jan-25	Fixed	Maturity	4.89%	3,000,000.00	7.21%
NAB	Term Deposit	17-Oct-24	23-Jan-25	Fixed	Maturity	4.95%	4,000,000.00	9.61%
Total Cash at Call							37,000,000.00	88.91%
Total Investment Portfolio							\$41,616,959.96	

I hereby certify that the above investments have been made in accordance with section 625 of the Local Government Act, 1993, the Local Government (General) Regulation 2005 and Councils Investment Policy.

Glenn Rose

Responsible Accounting Officer



**COUNCILLORS TRAVEL EXPENSES
Oct-24**

Councillor Name	Kilometres Claimed		Current Rate per Kilometre	Amount Reimbursed	
	Oct-24	YTD		Oct-24	YTD
K. Webster	0	0	\$0.95	\$0.00	\$0.00
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	1,120	1,120	\$0.98	\$381.22	\$1,075.67
M. May	0	0	\$0.81	\$0.00	\$0.00
T. Cooper	612	612	\$0.95	\$0.00	\$581.40
R. Cullen	0	0	\$0.81	\$0.00	\$0.00
J. Murray	0	0	\$0.81	\$0.00	\$0.00
Total	1,732	1,732		\$381.22	\$1,657.07

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 2024 to 31 August 2025**

Description	Actual 2024-2025	Actual 2025-2026	Total
Seminars & Conferences - Cr Cooper	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Cullen	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Murray	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Somerville	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr McNamara	\$1,559.09	\$0.00	\$1,559.09
Seminars & Conferences - Cr Taylor	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Harley	\$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	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Wilson	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Mullholland	\$0.00	\$0.00	\$0.00
Seminars & Conferences - Cr Burley	\$0.00	\$0.00	\$0.00
	\$1,559.09	\$0.00	\$1,559.09

General Managers Training 1 July 2024 to 30 June 2025

Description	Actual 2024-2025
Salaries	\$0.00
Course Registration	\$0.00
Travel Expenses	\$0.00
Accomodation	\$0.00
Other	\$0.00
	\$0.00

12.2 WORKS PROGRAM PROGRESS REPORT - OCTOBER 2024

Author: Director Assets and Infrastructure Services

Authoriser: Director Assets and Infrastructure Services

Attachments:

1. Bridge Renewal Program Progress Report - October 2024.  
2. Clarence Way Upgrade Progress Report - October 2024  
3. Works Program Progress Report - October 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 – October 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 2024/2025

REPORTING MONTH: October 2024

REPORT DATE: 31/10/2024.

PROGRESS SNAPSHOT

TOTAL NUMBER OF TIMBER BRIDGES REPLACED = 94 of 108 (87.1%)

FCB DEED PERIOD ELAPSED – 149 of 149 weeks (81/83 FCB Round 1 projects complete (Lamonds to be complete January 2026, Grieves crossing to commence late November. Grieves crossing dual funded with Flood Resilience to lift the bridge 4.8m and change the road alignment)

2/3 FCB Round 2 funded projects (Babyl Creek and Duck Creek complete, Paddys Flat to be opened to traffic by Christmas)

1/12 Regional Roads Program funded Bridges.

0/1 Natural Disaster funded Project (Risk Road, will be open to traffic by Christmas)

FCB ROUND 2 DEED PERIOD – Ends on 28 August 2025

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

- 2/3 FCB Round 2 bridges complete
- Sugar Glider Road bridge complete.

3 RISKS TO DELIVERY PROGRAM

- Weather conditions – if the current weather keeps up it will be smooth sailing to deliver the current jobs with an expected Open to traffic for both projects before Christmas break.

4 FIXING COUNTRY BRIDGES (FCB)

4.1 ROUND 1 GROUP 1 – KYOGLE COUNCIL MANAGED PROJECTS

4.1.1 BRIDGES

All timber bridges in this funding group have been replaced. The below table summarises bridges in the construction stage:

Bridge Program Monthly Status Report – October 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	Waiting final issue for construction plans.	August 2025
59-11123	Gradys Creek – Lamonds No.1	Girders landed, works on the deck construction to commence.	January 2025

4.3 ROUND 2 GROUP 1 – BRIDGES

There are three bridges in the FCB Round 2 Program:

- Paddy’s Flat Bridge, all abutment and concrete central pier works complete, girders being installed Monday 4 and Tuesday 5 November.
- Babyl Creek Bridge – All works complete, bridge open to traffic 11/07/2024.
- Duck Creek Bridge - All works complete, bridge open to traffic 26/08/2024.

5 REGIONAL ROADS PROGRAM FUNDING BRIDGE REPLACEMENTS

- Risk Road Bridge: Central pier and abutment 1 complete, works on abutment 2 underway. Girders delivered ready for installation on completion of the abutment works.
- Sugar Glider Road Bridge: Works completed, bridge open to traffic 24/10/2024.
- All investigation works (survey geotech) have been completed on the bridges in the \$12M Regional Roads Program.
- Williams Road Birney Bridge – concept design complete, 30% of detail design complete.
- Horseshoe Creek Road – concept complete, detail design underway.
- Paddys Flat Upper Tooloom – concept expected 05/11/2024.
- Ironpot Creek Road Montgomery’s Bridge – request for quote for detail design, waiting responses.
- Ironpot Creek Road Benns Bridge – request for quote for detail design, waiting responses.
- Gorge Creek Road Bridge - request for quote for detail design, waiting responses.
- Clarence Way Culmurrans Creek bridge No.1 – design finished waiting final check by head bridge engineer.
- Clarence Way Culmurrans Creek bridge No.2 – design finished waiting final check by head bridge engineer.
- Clarence Way Ryans Bridge – currently working on design.
- Gradys Creek Road, Methevens Bridge – designer engaged.
- Gradys Creek Road, Cedargetters Bridge - designer engaged.

Bridge Program Monthly Status Report – October 2024

ID	Task Mode	Task Name	Duration	Start	Finish	Resource Names	
1	Task Mode	FCB AND OTHER KYOGLE COUNCIL BRIDGES	564 days?	Tue 11/06/24	Fri 7/08/26		
2	Task Mode	Ian Walker & Crew	440 days?	Mon 22/07/24	Fri 27/03/26		
3	Task Mode	PHADDS FLAT ROAD BRIDGE 134-29280 (FCB R2)	23 wks	Mon 22/07/24	Fri 27/12/24		
4	Task Mode	Christmas Break	10 days?	Mon 29/12/24	Fri 9/01/25		
5	Task Mode	PADDYS FLAT UPPER TOOLOOM 134-49531	24 wks	Mon 6/01/25	Fri 20/06/25		
6	Task Mode	HORSESHOE CREEK No.2 8884692	16 wks	Mon 29/06/25	Fri 10/10/25		
7	Task Mode	GORGE CREEK ROAD ASHLEY GORRONS 60-599	10 wks	Mon 19/10/25	Fri 19/12/25		
8	Task Mode	RONPOT CREEK BENNS BRIDGE 79-14940	12 wks	Mon 5/01/26	Fri 27/03/26		
9	Task Mode	Matt Sorrenti & Crew	564 days?	Tue 11/06/24	Fri 7/08/26		
10	Task Mode	BAVIL CREEK ROAD NOBLES No.1 BRIDGE 11-516 (FCB R2)	5 wks	Tue 11/06/24	Mon 15/07/24		
11	Task Mode	DICK CREEK ROAD TIERREYS NO. 2 BRIDGE 138-16359 (FCB R2)	6 wks	Tue 16/07/24	Mon 26/08/24		
12	Task Mode	SISKAR GLIDER ROAD 287-130	12 wks	Fri 9/08/24	Thu 31/10/24		
13	Task Mode	RISK ROAD RISK STATION BRIDGE 129 - 732 (NATURAL DISASTER)	7 wks	Fri 11/11/24	Mon 19/12/24		
14	Task Mode	Christmas Break	16 days?	Mon 29/12/24	Mon 13/01/25		
15	Task Mode	WILLIAMS ROAD BRINEY BRIDGE 199-4271	14 wks	Mon 13/01/25	Fri 18/04/25		
16	Task Mode	CLARENCE WAY CULMURAN No.1 381-82551 DOOLAN	3 wks	Mon 21/04/25	Fri 9/05/25		
17	Task Mode	CLARENCE WAY CULMURAN No.2 381-82552 DOOLAN	3 wks	Mon 12/05/25	Fri 30/05/25		
18	Task Mode	CLARENCE WAY FLOOD WAY BOX CULVERT CULMURAN	18 wks	Mon 2/06/25	Fri 3/10/25		
19	Task Mode	CLARENCE WAY RAVANS BRIDGE 361-82554 DOOLAN	4 wks	Mon 6/10/25	Fri 31/10/25		
20	Task Mode	CLARENCE WAY FLOOD WAY BOX CULVERT TUNGLEBURG	16 wks	Mon 3/11/25	Fri 20/02/26		
21	Task Mode	GRADYS CREEK CEDARGETTS BRIDGE 99-8227 DOOLAN	12 wks	Mon 28/02/26	Fri 16/05/26		
22	Task Mode	GRADYS CREEK METHVENS BRIDGE 59-10017 DOOLAN	12 wks	Mon 18/05/26	Fri 7/08/26		
23	Task Mode	Dylan Keys & Crew	484 days	Mon 1/07/24	Thu 7/05/26		
24	Task Mode	RISK ROAD RISK STATION BRIDGE 129 - 732 (NATURAL DISASTER)	20 wks	Mon 1/07/24	Fri 15/11/24		
25	Task Mode	GRADYS CK RD-GRIEVE CROSSING/D/59-1096	40 wks	Mon 29/11/24	Fri 29/08/25		
26	Task Mode	RONPOT CREEK ROAD MONTGOMERYS 79-4457	36 wks	Fri 29/08/25	Thu 7/05/26		
27	Task Mode	CONTRACTOR CONSTRUCTION	150 days	Mon 17/06/24	Fri 18/01/25		
28	Task Mode	Package F Contract O&C Ozwide Lamonds Bridge	30 wks	Mon 17/06/24	Fri 10/01/25		
29	Task Mode	Open to traffic	0 days	Tue 20/08/24	Tue 20/08/24		
30	Task Mode	In construction	0 days	Tue 20/08/24	Tue 20/08/24		

KYOGLE COUNCIL BRIDGE PROGRAM 2024-2026

Project Updated Program
Date: Thu 3/10/24

Task Milestone Summary

Project Summary

Inactive Task Milestone Summary

Manual Task Summary

Manual Summary Rollup

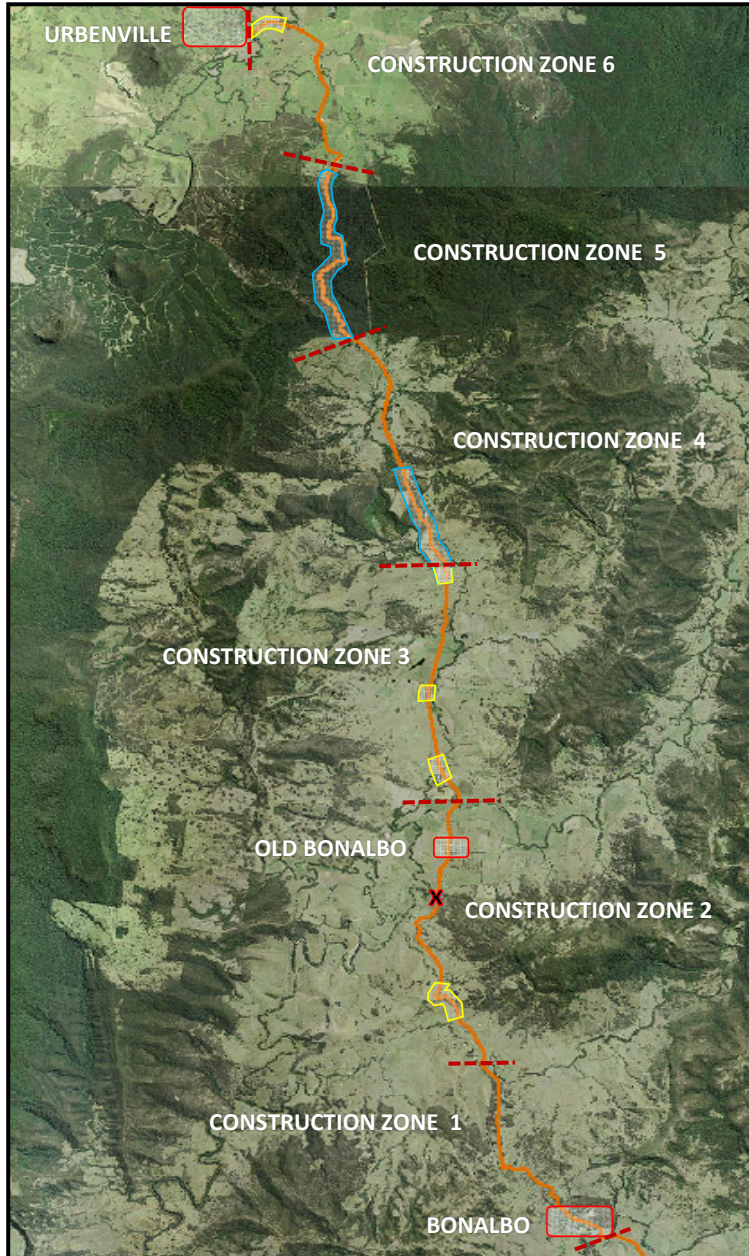
Manual Summary

Start-only External Milestone

Finish-only External Milestone

Deadline Progress Manual Progress


Page 1



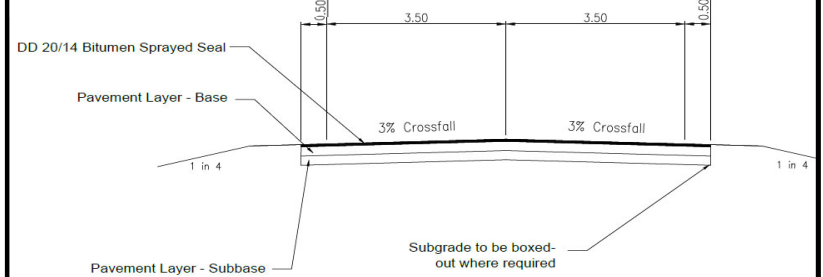
CLARENCE WAY MR361 RRUP - PROPOSED TREATMENTS

- 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.**

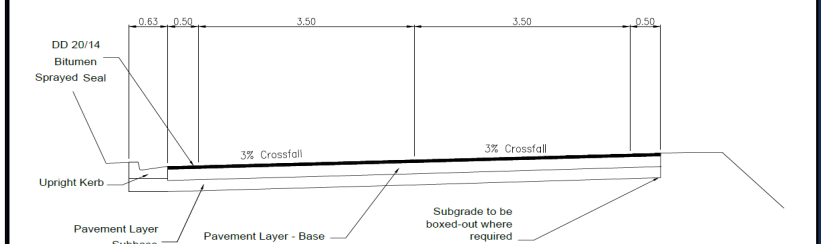
LEGEND

- 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



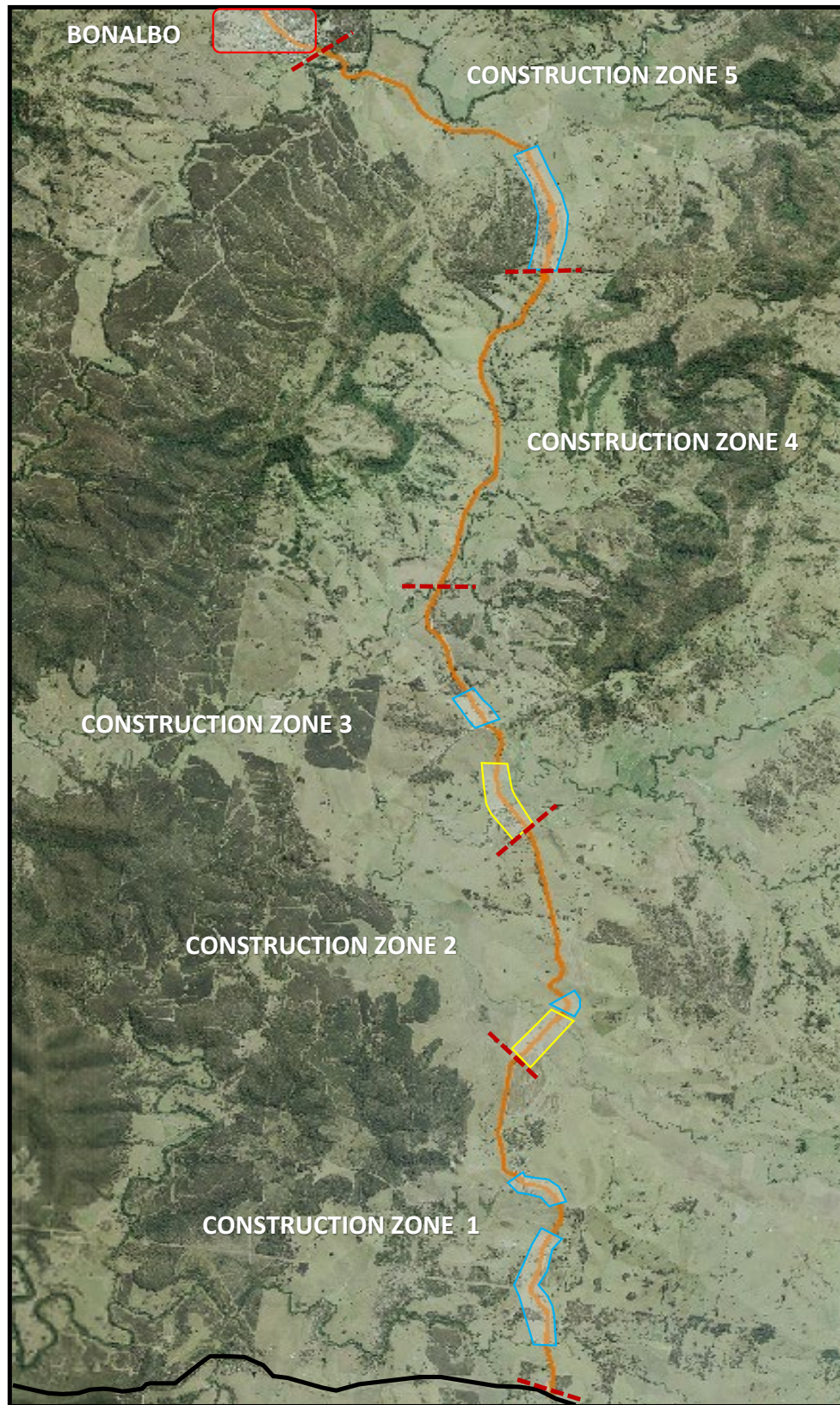
ONE-WAY CROSSFALL CROSS SECTION



REMOTE ROADS UPGRADE PILOT PROGRAM – CLARENCE WAY UPGRADE – BONALBO TO URBENVILLE

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

LEGEND		NEXT = SECTIONS OF WORK PROGRAMMED FOR CONSTRUCTION NEXT	
RC = ROAD CONSTRUCTION CREW	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	



CLARENCE WAY MR361 RRTRP - PROPOSED TREATMENTS

- CZ 1** - 5.2km section from the intersection with the Bruxner Highway at Sandilands to the Fuhrmans Road intersection. Within this section there is 2.1km of newly sealed road. Remaining 3.1km to receive betterment. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, and bitumen seal. Alternating cross section with 8m seal on 8m formation. Reline, extend, and replace select culverts. Area of flood damage remediation works within CZ 1 to be determined.
- CZ 2** - 3.6km section from the Fuhrmans Road intersection to Tunglebung Creek Road intersection. Within this section there is 0.3km of newly sealed road. The remaining 3.3km to receive betterment. Construction of major drainage structures to relieve flood impacts throughout Culmaran Creek. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, foam bitumen stabilisation, and bitumen seal. Alternating cross section with 8m seal on 8m formation. Reline, extend, and replace select culverts. Area of flood damage remediation works within CZ 2 to be determined.
- CZ 3** - 3.8km section from Tunglebung Creek Road intersection to Bottle Creek Bridge. Within this section there is 0.6km of newly sealed road. The remaining 3.2km to receive betterment. Construction of major drainage structures to relieve flood impacts throughout Tunglebung Creek. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, foam bitumen stabilisation, and bitumen seal. Alternating cross section with 8m seal on 8m formation. Reline, extend, and replace select culverts. Area of flood damage remediation works within CZ 3 to be determined.
- CZ 4** - 4.7km section from Bottle Creek Bridge to Medhursts Quarry. Entire section to receive betterment. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, and bitumen seal. Alternating cross section with 8m seal on 8m formation. Reline, extend, and replace select culverts. Area of flood damage remediation works within CZ 4 to be determined.
- CZ 5** - 4.7km section from Medhursts Quarry to Bonalbo. Within this section there is 1.5km of newly sealed road. Remaining 3.2km to receive betterment. Rehabilitate pavement through stabilisation of subbase, 200mm overlay of base material, and bitumen seal. Alternating cross section with 8m seal on 8m formation. Reline, extend, and replace select culverts. Area of flood damage remediation works within CZ 5 to be determined.

LEGEND

CLARENCE WAY MR 361
Standard treatment for pavement stabilisation, base overlay and seal.



TOWNSHIP
BONALBO



SURVEY & DESIGN - FLOOD
Foam bitumen stabilisation.
Raise road level. Improve drainage.



NEWLY SEALED SECTIONS
4.5 km of newly sealed sections will not be treated.



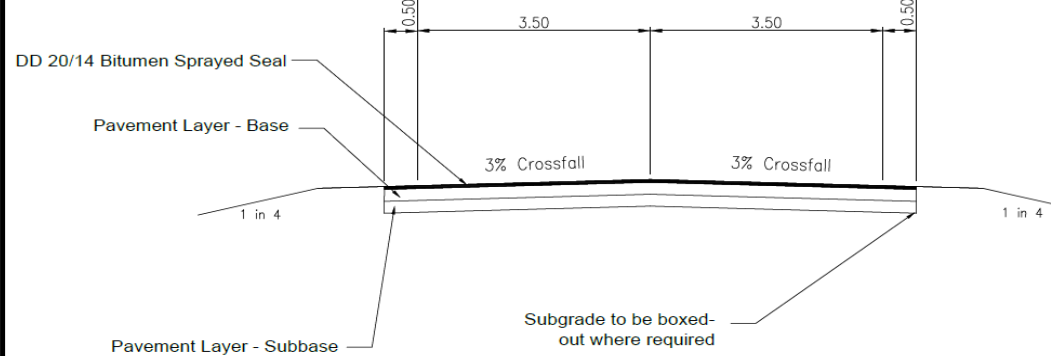
EXTENT OF SECTIONS
Southern and Northern extents of sections.



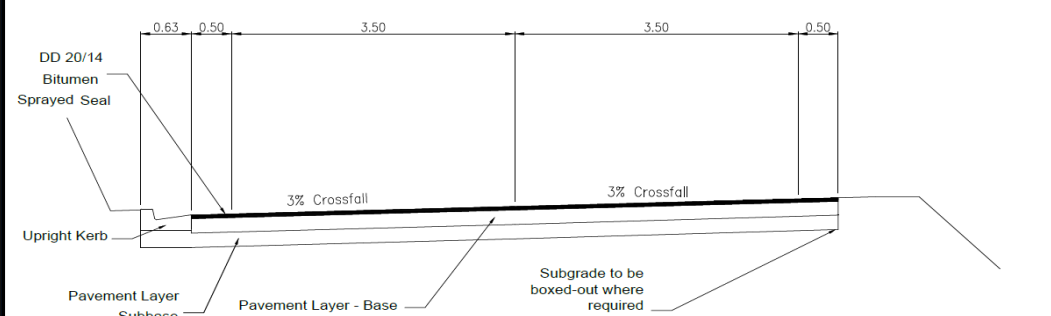
FLOOD DAMAGE
50,000 m² of flood damage treatments across 8.9 km. (To Be Determined).



STANDARD CENTRE CROWN CROSS SECTION



ONE-WAY CROSSFALL CROSS SECTION



REGIONAL ROADS TRANSPORT RECOVERY PACKAGE – BETTERMENT OF THE CLARENCE WAY – SANDILANDS TO BONALBO

STAGE	DESCRIPTION	CREW	STATUS	START	FINISH
RRTRP - CONSTRUCTION ZONE 1					
1	0.8km Bruxner HWY to Little Creek Bridge	RC1	ACTIVE	NOV 2024	JAN 2025
2	0.5km Ch: 120980 Joining two new sections	RC1	NEXT	JAN 2025	MAR 2025
3	0.7km Ch: 121940 to Ch: 122640	RC2	NEXT	JAN 2025	MAR 2025
4	1.1km Fuhrman’s Road intersection	RC2	ACTIVE	SEP 2024	DEC 2024
DRAIN	Drainage upgrades Construction Zone 1	CC	ACTIVE	OCT 2024	MAR 2025
RRTRP - CONSTRUCTION ZONE 2					
1	0.9km Culmaran Creek intersection	RC2	PLANNED	MAR 2025	OCT 2025
2	1.1km Ch: 124915 to Segment 1600	RC2	COMPLETE	JUN 2024	SEP 2024
3	1.4km Segment 1600 to Segment 1615	RC1	PLANNED	OCT 2025	FEB 2026
DRAIN	Drainage upgrades Construction Zone 2	CC	ACTIVE	JUN 2024	FEB 2026
RRTRP - CONSTRUCTION ZONE 3					
1	0.8km Tunglebung Creek Intersection	RC1	PLANNED	MAR 2025	OCT 2025
2	0.8km Ch: 128185 to Segment 1630	RC4	PLANNED	MAR 2025	JUN 2025
3	0.8km Ch: 129470 to Segment 1640	RC3	PLANNED	SEP 2025	NOV 2025
4	0.8km Segment 1640 to Bottle Creek Bridge	RC3	PLANNED	JUN 2025	SEP 2025
DRAIN	Drainage upgrades Construction Zone 3	CC	PLANNED	JAN 2025	NOV 2025
RRTRP - CONSTRUCTION ZONE 4					
1	1km Bottle Creek Bridge to Ch: 132130	RC3	NEXT	NOV 2024	FEB 2025
2	1.5km Ch: 132130 to Segment 1670	RC2	PLANNED	FEB 2025	JUN 2025
3	1.2km Segment 1670 to Segment 1685	RC3	PLANNED	JUN 2025	SEP 2025
4	1.1km Segment 1685 to Segment 1700	RC3	PLANNED	NOV 2025	DEC 2025
DRAIN	Drainage upgrades Construction Zone 4	CC	PLANNED	JUN 2025	DEC 2025
RRTRP - CONSTRUCTION ZONE 5					
1	1.5km Segment 1715 to Segment 1740	RC4	ACTIVE	SEP 2024	DEC 2024
2	0.8km Segment 1740 to Segment 1750	RC4	NEXT	DEC 2024	MAR 2025
3	0.75km Segment 1750 to Segment 1760	RC4	PLANNED	MAR 2025	MAY 2025
DRAIN	Drainage upgrades Construction Zone 5	CC	COMPLETE	OCT 2024	MAY 2025

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

12.3 QUARTLERY HUMAN RESOURCES REPORT

Author: Human Resources Manager

Authoriser: Acting General Manager

Attachments: 1. Quarterly Human Resources Report [↓](#) 

SUMMARY / PURPOSE

To provide Councillors with a quarterly Human Resources Report

RECOMMENDATION

That Council receive and note the Quarterly Human Resources Report.

BACKGROUND INFORMATION

The 13 May 2024 Council meeting resolved:

RESOLVED CO/0524/1

Moved by Cr Kylie Webster, seconded by Cr Danielle Mulholland

That a Human Resources Report be included in the business papers on a quarterly basis and be included in the briefing papers at monthly workshops.

CARRIED

FOR VOTE - Crs Kylie Webster, Tom Cooper, Danielle Mulholland, John Burley, Maggie May, Robert Cullen and James Murray

AGAINST VOTE - Cr Janet Wilson

ABSENT. DID NOT VOTE – Cr Hayden Doolan

REPORT

The report is for the period of 15 August to 15 October 2024.

Performance Reporting Metrics 15 August 2024 – 15 October 2024 (Quarterly)

FUNCTION	LONG TERM GOAL STRATEGY/SERVICE LEVEL	MEASURES	REPORT
GENERAL MANAGER'S DEPARTMENT			
HUMAN RESOURCES	<p>Establish capability for a productive, sustainable and inclusive workforce.</p> <p>Promote and adhere to EEO principles to attract and retain the best possible staff.</p> <p>Create and nurture a safe working environment with learning and development opportunities for staff.</p> <p>Be widely known as a respected and reputable employer with high levels of staff satisfaction</p>	<p>-Total staff</p> <p>-Total staff exits during the period</p> <p>-Total staff with excess leave entitlements above 8 weeks</p> <p>-Total excess leave above 8 weeks per employee</p> <p>-Total number of incidents, accidents and near misses reported during the period</p> <p>-Total working days lost due to injury for the period</p> <p>-Total spend on staff training and development</p> <p>-Total number of apprentices and trainees</p>	<ul style="list-style-type: none"> • 158 • 1 • 42 individuals with leave entitlements in excess of 8 weeks • Excess annual leave 82 weeks, Long service leave at 177 weeks. For a total of 259 weeks • 26 safety related reports in total, including hazard and near miss reports • 20 working days lost to injury • \$3,232.90 spent on training • 9

12.4 AUDIT, RISK, AND IMPROVEMENT COMMITTEE

Author: Executive Assistant

Authoriser:

Attachments: Nil

SUMMARY / PURPOSE

To provide Councillors with the minutes of the 28 October 2024 meeting of Council's Audit Risk and Improvement Committee (ARIC).

RECOMMENDATION

That Council receives and notes the minutes of the Audit, Risk and Improvement Committee.

BACKGROUND INFORMATION

Each term, Council appoints a councillor as a non-voting member of the Audit, Risk and Improvement Committee. At the time of the last meeting of the ARIC, Council had not appointed a delegate to the committee. Council has since appointed Cr Janet Wilson as the delegate and Councillors Olivia Taylor and Kieran Somerville as the alternate delegates.

REPORT

The minutes of the 28 October 2024 ARIC meeting appear below.

**MINUTES OF KYOGLE COUNCIL
AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING
HELD AT THE KYOGLE COUNCIL CHAMBERS, STRATHEDEN STREET, KYOGLE
ON MONDAY, 28 OCTOBER 2024 AT 12 NOON**

PRESENT: Ms Laurie Lefcourt (Chair), Ms Susan Glasson (via audio video conferencing), Mr Nathan Dearing (via audio video conferencing), Mr Paul Malt (via audio video conferencing)

IN ATTENDANCE: Acting General Manager, Director Planning and Community Development, Manager Financial Services, Jodie Bosworth, of auditors HLB Mann Judd, Gearoid Fitzgerald (Audit Office of NSW – via audio video conferencing), Executive Assistant to the General Manager, there was no Councillor delegate at the meeting as Council had not appointed a delegate at the time of the meeting.

The Chair opened the meeting at 12.03pm

1 APOLOGIES

Nil

2 OPENING PRAYER

The opening prayer was read.

3 TRADITIONAL LANDS ACKNOWLEDGEMENT

The Chair acknowledged that the meeting was being held on the traditional lands of the Bundjalung people and acknowledged Elders past, present and emerging.

4 DECLARATION OF INTERESTS

Nil

5 REPORTS**5.1 CONFIRMATION OF MINUTES - AUDIT RISK AND IMPROVEMENT COMMITTEE 20 AUGUST 2024****RESOLVED ARIC/1024/1**

Moved by Ms Laurie Lefcourt, seconded by Ms Susan Glasson

That the Audit and Risk Improvement Committee confirm the minutes of the 20 August 2024 committee meeting.

CARRIED

FOR VOTE - Unanimous vote

Ms Jodie Bosworth addressed the meeting about the Engagement Closing Report and advised that the Auditor's Management Letter would be issued in November.

The Chair thanked staff, in particular the Manager Financial Services, the Acting General Manager and the Director of Planning and Community Development, for their work in ensuring the smooth completion of the audit and congratulated Council on the great outcome.

Council's Acting General Manager, Director of Planning and Community Development and Manager Financial Services left the meeting at the request of the Chair at 12.31pm so that ARIC members could ask questions of the auditor's representative.

The Acting General Manager, Director of Planning and Community Development and Manager Financial Services Management returned to the meeting at 12.40pm.

Gearoid Fitzgerald and Jodie Bosworth left the meeting at 12.41pm.
Manager Financial Services left the meeting at 12.41pm.
Manager Financial Services returned to the meeting at 12.42pm

5.2 PRESENTATION OF DRAFT FINANCIAL STATEMENTS**RESOLVED ARIC/1024/2**

Moved by Mr Nathan Dearing, seconded by Ms Susan Glasson

That the Audit, Risk and Improvement Committee receives and notes the Draft Financial Statements for 2023 -2024.

CARRIED

FOR VOTE - Unanimous vote

5.3 COMPLIANCE**RESOLVED ARIC/1024/3**

Moved by Mr Paul Malt, seconded by Ms Susan Glasson

That the Audit and Risk Improvement Committee receives and notes the Compliance Report.

CARRIED

FOR VOTE - Unanimous vote

The Meeting closed at 12.55pm.

13 STAFF REPORTS**13.1 PRESENTATION FROM AUDITORS 2023/2024 FINANCIAL STATEMENTS**

Author: Manager Financial Services

Authoriser: Acting General Manager

Attachments: Nil

SUMMARY / PURPOSE

This report introduces a presentation from Council's auditors HLB Mann Judd (formerly Thomas Noble & Russell) on behalf of the Audit Office of NSW in relation to the 2023/2024 Financial Statements.

RECOMMENDATION

That Council receives and notes the presentation from Council's auditors HLB Mann Judd on behalf of the Audit Office of NSW in relation to the 2023/2024 Financial Statements.

REPORT

Mr Adam Bradfield of HLB Mann Judd will provide a formal presentation and will then be available to answer questions from Councillors.

13.2 PRESENTATION OF 2023/2024 FINANCIAL STATEMENTS

Author: Manager Financial Services

Authoriser: Acting General Manager

Attachments: 1. Financial Statements 2023-2024 (under separate cover) 

SUMMARY / PURPOSE

This report seeks authorisation to present Council's Financial Statements for the 2023/2024 year to the public.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Presentation of the 2023/24 Financial Statements*.
2. Presents to the public the Audited Financial Reports and Independent Audit Reports for the year ended 30 June 2024 in accordance with the Local Government Act 1993.

BACKGROUND INFORMATION

Relevant sections of the Local Government Act 1993 are:

419 Presentation of the council's financial reports

- (1) *As soon as practicable after a council receives a copy of the auditor's reports:*
 - a) *it must fix a date for the meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public, and*
 - b) *it must give public notice of the date so fixed.*
- (2) *The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the council.*

Note. Unless an extension is granted under section 416, the meeting must be held on or before 5 December after the end of the year to which the reports relate.

- (3) *The public notice must include:*
 - a) *a statement that the business of the meeting will include the presentation of the audited financial reports and the auditor's reports, and*
 - b) *a summary, in the approved form, of the financial reports, and*
 - c) *a statement to the effect that any person may, in accordance with section 420, make submissions (within the time provided by that section and specified in the statement) to the council with respect to the council's audited financial reports or with respect to the auditor's reports.*
- (4) *Copies of the council's audited financial reports, together with the auditor's reports, must be kept available at the office of the council for inspection by members of the public on and from the date on which public notice of the holding of the meeting is given and until the day after the meeting (or any postponement of the meeting).*

419 Presentation of the council's financial reports

- (1) *A council must present its audited financial reports, together with the auditor's reports, at a meeting of the council held on the date fixed for the meeting.*
- (2) *The council's auditor may, and if so required in writing by the council must, attend the meeting at which the financial reports are presented.*

420 Submissions on financial reports and auditor's reports

- (1) *Any person may make submissions to the council with respect to the council's audited financial reports or with respect to the auditor's reports.*
- (2) *A submission must be in writing and must be lodged with the council within 7 days after the date on which those reports are presented to the public.*
- (3) *The council must ensure that copies of all submissions received by it are referred to the auditor.*
- (4) *The council may take such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the council's financial reports.*

REPORT

Council adopted the Financial Statements for the 2023/2024 year and authorised the signing of the Council Statements at the Extraordinary Meeting held 28 October 2024.

The Audit of the financial statements has resulted in Council receiving an "Unmodified" audit report for the year ended 30 June 2024.

A hard copy of the statements will be provided for the public to view at Council's Administration Office. The document is also available on Council's website.

It is important to note that Section 420 of the Local Government Act, 1993 allows any person to make a submission to Council with respect to the Council's audited financial reports. Submissions must be in writing and lodged with Council within seven days after the date on which the report was presented to the public.

Council must forward copies of all submissions to the Auditors, and may take such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the Council's financial reports.

13.3 SEPTEMBER 2024 QUARTERLY BUDGET REVIEW

Author: Manager Financial Services

Authoriser: Acting General Manager

Attachments: 1. **September 2024 Quarterly Budget Review (under separate cover)**

**SUMMARY / PURPOSE**

This report arises out of the statutory requirement to conduct a review of budget performance and a review against targets identified in the Operational Plan following the close of each quarter.

RECOMMENDATION

That Council:

1. Receives and notes the report, *September 2024 Quarterly Budget Review*.
2. Incorporate the funds identified as revotes in the September 2024 Quarterly Budget Review into the 2024/2025 budget.

BACKGROUND INFORMATION

Legislative Requirements;

Clause 203 of the *Local Government (General) Regulation 2005* requires that:

- (1) Not later than two months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the operational plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.
- (2) A budget review statement must include or be accompanied by:
 - (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
 - (b) if that position is unsatisfactory, recommendations for remedial action.
- (3) A budget review statement must also include any information required by the Code to be included in such a statement.

Section 407 of the *Local Government Act 1993* requires the General Manager to report to Council on the extent which performance targets set by the Management Plan have been achieved during that quarter.

REPORT

A quarterly budget review should act as a barometer of council's financial health during the year. It needs to adequately disclose council's overall financial position, provide sufficient information to enable informed decision making while ensuring transparency in decision making. It is also a means by which councillors can ensure that council remains on track to meet its objectives, targets and outcomes as set out in its management plan/operational plan.

The Office of Local Government Division has developed a set of minimum requirements and sample templates to assist councils in meeting their obligations as set out in legislation. The templates facilitate progress reporting against the original and revised annual budgets at the end of a quarter.

The budget review documentation provided to Council consists of a Quarterly Budget Review Statement (QBRs) in the format required by the OLG, as well as;

- A statement by the responsible accounting officer on council's financial position at the end of the year based on the information in the QBRs;
- Budget Review Income and Expenses Statement
- Budget Review Capital Budget
- Budget Review Cash and Investments position
- Budget Review Key Performance Indicators; and,
- Budget Review Contracts and Other Expenses

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

Conclusion:

The revised financial position of Council is considered to be satisfactory.

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

Author: Acting General Manager

Authoriser:

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

SUMMARY / PURPOSE

This report presents the second six-monthly review of the Delivery Program and Operational Plan for the 2023/2024 financial year. This report includes data across the whole 2023/2024 financial year.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Six-Monthly Review of the Delivery Program and Operational Plan 2023/2024*.
2. Receives and notes the attached Six-Monthly Review of the Delivery Program and Operational Plan.

BACKGROUND INFORMATION

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

Delivery Program

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

REPORT

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

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

13.5 2023-2024 ANNUAL REPORT**Author:** Executive Assistant**Authoriser:** Acting General Manager**Attachments:** 1. Annual Report 2023-2024 (under separate cover) **SUMMARY / PURPOSE**

This report presents the 2023-2024 Annual Report to Council prior to its finalisation and presentation to the public and the Minister for Local Government.

RECOMMENDATION

That Council:

1. Receives and notes the report, *2023-2024 Annual Report*;
2. In accordance with s.428 of the Local Government Act, 1993, posts the finalised Annual Report on Council's website and provide a copy to the Minister.

BACKGROUND INFORMATION**Legislative Requirements**

Section 428 of the Local Government Act, states that "within five months after the end of each year, a council must prepare a report (its annual report) for that year reporting as to its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed".

The content of the report is prescribed by the Act, with the view of ensuring greater accountability of the Council.

Section 428(5) of the Local Government Act states that "a copy of the council's annual report must be posted on the council's website and provided to the Minister and such other persons and bodies as the regulations may require".



A copy of a council's annual report may be provided to the Minister by notifying the Minister of the appropriate URL link to access the report on the council's website.

13.6 LOCAL GOVERNMENT RECOVERY GRANT FOR HIGHLY IMPACTED COUNCILS

Author: Manager Development & Regulatory Services

Authoriser: Acting General Manager

Attachments:

1. **Local Government Recovery Grant for Highly Impacted Councils Program Guidelines (under separate cover)** 
2. **Projects for Local Government Recovery Grants for Highly Impacted Council Program** 

SUMMARY / PURPOSE

The purpose of this report is to seek Council approval to submit a revised Program of Works under the Local Government Recovery Grants for Highly Impacted Councils Program.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Local Government Recovery Grant for Highly Impacted Councils*.
2. Authorises the Acting General Manager to submit a revised Program of Works under the Local Recovery Grant for Highly Impacted Councils Program to the Office of Local Government on the following basis:
 - (a) \$350,000 for the Upper Richmond River Catchment Riparian Study and Action Plan
 - (b) \$350,000 for on-ground works to repair flood-impacted riparian zones
 - (c) \$100,000 for repair of the Fawcett Creek Walking Trail
 - (d) \$200,000 for additional Critical Open Space Upgrades
 - (e) \$50,000 to prepare Flood-resilient Landscaping Plans for flood affected parks.

BACKGROUND INFORMATION

In July 2022, Council's then General Manager provided Council with a report recommending that the following projects be nominated for the \$2 million Local Government Recovery Grant for Highly Impacted Councils:

1. Fairymount Community Recreation Precinct Activation - \$500,000

Funding to provide for initial improvements and preparation of a long-term strategic master plan for the Fairymount land once acquisition is completed.

2. Community Place Management Project - 500,000

Funding to engage with community groups (including Village Maintenance Groups, Progress Associations, Landcare, businesses, clubs, Local Aboriginal Land Councils etc.) to review management/maintenance issues for community land in towns and villages and develop priority projects and resourcing plan.

3. Critical Open Space Upgrades - \$500,000

Complete community space upgrade projects in Amphitheatre Park, Norman Johnson Park, Tabulam Oval and refurbish the Memorial Gates at Mallanganee Oval.

4. Community Grants Program - \$250,000

Additional funding for community groups to support local economic and social recovery initiatives and improvements.

5. Community Asset Business and Management/Marketing Plans - \$250,000

Marketing of the Kyogle local government area to encourage the tourism and visitor economy. Develop strategic plans and business models for community recreational accommodation facilities including Council-controlled camping and caravan parks and the Toonumbar Waters Retreat.

Council authorised the General Manager to submit a Program of Works as outlined above (Resolution CO/0722/9) which occurred on 30 August 2022.

In December 2022, the Office of Local Government (OLG) first raised concerns with senior Council officers regarding the submitted program of works. These concerns centred around whether some of the projects submitted met the Program Guidelines and criteria to be eligible for funding under the Grant Program (see Attachment 1). Throughout 2023, Council officers held several discussions with the OLG, and responded to several requests for further information, on the program of works in an effort to obtain OLG approval of the program. As of early 2024, OLG had still not approved the program of works.

PREVIOUS COUNCIL CONSIDERATION

At the 11 July 2022 Ordinary Meeting of Council, Council resolved to authorise the General Manager to submit a program of works to the OLG which included the five projects outlined above (Resolution CO/0722/9).

REPORT

In March 2024, representatives of the OLG met with Council officers to discuss the program of works. OLG advised that they were unable to approve the program of works if it contained projects which did not meet the Program Guidelines and criteria to be eligible for funding under the Grant Program.

A review of the program of works against the Program Guidelines revealed that three projects, namely, the Fairymount Community Recreation Precinct Activation (\$500,000), the Community Grants Program (\$250,000) and the masterplan and business case for the Kyogle Aquatic Precinct (\$50,000) are ineligible under the Program Guidelines.

The review also revealed that the Community Place Management Project (\$500,000) had been superseded by Council's decision to implement Council-managed asset plans for community spaces, rather than the community-led approach espoused under the proposed project.

Of the abovementioned projects, Council has only expended funds against the Community Grants Program, meaning that \$1,050,000 of the funding allocated to ineligible or superseded projects is unspent. Given this, OLG has agreed to provide Council with the opportunity to nominate new projects in place of those projects to ensure that Council and the community receives the benefit of the funding allocation.

Accordingly, Council officers have developed a new list of projects. In developing the list, Council officers have been cognisant to ensure that projects meet the Program Guidelines including eligibility criteria and can be delivered by 30 June 2025 (a requirement of the Program) within existing resources, or by engaging the services of external consultants. Projects which cannot be delivered by Council by 30 June 2025 will not be approved by the OLG. The new projects are summarised below with a full description at Attachment 2:

1. Richmond River Catchment Riparian Study and Action Plan (\$350,000)

A study of the riparian zones of the Upper Richmond River and its tributaries to assess the extent of damage to riverbanks and condition of adjacent riparian zones after the 2022 February/March flood event. The information gathered during the study will be used to prepare a Riparian Action Plan, outlining a prioritised program of key works which need to be undertaken across the catchment to repair flood damage and restore riparian zones in order to increase resilience and reduce flood damage in future events. The Action Plan will be used to source funding to carry out the works identified in the Plan through other government funding programs.

Preparation of a Riparian Action Plan for the Upper Richmond River aligns with the objectives of Council's *Community Strategic Plan 2022-2023* and *Local Strategic Planning Statement 2020* to protect and enhance the health of the Richmond River and is a necessary precursor to delivery of actions under these plans to implement initiatives to protect riparian land, water quality, waterway health and key fish habitat.

2. On-ground Works to Repair Flood-impacted Riparian Zones (\$350,000)

Council is proposing to work in conjunction with local Landcare groups, state agencies and landowners to repair riparian rehabilitation works damaged during the 2022 floods on public and private lands. The project will also address future risks to flood events by undertaking restoration works at high-risk sites in the Richmond River catchment area. It is proposed to undertake works across ten sites abutting the Richmond River, Fawcetts Creek, Gradys Creek, Horse Station Creek and Back Creek, with six sites owned by public agencies (Council, Crown Lands and the Department of Education) and four owned by private landowners.

3. Repair of Fawcetts Creek Walking Trail (\$100,000)

The Fawcetts Creek Walking Trail is located on Council-managed Crown Land on the banks of Fawcetts Creek. The Walking Trail has been in a state of disrepair since the 2022 floods with a significant amount of damage sustained to the trail, and the establishment of weeds and seedlings in the pathway from floodwaters.

Funding will be used to repair the Fawcetts Creek Walking Trail so that it can be used again by the public. Debris and plants will be removed from the pathway, hardstand sections of the pathway will be cleaned and works undertaken to re-stabilise sections of the pathway that have been undermined by flood water. The adjoining banks of the trail will be re-planted with vegetation to stabilise the banks and ensure the trail is more resilient to future flood events.

4. Critical Open Space Upgrades (Additional \$200,000)

Playground equipment in Anzac and Apex parks is subject to inundation during most flood events in Kyogle. The cumulative impact of successive flood events has resulted in some issues such as weakening and rusting of supports, cracking of elements and exposure of sharp fixtures and fittings, which may present a safety risk to children using the equipment.

Council will use the funding to replace the playground equipment at Apex Park and Anzac Park with more flood-resilient equipment.

5. Flood-resilient Landscaping Plan for Flood-affected Parks (\$50,000)

After the 2022 February/March flood event, Council has identified the need to develop a flood-resilient landscaping plan for Anzac and Apex parks, where the layout and materials used in key landscape features are designed to withstand the impacts of flood events, so that recovery costs are minimised in future.

Preparation of Flood-resilient landscaping plans will enable Council to move forward with implementation of the master plans for both parks.

OLG have undertaken a preliminary assessment of the new projects and advised Council that they meet the eligibility criteria for the Grant Program and can proceed to formal assessment. Staff now require Council approval to submit the above outlined projects to OLG for approval.

BUDGET AND FINANCIAL IMPLICATIONS

The projects submitted under the original program of works were being funded 100% from the Local Government Recovery Grant for Highly Impacted Councils Program. While removal of the Fairymount Community Recreation Precinct Activation (\$500,000) Project and the masterplan and business case for the Kyogle Aquatic Precinct (\$50,000) from the program has no direct effect on Council's current budget, Council would need to make an allocation from Council funds or obtain funding from another source to progress these projects in future.

Highly Impacted Council Local Government Recovery Grant: Revised Program of Works

1. Richmond River Catchment Riparian Study and Action Plan (\$350,000)

Project Category: Built and Environmental Recovery.

Project Type: New project or initiative related to assets and infrastructure that support disaster resilience in response to flood and storm events.

Project Description: In February/March 2022 the Richmond River and its major tributaries including Fawcetts Creek, Horse Station Creek, Eden Creek, Iron Pot Creek, Back Creek, Horseshoe Creek, Collins Creek, Lynches Creek, Gradys Creek, Roseberry Creek and Findon Creek broke their banks and flooded adjoining land. After the flood water receded, the significant amount of damage caused to the waterways and adjoining riparian zones became apparent with severe scouring of river and creek banks, bank erosion and landslips and loss of riparian vegetation. The impacts of the February/March 2022 event are not isolated with every flood event in the Upper Richmond River catchment having a cumulative impact on the degradation of our waterways and aquatic habitats, water quality and loss of adjoining land.

After the February/March 2022 flood event, Council identified that generally, the riparian zones of the waterways of the Upper Richmond catchment are in a severely degraded state due to historical land use practices. In many locations they can be characterised as being sparsely vegetated, infested with exotic weed species and degraded due to open access for watering livestock. As a result, the waterways and adjoining riparian zones are at high risk of further significant damage during a flood event which in turn contributes to further degradation of our environment in terms of water quality, habitat for aquatic species and spreading of weed species further downstream.

To address the above issue, Council has identified the need to undertake a study of the riparian zones of the Upper Richmond River and its tributaries to assess the extent of damage to riverbanks and condition of adjacent riparian zones after the 2022 February/March flood event. The information gathered during the study would then be used to prepare a Riparian Action Plan, outlining a prioritised program of key works which need to be undertaken across the catchment to repair flood damage and restore riparian zones in order to increase resilience and reduce flood damage in future events. The Action Plan would then be used to source funding to carry out the works identified in the Plan through other government funding programs.

Governance Arrangements: In order to ensure that the Study and Action Plan are delivered by June 2025, Council would engage an environmental consultant to undertake the work.

2. On-ground Works to Repair Flood-impacted Riparian Zones (\$300,000)

Project Category: Built and Environmental Recovery.

Project Type: New project or initiative related to assets and infrastructure that support disaster resilience in response to flood and storm events.

Project Description: In February/March 2022 the Richmond River and its major tributaries including Fawcetts Creek, Horse Station Creek, Eden Creek, Iron Pot Creek, Back Creek, Horseshoe Creek, Collins Creek, Lynches Creek, Gradys Creek, Roseberry Creek and Findon Creek broke their banks and flooded adjoining land. After the flood water receded, the significant amount of damage caused to the waterways and adjoining riparian zones became apparent with severe scouring of river and creek banks, bank erosion and landslips and loss of riparian vegetation.

Council and our local Landcare groups had several projects underway on both public and private lands to mitigate the impacts of future flood events and improve catchment health and water quality by restoring riparian zones. Several of the project sites were significantly damaged during the flood event, with juvenile plants and protective landscaping works washed away, and weed species introduced by the floodwaters. Unfortunately, neither Council, local Landcare groups or landowners had funds to invest in replacing the works undertaken to date.

In addition, Council, state agencies and local Landcare groups have identified new sites where the banks and riparian zones of waterways were damaged in the 2022 February/March flood event and are in urgent need of repair and restoration works to prevent adverse impacts of future floods and improve the health and water quality of our waterways.

Under this project Council is proposing to work in conjunction with local Landcare groups, state agencies and landowners to repair riparian rehabilitation works damaged during the 2022 floods on public and private lands. The project will also address future risks to flood events by undertaking restoration works at high-risk sites in the Richmond River catchment area. It is proposed to undertake works across ten sites abutting the Richmond River, Fawcetts Creek, Gradys Creek, Horse Station Creek and Back Creek, with four sites owned by public agencies (Council, Crown Lands and the Department of Education) and five owned by private landowners.

Governance Arrangements: In order to ensure that the on-ground projects are delivered by June 2025, Council will partner with relevant stakeholders including the Border Ranges and Richmond Valley Landcare Network (BRRVLN) and National Parks and Wildlife Service. BRRVLN would be responsible for project managing seven of the 10 repair and restoration projects, while Council would be responsible for project managing the remaining three projects. Landowners of seven of the 10 project sites have already indicated willingness to participate in the program. Local bush regenerators would also be contracted to deliver the on-ground works required.

3. Repair of Fawcetts Creek Walking Trail (\$100,000)

Project Category: Built and Environmental Recovery.

Project Type: Council or community owned infrastructure.

Project Description: The Fawcetts Creek Walking Trail is located on Council-managed Crown Land on the banks of Fawcetts Creek; a tributary of the Richmond River. The Walking Trail connects Alcorn Park with the Kyogle Recreation Reserve. In the February/March 2022 flood event the Walking Trail was completely submerged by flood water. After the flood water receded, a significant amount of damage to the Walking Trail was revealed with some sections de-stabilised by erosion and the whole length of the trail covered in debris. The Walking Trail has not been used since the 2022 flood event due to the damage caused by the floodwaters and in the intervening time, further damage has been caused by the establishment of weeds and mangrove seedlings in the established pathway.

Funding will be used to repair the Walking Trail so that it can be used again by the public. Debris and plants will be removed from the pathway, hardstand sections of the pathway will be cleaned and works undertaken to re-stabilise sections of the pathway that have been undermined by flood water. The adjoining banks of the trail will be re-planted with vegetation to stabilise the banks and ensure the trail is more resilient to future flood events.

Governance arrangements: To ensure that the repairs to the walking trail are delivered by June 2025, Council would engage a local landscaping company to undertake the work.

4. Critical Open Space Upgrades (Additional \$250,000)

Project Category: Built and Environmental Recovery.

Project Type: Council or community owned infrastructure.

Project Description: Apex Park and Anzac Park are both located on flood prone land in Kyogle. In the 2022 February/March flood event, both parks were inundated by flood water and debris from Fawcett Creek, causing damage to park playground equipment and fencing. While initial repairs were undertaken to the equipment and fencing to enable it to be used by members of the public again, the cumulative impact of successive flood events has resulted in some issues such as weakening and rusting of supports, cracking of elements and exposure of sharp fixtures and fittings, which may present a safety risk to children using the equipment.

Council will use the funding to replace the playground equipment with more flood-resilient equipment which will address any potential safety concerns and ensure the equipment can withstand the impacts of future flood events.

Governance arrangements: To ensure that the new playground equipment is installed by June 2025, Council would engage a contractor to undertake the work.

5. Flood-resilient Landscaping Plan for Flood-affected Parks (\$100,000)

Project Category: Built and Environmental Recovery.

Project Type: New project or initiative related to assets and infrastructure that support disaster resilience in response to flood and storm events.

Description: Anzac Park and Apex Park are located on flood prone land in Kyogle. In the 2022 February/March flood event the parks were completely inundated by flood water causing damage to park facilities and landscaping. The parks are one of the first areas of land to be inundated by flood water from Fawcett Creek during a major flood event and after each event, park landscaping is in a state of disrepair, requiring significant works to clean up and replace materials.

Accordingly, after the 2022 February/March flood event, Council identified the need to develop a flood-resilient landscaping plan for the parks where the layout and materials used in key landscape features are designed to withstand the impacts of flood events, so that recovery costs are minimised in future. Once the Plan is developed, Council would deliver the landscaping in accordance with the Plan using alternative funds.

Governance arrangements: To ensure that the Flood-resilient Landscaping Plan for the parks are delivered by June 2025, Council would engage a landscape design consultant to undertake the work.

13.7 CODE OF CONDUCT STATISTICS

Author: Acting General Manager
Authoriser: Director Planning and Community Development
Attachments: Nil

SUMMARY / PURPOSE

The complaints coordinator must arrange for Code of Conduct statistics relating to the General Manager and Councillors to be reported to the council within three months of the end of September of each year.

RECOMMENDATION

That Council receives and notes the report, *Code of Conduct Statistics*.

REPORT

In accordance with Clause 11.1 of the Procedures for the Administration of the Model Code of Conduct, the complaints coordinator must arrange for Code of Conduct statistics relating to the General Manager and Councillors, to be reported to the council within 3 months of the end of September of each year. The below report is also provided to the Office of Local Government (OLG), and Councils’ Audit Risk and Improvement Committee, in the form prescribed by the OLG.

The reporting period is September to September.

**Model Code of Conduct Complaints Statistics
 2023-2024
 Kyogle Council**

Number of Complaints

1	The total number of complaints received in the reporting period about councillors and the General Manager (GM) under the code of conduct from the following sources:	
i	Community	1
ii	Other Councillors	1
iii	General Manager	0
iv	Other Council Staff	1
2	The total number of complaints finalised about councillors and the GM under the code of conduct in the following periods:	

i	3 Months	3
ii	6 Months	0
iii	9 Months	0
iv	12 Months	0
v	Over 12 months	0

Overview of Complaints and Cost

3	a	The number of complaints finalised at the outset by alternative means by the GM or Mayor	0
	b	The number of complaints referred to the Office of Local Government (OLG) under a special complaints management arrangement	1
	c	The number of code of conduct complaints referred to a conduct reviewer	2
	d	The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer	0
	e	The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer	0
	f	The number of finalised code of conduct complaints investigated by a conduct reviewer	2
	g	Cost of dealing with code of conduct complaints via preliminary assessment	0
	h	Progressed to full investigation by a conduct reviewer	2
	i	The number of finalised complaints investigated where there was found to be no breach	2
	j	The number of finalised complaints investigated where there was found to be a breach	1
	k	The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police	
	i	ICAC	0

ii	NSW Ombudsman	0
iii	OLG	1
iv	Police	0
v	Other Agency (please specify)	0
l	The number of complaints being investigated that are not yet finalised	0
m	The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs	10,475

Preliminary Assessment Statistics

4	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)	0
f	Other action (please specify)	0

Investigation Statistics

5	The number of investigated complaints resulting in a determination that there was no breach , 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)	1
6	The number of investigated complaints resulting in a determination that there was a breach 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)	0
7	Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2020 Procedures)	1

Categories of misconduct

8	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)	1
b	Non-pecuniary conflict of interest (Part 5)	0
c	Personal benefit (Part 6)	0
d	Relationship between council officials (Part 7)	1
e	Access to information and resources (Part 8)	0

Outcome of determinations

9	The number of investigated complaints resulting in a determination that there was a breach in which the council:	
a	Adopted the independent conduct reviewers recommendation	1

	b	Failed to adopt the independent conduct reviewers recommendation	0
10		The number of investigated complaints resulting in a determination where:	
	a	The external conduct reviewers decision was overturned by OLG	0
	b	Council's response to the external conduct reviewers recommendation was overturned by OLG	0
11		Date Code of Conduct data was presented to council	11- Nov- 24

13.8 AGENCY INFORMATION GUIDE

Author: Acting General Manager

Authoriser:

Attachments: 1. Draft Agency Information Guide (under separate cover) 

SUMMARY / PURPOSE

To adopt an Agency Information Guide in accordance with Part 3 Division 2, Section 20 of the Government Information (Public Access) Act (GIPA) 2009.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Agency Information Guide*;
2. Adopts the attached Agency Information Guide 2024/25.

REPORT

The object of the GIPA Act is to open government information to the public by the proactive public release of government information. The Act provides members of the public an enforceable right to access government information and only restricts government information when there is an overriding public interest against disclosure.

Under Part 3 Division 2 of the GIPA Act, all agencies (other than a Minister) must have an Agency Information Guide (AIG). AIGs must be made available free of charge on the agency's website.

Agencies must review their AIG and adopt a new AIG at intervals of not more than 12 months.

Agencies must notify the Information Commissioner before adopting or amending an AIG and, if requested to do so by the Information Commissioner, consult with the Information Commissioner on the proposed AIG or amendment. The Commissioner has been notified.

Agencies must make "open access information" publicly available as provided by its AIG.

The attached Agency Information Guide will be displayed on Council's website and is presented for adoption for the following 12-month period.

13.9 THREE-BIN WASTE COLLECTION SERVICE

Author: Manager Development & Regulatory Services

Authoriser: Director Planning and Community Development

Attachments: 1. **Kyogle Council Three-Bin Waste Audit 2024 (under separate cover)**



SUMMARY / PURPOSE

The purpose of this report is to provide Council with information regarding the effectiveness of Council's new three-bin waste collection service in meeting Council's waste objectives and residents waste disposal needs.

RECOMMENDATION

That Council receive and note the report, *Three-Bin Waste Collection Service*.

BACKGROUND INFORMATION

On 1 July 2023, Kyogle Council introduced a new three-bin waste collection service for residents and businesses. The service was introduced following the release of the *NSW Waste and Sustainable Materials Strategy 2041* which mandated that households and selected businesses must be provided with a food and garden organics collection service by 2030.

The service provided for residential households consists of one 140L landfill waste red-lid bin (collected fortnightly), one 240L recycling yellow-lid bin (collected fortnightly) and one 240L food and garden organics green-lid bin (collected weekly). Commercial premises receive one 240L landfill waste red-lid bin (collected fortnightly) and one 240L recycling yellow-lid bin (collected fortnightly) as standard, while food premises also receive a 240L food and garden organics green-lid bin (collected weekly).

PREVIOUS COUNCIL CONSIDERATION

Following introduction of the new three-bin waste collection service, Council received feedback from some residents raising issues about the capacity and collection frequency of the red-lid residual bin. In response to the issues raised, Council resolved at the 12 February 2024 Ordinary Meeting of Council to receive a report on the effectiveness of the three-bin waste collection service in meeting residents waste disposal needs.

REPORT

Council's three-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 also 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.

Council has analysed waste data available for the first 12 months of service, along with data collected from residential kerbside waste audits conducted in Kyogle and Woodenbong in March 2024, in order to ascertain the effectiveness of the service since introduction. A summary of the results follows; however, more detailed information can be found in the *Kyogle Council Three-Bin Waste Audit Report* (Attachment 1).

Landfill waste

The data shows that as a result of the introduction of the three-bin service the monthly average of waste being sent to landfill has dropped by 26.66 tonnes (see Figure 1). This is a 32.7% reduction from waste volumes recorded in 2022/23.

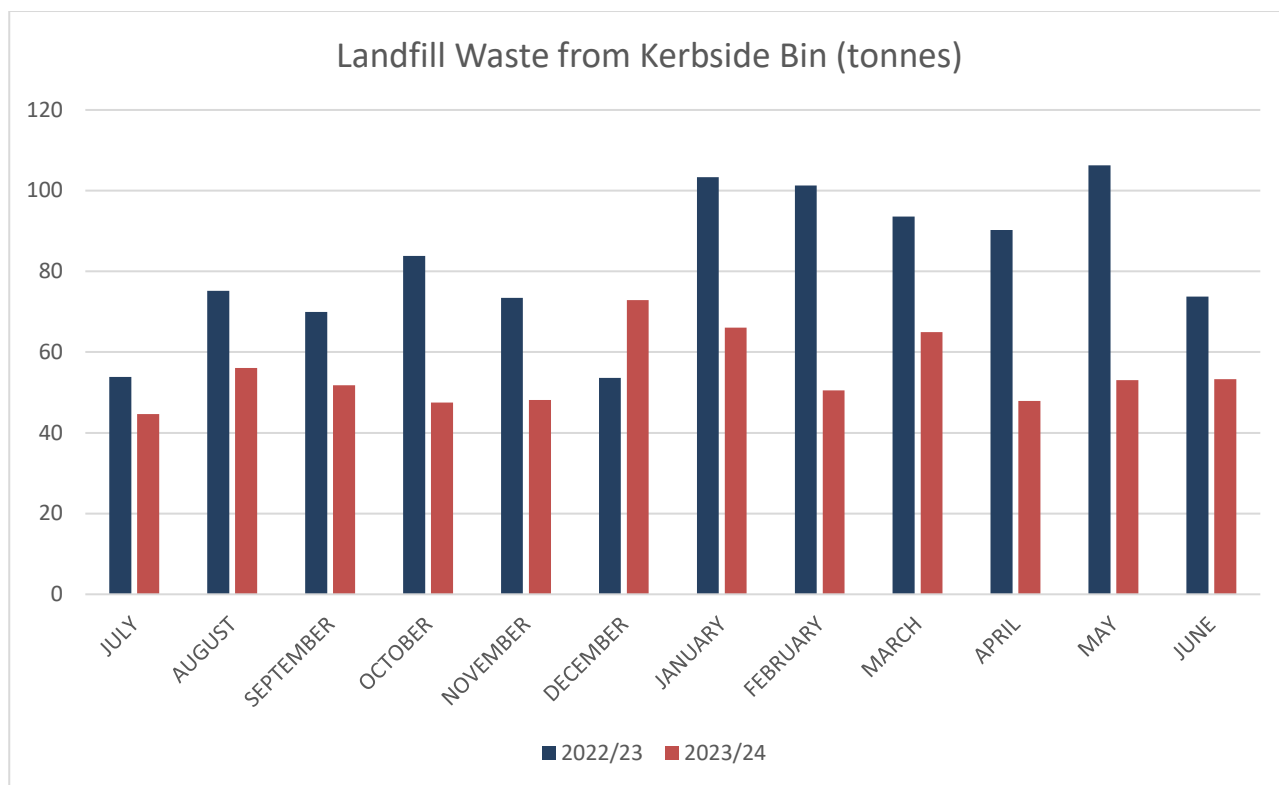


Figure 1: Comparison of waste volumes 2022/23 – 2023/24

In terms of the red-lid landfill bin, the data shows that the majority of 140L bins are almost at capacity on collection day. However, in Kyogle, residents are filling up 23% of their red-lid landfill bin with waste that should be put into their yellow-lid recycling bin or green-lid food and garden organics (FOGO) bin. In Woodenbong this percentage is higher at 28%. Redeemable drink containers, glass, metal, hard plastics, paper and cardboard are the main recyclable items being placed in the landfill bin.

Recycling

The data shows that as a result of the introduction of the three-bin service the monthly average of materials being recycled has increased by approximately 2.31 tonnes (see Figure 2). This is an 8.5% increase from recycling volumes recorded in 2021/22 and a 63% increase from 2022/23 (several contamination incidents in 2022/23 resulted in lower-than-average recycling rates).

In Kyogle, recycling bins are approximately 58% full on collection day, while in Woodenbong recycling bins are approximately 46% full. However, our recycling contamination rate (the amount of non-recyclable waste found in the yellow-lid recycling bin) is 28% in Kyogle and 14% in Woodenbong (in comparison to the regional average of 16%). Plastic bags, food and garden organic material, takeaway coffee cups and fibre-based packaging, clothing, Manchester and household appliances are the main items residents are incorrectly placing into their recycling bin.

Interestingly, the data also revealed that Kyogle households are disposing of over 500 drink containers that are eligible for a 10-cent refund via the Container Deposit Scheme in their kerbside bins per year, while in Woodenbong this number was around 220 drink containers. This means households could be recouping between \$22 - \$51 per annum if they returned their drink containers via a collection point.

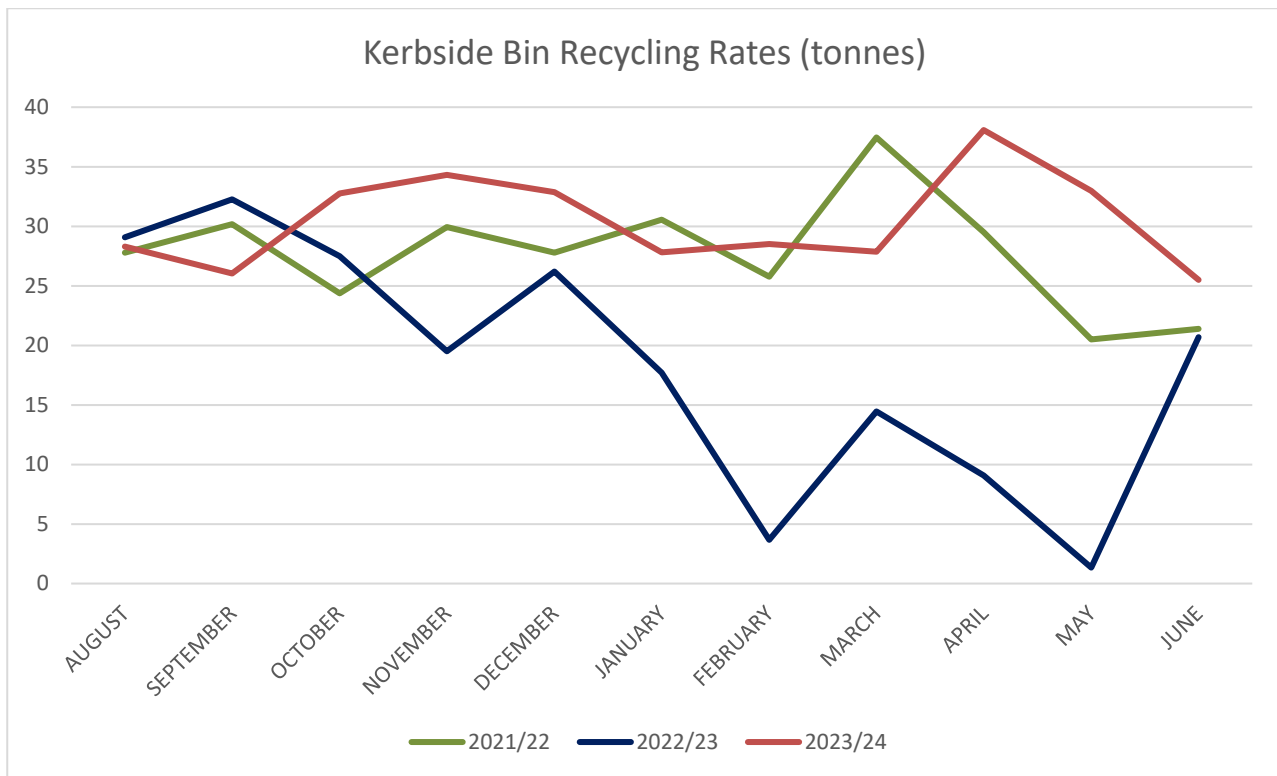


Figure 2: Comparison of recycling volumes 2021/22 – 2023/24

FOGO

The data shows that as a result of the three-bin service more than 93% of food and garden organics (FOGO) is being successfully diverted from landfill. The remaining 7% is mostly being incorrectly placed in the red-lid landfill bin.

In Kyogle, FOGO bins are approximately 35% full on collection day, while in Woodenbong FOGO bins are approximately 43% full.

Our FOGO contamination rate (the amount of non-organic waste found in the green-lid FOGO bin) is approximately 3% in Kyogle and less than 1% in Woodenbong. The regional average is 3.25%, so all residents are doing well in terms of making sure they are only putting organics into their FOGO bin.

Way Forward

Council’s waste data and the results of the three-bin waste audit indicate that the three-bin service is providing residents and businesses with ample capacity for their waste disposal needs. The introduction of the three-bin service has also been very successful in terms of reducing waste going to landfill and diverting FOGO from landfill.

However, there is opportunity for Council to achieve even better results by providing further education to residents and businesses on how to sort their waste correctly using the three-bin service. The results of the audit in particular demonstrate that more education is required about what materials and packaging can be recycled in our kerbside collection bin, not only to increase recycling rates, but also reduce the amount of contamination in our recyclable materials.

Reports of capacity issues with the red-lid landfill bin may be solved (to some extent) by providing further education to residents about recycling, freeing up an additional 32-40L in landfill waste bin capacity per household. It should be noted that if residential households still have capacity issues after correctly sorting their waste, owners are able to upgrade their red-lid landfill waste bin to a 240L bin for an additional \$144 per annum (2024/25 Fees and Charges). Currently, approximately 30 residential households have requested to upgrade their service (which is less than 1.5% of the total number of residential households serviced).

Key messages for residents and businesses include:

- Make sure ALL food scraps and garden waste go into the green-lid FOGO bin. Remember – if it can go on your plate, it can go into the FOGO bin!
- Only Australian Standard compostable bags and food wrapped in paper can go in the FOGO bin.
- Cardboard, paper and other fibre-based food packaging and soft plastic bags CANNOT go into the FOGO bin.
- Make sure ALL recyclable materials go into the yellow-lid recycling bin – loose, not in a plastic bag. Remember to look for the Australasian Recycling Label on packaging and follow the instructions to make sure you are recycling everything you can.
- Plastic bags, food and garden organic material, takeaway coffee cups and fibre-based packaging, clothing, Manchester and household appliances CANNOT go into the recycling bin.
- Use the Community Recycling Centre and Recycling Stations to recycle household wastes like batteries, light bulbs, printer cartridges, mobile phones, eyeglasses, cooking and motor oils, paint, smoke alarms, fire extinguishers, gas canisters and x-rays – it's free!!
- Refer to the brochures and fridge magnets included in the roll-out information pack to help sort waste correctly.
- If residents are not sure whether something belongs in their red, yellow or green-lid bin, they can also refer to Council's new waste webpage which includes an A-Z guide on what can be placed in each bin and videos about how to recycle right. The waste webpage can be accessed at <https://www.kyogle.nsw.gov.au/infrastructure-environment/waste-water/waste-and-recycling/>.

BUDGET AND FINANCIAL IMPLICATIONS

Nil.

13.10 PECUNIARY INTEREST RETURNS

Author: Manager Corporate Services

Authoriser:

Attachments: Nil

SUMMARY / PURPOSE

To table Pecuniary Interest Returns in accordance with the Local Government Act 1993 and the Model Code of Conduct.

RECOMMENDATION

That Council:

1. Receives and notes the report, *Pecuniary Interest Returns*;
2. Notes the tabling of the Register of Returns.

BACKGROUND INFORMATIONLegislative Requirements

It is a requirement of the Local Government Act that the General Manager keeps a register of the completed and lodged returns of Councillors and designated persons. The returns must be available for inspection by members of the public.

Under clause 4.21 of the Model Code of Conduct for Local Councils in NSW:

A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within three months after:

- (a) becoming a councillor or designated person, and*
- (b) 30 June of each year, and*
- (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).*

REPORT

Pecuniary interest ordinary returns have been completed by all designated persons and Councillors except one Councillor.

Schedule 1 of the Government Information (Public Access) Regulation 2018, defines pecuniary interest returns as open access and as such are publicly available through Council's office and website.

14 URGENT BUSINESS WITHOUT NOTICE

15 CONFIDENTIAL BUSINESS PAPER**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

15.1 Tender 2024/25-010 Construction of Mallanganee Lookout

This matter is considered to be confidential under Section 10A(2) - di of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.2 Purchase of additional small parcel of land for Mallanganee Sewerage Treatment Plant

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

16 CLOSE OF MEETING