

Richmond
Valley
Council



Minutes
Ordinary Meeting
26 June 2018



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**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND
GRAHAM PLACE, CASINO, ON 26 JUNE 2018 AT 5PM.**

Please note: these minutes are subject to confirmation at the next Council meeting. Decisions recorded in the draft minutes are subject to the Council's Code of Meeting Practice in relation to rescinding decisions.

PRESENT

Crs Robert Mustow (Mayor), Steve Morrissey (Deputy Mayor), Daniel Simpson, Sam Cornish, Robert Hayes, Sandra Humphrys and Jill Lyons.

Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond), Deborah McLean (Manager Governance & Risk) and Julie Clark (Personal Assistant to Mayor and General Manager) were also in attendance.

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor provided an Acknowledgement of Country by reading the following statement on behalf of Council:

"Richmond Valley Council recognises the people of the Bundjalung Nations as Custodians and Traditional Owners of this land and we value and appreciate the continuing cultural connection to lands, their living culture and their unique role in the life of this region in the past, present and future."

2 PRAYER

The meeting opened with a prayer by the General Manager.

3 PUBLIC ACCESS AND QUESTION TIME

3.1 Public Access – Mr David O'Reilly President Casino Auctioneers Association Inc. - Item 14.4 - Draft Revised Delivery Program 2017/2021, Draft Operational Plan 2018/19, (including financial estimates 2018/2022), and Draft Revenue Policy 2018/19.

Mr O'Reilly President of the Casino Auctioneers Association Inc. addressed Council in relation to the NRLX fees and charges and referred to a recent letter provided to Council.

Commented that agents are very happy with Stage 1 of the upgrade and are looking forward to continuing a positive relationship with Council during Stage 2 of the upgrade and into the future.

The Mayor and Councillors thanked Mr O'Reilly for his presentation and the notes the positive relationship between Council and Casino Auctioneers Association.

3.2 Public Access – Ms Liz Stops – Item 14.6 – Modification to DA2009/0116.04 Riverside Village – 570 Woodburn Evans Head Road

Ms Stops addressed Council in relation to the Revised Koala Plan of Management included as part of Development Application 2009/0116.4.

Commented that the Friends of the Koala (FOK) have undertaken a preliminary review of the revised Doonbah Koala Plan of Management (DKPOM) 2018 and raised numerous concerns.

Now seeking Council's support in implementing the following recommendations;

- 1) That a decision on the approval of the DKPOM be deferred to a future meeting to enable FOK to provide a more detailed review of the DKPOM and the opportunity to meet with Council and the Department of Planning.
- 2) That the two-mature planted Swamp Mahogany around the individual dwelling in the north-west of the site be retained and access by koalas be maintained.
- 3) That a cortisol stress study be required as part of the monitoring to detect stress in the koalas' subject to the loss of habitat and habitat disturbance.
- 4) That an experienced Koala Spotter be used to do a pre-clearing check and to be on-site during clearing. Should a koala be detected within 100m of

clearing, FOK should be contacted to assess the stress and welfare of the individual during the clearing process.

- 5) That changes are made to the offset plantings to require a range of primary koala food trees suitable for the site to include eucalyptus, tereticornis, forest red gum, corymbia intermedia pink bloodwood, lophostemon suaveolens swamp box, melaleuca quinquenervia, broad-leaved paperbark, casuarina glauca, swamp oak (in the wetter areas) and salwood (acacia disparrima subsp. disparrima).
- 6) That a permanent covenant be established on the title of the land over the offset planting area to ensure its protection in perpetuity. This covenant should include restrictions on use.
- 7) That an appropriate koala friendly exclusion fence be put in place to separate the precincts.

Ms Stops also requested the following questions be answered;

Question 1:

Why did council not take up the suggestion of FOK to include water crystals in tree plantings and can that omission be rectified?

Response:

The approved KPoM will provide an irrigation system be installed to ensure trees are watered appropriately and to each individual planting. The irrigation system is to remain in place for three years or until plantings no longer require irrigation. An irrigation system designed to deliver water to each plant is the preferred method of ensuring plants receive sufficient water for good growth.

Other measures included in the KPoM to maximise tree survival include mulching and fertilising of plantings and soil testing and actions to rectify any soil deficiencies.

The KPoM actions provide scope for water crystals to be provided at the time of planting if found necessary.

Question 2:

Instead of 140 Swamp Mahoganies, could the selected species be varied koala food trees as this would make for a more resilient and diverse planting that would also be of greater use to the koalas?

Response:

The total number of Swamp Mahogany to be planted is 200 including an additional 110 under the revised KPoM and the 90 planted under the 2010 KPoM. A survival target of 150 planted Swamp Mahogany is set as part of this. Swamp Mahogany are a primary Koala food tree and are the primary species growing in the area. The KPoM is a document approved by the Department of

Planning and Environment (DPE) and DPE have approved Swamp Mahogany as the compensatory species. All submissions including from FOK were referred to DPE for their consideration.

Question 3:

Koalas are extremely good at getting over fences, can some of the existing trees be left, in particular those with scats underneath them?

Response:

Trees identified for removal in the application have been considered in the KPoM which is now approved. A precinct based approach is to be provided at the site with Koala habitat (including compensatory planting) to be located in the southern portion of the site and the development footprint in the northern portion. Management measures to protect any Koala entering the development footprint remain as a safeguard e.g. vehicle speed limits and dog prohibition.

Question 4:

A rope dangling in a pool may not be immediately apparent to a drowning koala, but a float would so. Is it possible to add a float to the end of the rope?

Response:

This is not a requirement of the KPoM, although the applicant may voluntarily choose to implement additional measures.

The Mayor thanked Ms Stops for her presentation to Council

4 APOLOGIES

Nil

5 MAYORAL MINUTE

Nil

6 CONFIRMATION OF MINUTES

6.1 ORDINARY MEETING MINUTES – 15 MAY 2018

A copy of the Minutes of the Ordinary Meeting, held on 15 May 2018, was distributed with the Business Paper.

RECOMMENDATION

Recommended that the Minutes of the Ordinary Meeting, held on 15 May 2018, be taken as read and confirmed as a true record of proceedings.

260618/1 RESOLVED (Cr Lyons/Cr Cornish)

That the Minutes of the Ordinary Meeting, held on 15 May 2018, be taken as read and confirmed as a true record of proceedings.

FOR VOTE - All Council members voted unanimously.

7 MATTERS ARISING OUT OF THE MINUTES

14.7 Tender RVC799016 – Woodburn Riverside Precinct

Cr Simpson requested an update on the progress of the Woodburn Riverside tender.

The General Manager advised Council is currently in direct negotiation, with the aim to finalise the process during the next couple of weeks.

3.1 Public Access – Geoff Austin; on behalf of Casino & District Historical Society

Cr Hayes referred to the Drill Hall and enquired of the progress of a development application for Drill Hall.

The General Manager advised tenders have been called and are due to close in the 1st week of July 2018. Noting the processing time for the development application is longer, due to the requirement for referral to government agencies.

14.1 Broadwater Rileys Hill Community Hall and Memorial Park Redevelopment

Cr Hayes enquired as to whether a letter of thanks had been forwarded to the Broadwater Public School in accordance with item 4 of Council's resolution.

The General Manager advised yes this has been completed.

8 DECLARATION OF INTERESTS

8.1 DECLARATION OF INTERESTS - ORDINARY MEETING 26 JUNE 2018

Cr Mustow declared a non-pecuniary (insignificant conflict) interest in Item 14.5 Event Funding Scheme (invited participant).

9 PETITIONS

Nil

10 NOTICES OF MOTION

Nil.

11 MAYOR'S REPORT

11.1 MAYOR'S ATTENDANCES – 10 MAY – 19 JUNE 2018

RECOMMENDATION

Recommended that the Mayor's Report be received and noted.

260618/2 RESOLVED (Cr Mustow /Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Report

The Mayor attends a number of meetings/functions on behalf of Council.

The following information has been provided by the Mayor in regard to recent attendances.

May

- 11th Mothers' Day morning tea
- 11th Meeting with resident
- 11th Casino Community Soup Kitchen
- 14th Filming session school project
- 15th Ordinary meeting
- 16th Rous Country Council meeting
- 18th CWA "We care cuppa"
- 19th Beef Week Ball
- 20th Beef Meets Reef
- 21st Basketball Beef Week Cup
- 22nd Media interviews Northern Star and Prime News
- 23rd NRLX tours for Beef Week
- 23rd Art Exhibition
- 24th Meeting with Rockhampton staff
- 24th Drove around the Casino CBD with Brenda promoting Beef Week
- 24th Cancer Council morning tea
- 24th Welcomed CMCA Geiro Chapter members to Casino
- 24th Casino Scout Group welcome to NSW Governor
- 25th Beef Week Cup
- 26th Hosted morning tea for NSW Governor and Mrs Hurley
- 26th Beef Week Saturday
- 26th Presentation of trophies Casino & District Orchid Society
- 27th Beef Week Fitness Challenge
- 27th 41st Battalion meeting
- 28th NOROC Meeting
- 29th Reconciliation day Coraki
- 29th Healthy Town Evans Head
- 30th TAFE Reconciliation BBQ

June

- 1st Crawford Square opening of inclusive play equipment
- 1st Meeting with Chris Gulaptis MP
- 1st Meeting with resident
- 4th Citizenship Ceremony

- 5th Broadwater Hall Committee meeting
- 5th Councillor Information Session
- 7th Casino Healthy Towns Action Planning Workshops
- 12th New Italy Museum - onsite meeting
- 14th Meeting with resident
- 14th Casino Interagency meeting
- 15th Primex official opening with Thomas George MP
- 17th – 19th National General Assembly Canberra

12 DELEGATES' REPORTS

12.1 DELEGATES REPORT SUBMITTED TO THE JUNE 2018 ORDINARY MEETING

RECOMMENDATION

Recommended that the Delegates' Reports be received and noted.

260618/3 RESOLVED (Cr Humphrys /Cr Mustow)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Report

Council delegates are required to report on meetings/forums attended on Council's behalf.

The following information has been provided regarding meetings/functions attended by Councillors.

Rous County Council Meeting 16 May 2018

Cr Robert Mustow and Cr Sandra Humphrys have provided the following summary of the main items of business for the Rous County Council meeting held on 16 May 2018.



**Summary of main items of business for
Rous County Council meeting**

16 May 2018

i). Draft Delivery Program/Operational Plan and 2018/19 budget: public exhibition

Council resolved to confirm its Budget estimates and 'Revenue' policy inclusive of adjustments and to advertise and invite submissions on the draft Delivery Program/Operational Plan and 2018/19 budget (including schedule of Fees and Charges).

The draft documentation is available on Council's website at: www.rous.nsw.gov.au
Submissions can be made up until 9.00am Thursday 14 June 2018.

Information about submissions lodged and how they were considered will be reported to the June 2018 Council meeting. The final Delivery Program/Operational Plan will be reported for adoption at the same time.

ii). Investment policy (revised)

A review of Council's Investment policy has been completed and changes to threshold investment limits were recommended. The recommended changes were adopted by Council and will result in increased threshold limits for "B" category authorised Deposit-taking Institutions (ADI) and Unrated ADIs, specifically:

1. the maximum amount to be invested with a single Unrated ADI increases from \$500,000 to \$1,000,000; and
2. the maximum amount to be invested with a single B category ADI increases from 10% to 15% of portfolio.

The changes to the policy strengthen Council's rate of return by enabling the placement of more funds with "B" category and Unrated ADIs where higher rates are available.

iii). Information reports

i). Investments – April 2018

Total funds invested for April was \$36,328,604

This is an increase of \$1,102,833 compared to March 2018, primarily due to section 64 development contributions received from constituent councils.

Return for April was 2.60%

The weighted average return on funds invested for April 2018 was 2.60%, an increase of three basis point compared to the March 2018 result. This rate of return is 55 basis points above Council's benchmark, the average 90-day bank bill swap rate of 2.05%.

RCC Council meeting summary 16 May 2018

Interest earned was \$687,044 year to date

Interest earned compared to the adjusted budget was \$61,444 more than pro-rata budget.

Ethical holdings represent 67.86% of the total portfolio

The current holdings in Ethical Financial Institutions is \$24,600,000.

ii). Water production and usage April 2018

Total consumption by constituent councils in April 2018 decreased compared to the previous year. For April 2018, Rocky Creek Dam recorded 157mm rainfall.

Daily source usage for April 2018 averaged 29.517ML. This is an increase from the March 2018 daily average of 28.664ML. As at 30 April 2018 Rocky Creek Dam was at full capacity.

iii). Risk and Audit Committee: meeting update

Council noted the minutes of the 30 April 2018 Risk and Audit Committee meeting as presented. An update was provided in relation to various matters including: attendance at the Audit Office of NSW Forum on 20 April 2018; the Client Service Plan for the year ending 30 June 2018 issued by the Audit Office of NSW; status of outstanding actions from previous internal audits; and the status of activities arising from Council's risk register.

iv). Reconciliation Action Plan (RAP) Advisory Group

Minutes of the RAP meeting 29 March 2018 were presented to Council for information. It was noted that the following general matters were discussed at the RAP Advisory Group meeting:

1. Endorsement of a school-based traineeship.
2. Endorsement of a full-time trainee at Cert III/IV level.
3. Cultural Awareness training.
4. Rocky Creek Dam opening; RAP event between Council and community members, to be held 29 May 2018.

For a copy of the draft minutes for this meeting and the business paper please go to Council's website www.rous.nsw.gov.au

13 MATTERS DETERMINED WITHOUT DEBATE

260618/4 RESOLVED (Cr Humphrys/Simpson)

That Items 14.3, 14.4, 14.5, 14.7, 14.8, 14.9 and 14.10 be determined without debate.

FOR VOTE - All Council members voted unanimously.

14 MATTERS FOR DETERMINATION

14.1 DRAFT REVISED DELIVERY PROGRAM 2017/2021, DRAFT OPERATIONAL PLAN 2018/19 (INCLUDING FINANCIAL ESTIMATES), DRAFT REVENUE POLICY 2018/2019, DRAFT LONG TERM FINANCIAL PLAN 2018/2028)**Responsible Officer:**

Vaughan Macdonald (General Manager)

RECOMMENDATION

Recommended that:

1. Council adopt the Revised Delivery Program 2017/2021, Operational Plan 2018/2019 (including Financial Estimates 2018/2022), Revenue Policy 2018/2019 and Long Term Financial Plan 2018/2028, including the following amendment;
 - the NRLX Agents Business Usage Fee be set at \$0.75/head.
2. In respect to the general land rates contained in the 2018/2019 Draft Revenue Policy, Council in accordance with Sections 535 & 537 of the *Local Government Act 1993* make the following General Rates for the 2018/2019 financial year.
 - a) Residential – a base amount of \$310.00 yielding 31.99% of the general rate income for this rating category plus an ad valorem rate of \$0.00528.
 - b) Rural Residential – a base amount of \$260.00 yielding 30.58% of the general rate income for this rating sub-category plus an ad valorem rate of \$0.00369.
 - c) Business – a base amount of \$360.00 yielding 12.60% of the general rate income for this rating category plus an ad valorem rate of \$0.01560.
 - d) Farmland – a base amount of \$360.00 yielding 22.41% of the general rate income for this rating category plus an ad valorem rate of \$0.00392.

3. In respect of annual charges and user charges for Waste Management, Water, Sewerage and Stormwater Services Management Charges, in accordance with Section 535 of the *Local Government Act 1993*, Council make these charges as detailed in the 2018/2019 Revenue Policy to apply for the 2018/2019 financial year.

260618/5 RESOLVED (Cr Mustow /Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

At the 15 May 2018 Ordinary Meeting Council endorsed the Draft Delivery Program, Draft Operational Plan (including Financial Estimates) and the Draft Revenue Policy for public exhibition purposes.

This report provides information regarding public submissions received by Council during the exhibition period. It also provides details of some minor changes made to the 2018/2019 Draft Financial Estimates, Draft Revenue Policy 2018/2019 and Draft Delivery Program 2017/2022.

In addition to these reports a draft long-term financial plan has been prepared and is recommended for adoption by Council.

Community Strategic Plan Links

Making Council Great

CS2 Great Support

CS2.14 Provide efficient, effective and highly valued financial services to the organisation.

Budget Implications

As outlined in the report

Report

The Draft Revised Delivery Program, Draft Operational Plan (including Financial Estimates) and the Draft Revenue Policy were placed on public exhibition following the 15 May Ordinary Meeting for public exhibition purposes. The exhibition period closed at 5.00pm on Tuesday, 19 June 2018.

Council received one submission during the exhibition period regarding fee changes at the Northern Rivers Livestock Exchange which has been provided to Councillors for their consideration.

Council's Long Term Financial Plan 2018/2028 has been reviewed as part of the development of the Operational Plan 2018/2019 (including Financial Estimates 2018/2022).

There have been some minor changes made to the 2018/2019 Financial Estimates as follows:

- Interest expenses have been increased in line with the adjustments made to Council's reserve funds from the March Quarterly Budget Review by \$400.
- A transfer to reserve of \$5,072 for an unexpended employment grant which will not be spent until next financial year.
- An increase of \$20,627 in Richmond Valley Council's contribution to the Richmond Upper Clarence Regional Library due to a miss calculation of required contributions.
- An increase in the capital expenditure budget for Bora Ridge Landfill Capping of \$642,467 funded from Waste Reserves.

The end result of these changes is a decrease in the unrestricted cash surplus; this surplus was predicted at \$131,643 but is now a predicted surplus of \$105,544.

The result of the changes to Councils' contribution to the Richmond Upper Clarence Regional Library has had a carry through effect to the other three years of financial estimates. For the 2019/2020 financial year the unrestricted cash surplus has decreased from \$114,052 to \$102,525. In the 2020/2021 financial year the unrestricted cash surplus had decreased from \$4,371 to as deficit of \$5,456. In the 2021/2022 financial year the unrestricted cash surplus has decreased from \$120,582 to \$115,555. As it can be seen the unrestricted cash surpluses predicted are not substantial, these are calculated on an estimated rate peg increase of 2.5% annually. For Council to continue to deliver at the current service levels and to remain financially sustainable in the long term another Special Rate Variation needs to be considered.

There have been some minor changes made to Council's Revenue Policy for the 2018/2019 financial year as follows:

Statutory Changes

- On page 23 Companion Animal Registration Fees were updated in-line with Council Circular 18-16 received on 7 June 2018.

Other Changes

- On page 61, the Alfresco Footpath Dining Fees have been removed from the Revenue Policy; these fees were highlighted for removal in the original Draft Revenue Policy.

There have been some minor changes made to Council's Revised Delivery Program 2017/2021 as follows:

- Capital Works program tables have been rolled forward to include the Council's Capital Works program for the period 2018/2022 in accordance with the Long Term Financial Plan 2018/2028.
- Signature Projects updated in line with the Capital Works Program for 2018/2022.

Consultation

Council advertised the Draft Revised Delivery Program 2017/2021, Draft Operational Plan (including Financial Estimates 2018/2022) and Draft Revenue Policy 2018/2019 for a minimum 28 days closing at 5.00pm Tuesday, 19 June 2018 calling for submission from the public.

Advertising included coverage in the Richmond River Express Examiner, the June RVC Valley Views newsletter which is delivered into all post boxes in the LGA, Community radio interviews and notification of proposed fee changes to the over 900 stakeholders on the NRLX database.

Meetings have been held with the President and Vice President of the Casino Auctioneers Association to discuss the proposed fee changes at the NRLX. A submission was made which has been provided to Councillors for their consideration.

Copies of the draft documents were made available on Council's website and available for viewing at both Council's Casino and Evans Head offices and the Casino library.

Conclusion

After the exhibition period call for submissions from the public, Council received one submission. Some minor adjustments have been made to the Operational Plan Financial Estimates 2018/2019 and Revised Delivery Program 2017/2021 as detailed in the report.

Subject to Council's consideration of the one submission, it is recommended that Council adopt the draft plans as presented with this report.

Attachment(s)

Included in Appendix:

1. Draft Revised Delivery Program 2017/2021
Draft Operational Plan 2018/2019

Draft Operational Plan 2018/2019 (including financial estimates 2018/2022)
Draft Revenue Policy 2018/2019
Draft Long Term Financial Plan 2018/2028.

14.2 BROADWATER RILEYS HILL COMMUNITY HALL AND MEMORIAL PARK REDEVELOPMENT PLAN

Responsible Officer:

Vaughan Macdonald (General Manager)

RECOMMENDATION

Recommended that:

1. Council notes the adjustments to the Broadwater Rileys Hill Community Hall and Memorial Park Redevelopment Plan in response to the public consultation; and
2. Approves the Broadwater Rileys Hill Community Hall and Memorial Park Redevelopment Plan for implementation.

260618/6 RESOLVED (Cr Lyons/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

The Broadwater Rileys Hill Community Hall and Memorial Park Redevelopment Plan presents an exciting vision for the delivery of a community hub in Broadwater. It aims to meet the community's desire to maintain open space and maximise accessible, active facilities for the local residents, as well as provide improved facilities for passing tourists which will be increasingly important when the Pacific Motorway bypasses the town.

The planned improvements will allow for a variety of community uses for all ages and complement the existing facilities and uses of the area. The open space will include the Community Hall, new playground equipment, tennis courts, public toilets, a basketball half court, a skate area, barbecue facilities, new pathways and increased shelters.

The site will provide spaces for the community to come together to benefit from activities which strengthen the community, such as art exhibitions, community and civic events, as well as providing relaxing and active outdoor recreation facilities for the community and visitors.

Following Council's in principle approval of the Plan at its May 2018 meeting, minor adjustments have now been made to the Plan in response to the public consultation feedback and a recent meeting with the Broadwater Rileys Hill Community Hall Committee. This includes an additional shelter in the Memorial Park, providing dual BBQ hot plates in shelters and a pathway on the western side of the tennis courts to link the Memorial Park with the playground areas adjacent to the Hall.

Council's Asset team will now secure quotes for the various elements of the Plan to determine what improvements can be delivered within the available budget. The Youth space elements will be prioritised as they have been the impetus for the Plan. This work is underway with the intent that works to implement the Plan will be completed in time for the end of year school holidays.

Delivery Program Links

Connecting People & Places

PP1.3 Provide clean, safe and accessible open spaces and recreational services to the community and visitors

PP1.3.6 Completion of capital program which includes the Broadwater Youth Space

Budget Implications

Council has allocated \$90,000 of funding to the project and was successful in securing \$131,785 for the project from the NSW Government's Stronger Country Communities Fund. This provides total funding of \$221,785 to implement park improvements in line with the approved redevelopment plan.

Report

The development of a youth space is included as a key project for Broadwater in Council's Richmond Valley Made 2030 Community Strategic Plan.

Following Council's in principle approval of the Plan at its May 2018 meeting, minor adjustments have now been made to the Plan in response to the public consultation feedback and a recent meeting with the Broadwater Rileys Hill Community Hall Committee. This includes an additional shelter in the Memorial Park, providing dual BBQ hot plates in shelters and a pathway on the western side of the tennis courts to link Memorial Park with the playground areas adjacent to the Hall.

Council's Asset team will now secure quotes for the various elements of the Plan to determine what improvements can be delivered within the available budget. The Youth space elements will be prioritised as they have been the impetus for the Plan. This work is underway with the intent that works to implement the Plan will be completed before the end of year school holidays.

The issues, concerns and ideas identified in the comments from the community survey are included in the following table along with Council's response:

Issue/concern/idea	Council response
Potential loss of revenue from the barbecue area within the Community Hall due to the provision of free barbecues adjacent to the Hall	Discussed with Hall Committee and not considered a major concern. Hall hire solely for the use of the BBQ is minimal. Benefits of the upgrade may increase use of the Hall providing increased revenue.
Including a footpath along the western side of the tennis courts to link the Memorial Park space to the park improvements adjacent to the Community Hall	Now included in the Plan
Council should buy land on the river to provide a park space and fund it through a levy	Suitable land not available, high cost to secure any suitable land and high cost to establish new infrastructure.
Additional shelter/s in the Memorial Park	Additional shelter included and BBQ shelter will include two BBQ hot plates
Loss of open space for events which are held at the Community Hall	Events will be able to be created around the new spaces. Plan provides better utilisation of space for the community year-round.
Potential clash of usage from the youth space elements and events at the Community Hall	Hall Committee can manage any potential conflicts. E.g. Youth areas could be closed if necessary for a function. Improvements will make Hall a more attractive function option.
Proximity of the youth space elements to neighbouring residences	Youth elements located as far away from residences as possible. Plan includes plantings to provide a buffer between park and residences.
Improving the appearance/entry of the park from the Pacific Highway to entice people into the park	Plan takes this into account
Skate space not required	Discussions with community indicate the children of Broadwater desire a skate space
The importance of the park for tourists to stopover at Broadwater	Agreed
Questioning of the popularity of basketball with today's youth	Basketball space provides opportunity for multiple uses

Issue/concern/idea	Council response
The need to upgrade the toilet	Toilet will be freshened up
Build a cycleway along Rileys Hill Road to Riley Hill	Noted. Council was successful in securing funding for Broadwater to Broadwater Beach cycleway and will consider this idea in future plans.
The need to address any security and behavioural concerns which may arise from the new youth space and park shelter and picnic facilities	Noted. The Hall Committee will be active in monitoring any issues.
Noise issues from the skate component and the potential increased usage of the area	It is a community reserve which has been used for active recreation for some time as evidenced by the tennis courts and there was previously a playground in Memorial Park. The Plan includes elements that are consistent with the use of a public park.
Suggested that families should go out for the day to Woodburn and/or Evans Head to use skate facilities there	Council is taking the opportunity to provide improved facilities in the local community to enable youth to visit the park by walking/cycling from their homes nearby.

Consultation

Consultation has been undertaken over the past two years on the development of this project as set out in the body of this report. The Plan encompasses the feedback and aims to balance the wide variety of views which have been expressed throughout this process.

Conclusion

Council has undertaken and completed a thorough community consultation process which informed the preparation of the Plan. Following the results of the community survey, it is clear the majority of the Broadwater community supports the Plan. Importantly, the Broadwater Rileys Hill Community Hall Committee also supports the Plan and Council will continue to work with the Hall Committee to implement the Plan.

Attachment

1. Broadwater Rileys Hill Community Hall and Memorial Park Redevelopment Plan

14.3 CASINO SHOWGROUND DRAFT MASTER PLAN CONSULTATION**Responsible Officer:**Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that:

1. Council adopt the draft master plan of the Casino Showground to allow for a period of community consultation for 28 days.
2. Feedback from the consultation be considered in preparation of a final draft to be presented to Council, for adoption at a future date.

260618/7 RESOLVED (Cr Humphrys/Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Council engaged architects Locale Consulting to prepare a master plan for the Casino Showground. The draft plan has been created using information compiled from extensive user group and stakeholder meetings and feedback. The ideals of the project are to create a horse racing training hub as well as an equine centre which caters for regional events. It is proposed there will be significant economic benefit from the creation of jobs associated with the horse industry, and associated visitation and tourism. Council Officers will compile information gathered through the consultation period to fine tune the draft to present to Council for adoption as the approved master plan.

Delivery Program Links

Connecting People and Places

PP1 Fresh and Vibrant Community

PP1.3 Provide clean, safe and accessible open spaces and recreational services to the community and visitors.

Budget Implications

Council recently applied for \$8 million from Regional Development Sporting fund to undertake works. Council Officers will continue to explore and pursue any available grant funding deemed appropriate to complete works described in the master plan.

Report

Council Officers in conjunction with Locale Consulting have prepared the draft documentation for Council's consideration. Recent Council Information Sessions have allowed for Councillors to become familiar with the concepts and ideas illustrated in the draft, and provide initial feedback. A meeting was recently held with the Casino Showground User Group with current site stakeholders to explain the draft plan in more detail and obtain feedback.

The preparation of the master plan is now at the stage where formal community consultation is required prior to the finalisation and adoption of the plan. This report seeks a resolution of Council to undertake the consultation process for a period of 28 days. Following the consultation period, any feedback will be considered and alterations made to the plan if required. The master plan will be presented to Council for formal adoption at a future meeting.

Consultation

Council has been working with stakeholders at the Casino Showground for over 12 months, discussing ideas and seeking feedback. This information has been used as the foundation for the concepts presented in the draft plan.

Conclusion

Council approve the current draft master plan for public consultation for a period of 28 days. The feedback received will be considered when compiling a final draft for adoption by Council.

Attachment(s)

Included below:

1. Casino Showground and Racecourse Master Plan - Design Report dated May 2018 completed by Locale Consulting.

14.4 NAMMOONA MASTER PLAN**Responsible Officer:**David Timms (Manager Infrastructure Services)

RECOMMENDATION

Recommended that the Nammoona Waste and Resource Recovery Facility master plan be adopted.

260618/8 RESOLVED (Cr Humphrys/Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

With the assistance of Tonkin Consulting, a master plan has been developed for the Nammoona Waste and Resource Recovery Facility to provide a structured, staged approach to the ongoing development of the site.

The key aims of the developments proposed in the master plan include improving convenience for customers, improved traffic management and public safety, increased focus on resource recovery and provision of a new landfill cell.

The master plan is proposed as a guidance document that can be implemented with some flexibility to manage the dynamic nature of the waste industry.

Delivery Program Links

Looking After Our Environment

EH1 Managing our Waste and Water

EH1.1 Waste and resource recovery future options

EH1.2 Operate waste and resource recovery as a business, including kerbside collection options for businesses

Budget Implications

Apart from over \$4 million for Cell 6, where funds have been approved as a distinct project, the costs associated with the developments outlined in the master plan are not quantified at this stage. Staged development can occur as budget allocations become available, depending on timing of the infrastructure required.

Report

A master plan for the Nammoona Waste and Resource Recovery Facility has been developed by Tonkin Consulting in consultation with Waste and Resource Recovery staff. The master plan was presented to Councillors on 5 June 2018.

The master plan provides a structured approach to the forward planning of the site and describes the rationale behind the proposed developments. The document does not attempt to provide any detailed designs but instead provides a high-level development concept for the site split into short, medium and long term timeframes. The document has been provided to Councillors separately and will not be publicly released as it could impact future commercial negotiations and opportunities.

The master plan allows for:

- Relocating the majority of public access areas to the front of the site to improve customer convenience through more efficient access and egress.
- Improving public safety through the separation of publicly accessible areas from operational areas where large mobile equipment and other council vehicles operate.
- Relocating the gatehouse closer to the front of site to improve traffic management.
- Providing a larger focus on facilities for resource recovery to minimise waste to landfill.
- Allowing for the development of a new landfill cell to cater for residual wastes that cannot be recovered for reuse or recycling.

The master plan should be considered as a roadmap for how the site could develop as funds become available in the future. It provides a logical, staged approach for the construction of new facilities and the upgrading or relocation of existing facilities. This will help ensure that site development occurs in an orderly, well-planned manner with a long-term view where each separate component interacts in an efficient manner, providing optimum customer service while operating cost-effectively.

Notwithstanding the above, the master plan recognises some flexibility is required to cope with the high rate of change being experienced in the waste management industry.

Consultation

The draft master plan is the result of several months' work including numerous meetings between Waste and Resource Recovery staff and Tonkin Consulting. Council employees based at Nammoona were also consulted and provided valuable input into the plan. There is no requirement to consult the community on this master plan.

Conclusion

Council's Waste and Resource Recovery section has put significant effort into developing the master plan and how the staff foresee the site evolving, assisted by the oversight of Tonkin Consulting's knowledge and experience. A resolution is now sought to adopt the master plan so the document can guide all future development on the site to provide a facility that is as safe, efficient and convenient for the public as possible.

14.5 EVENT FUNDING SCHEME

Responsible Officer:

Sharon Davidson (Manager Communications, Events and Tourism)

RECOMMENDATION

Recommended that \$17,100 cash and \$7,700 in-kind support is allocated from the Event Support Scheme in accordance with the recommendations outlined in this report.

260618/9 RESOLVED (Cr Humphrys/Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Richmond Valley Council provides community groups and organisations with an annual opportunity to apply for financial assistance towards the cost of funding a variety of events within and from across the Richmond Valley area.

Event support funds have been operating for a number of years and contribute positively to the quality of life and the economy of the Richmond Valley, meeting a number of the goals outlined in Council's Community Strategic Plan and Delivery Program.

Delivery Program Links

Connecting People and Places

PP1 Fresh and Vibrant Community

PP1.1.6 Assist suitable event to gain additional support and funding where appropriate.

Connecting People and Places

PP3 Working together

PP3.3.2 Hosting and or supporting community events.

Budget Implications

The Event Support Scheme budget is \$35,607 cash and \$9076 for in-kind support.

Report

Applications for the 2018-2019 financial year funding scheme closed on Monday 29 January 2018. Ten applications were received.

Council's Policy 9.4 Event Support explains the objective, aims, and selection criteria for funding.

All of the applications received have been reviewed and evaluated in accordance with the policy.

All applications were deemed appropriate for support. Evaluations include a recommendation from the Events Officer as to the appropriate cash and in-kind contribution to be provided.

In determining eligibility, consideration has been given to Council's Community Strategic Plan and the deliverables in the Delivery Program and Operational Plan, as well as eligibility requirements and selection criteria.

A councillor information session was held on 5 June 2018 and applications were assessed by councillors.

The following table summarises the 10 application requests for cash and in-kind support and the Event Officer's recommendation.

Conclusion

Events contribute to the local economy, our strategic objectives and to policy. The events held in the Richmond Valley are growing; in both number and diversity. We will continue to nurture new events, provide the knowledge and encouragement they need and support established events to diversify and grow.

Event name	Cash requested	Recommended	In-kind requested	Recommended
Great Eastern Fly-In	\$3000	\$3000	\$0.00	\$0.00
Casino Truck Show	\$2000	\$1500	\$1500	\$1500
Woodburn Riverside Festival	\$0.00	\$0.00	\$1000	\$1000
Evans Head Malibu Classic	\$1500	\$1000	\$500	\$500
Quota Arts Craft and Quilt Fair	\$1000	\$300	\$0.00	\$0.00
Casino Show	\$5000	\$1000	\$2000	\$2000
Dancing with the Stars	\$7000	\$1000	\$2000	\$2000
Woodburn-Evans Head District Orchid & Foliage Society Inc	\$1000	\$800	\$700	\$700
Windara	\$3000	\$1500	\$0.00	\$0.00
RiSE Festival	\$10,000	\$7000	\$20,000+	\$0.00
Totals	\$33,500	\$17,100	\$27,700	\$7700

14.6 MODIFICATION TO DA2009/0116.04 - RIVERSIDE VILLAGE - 570 WOODBURN EVANS HEAD ROAD**Responsible Officer:**Andrew Hanna (Manager Development and Environment)

RECOMMENDATION

Recommended that Development Application No. DA2009/0116.04 be approved subject to the recommended conditions contained in this report.

260618/10 RESOLVED (Cr Simpson /Cr Lyons)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

The application is for the modification of the approved caravan park at 570 Woodburn Evans Head Road, Doonbah. The purpose of the modification is to:

- Reduce the number of sites from 91 to 87 with corresponding changes to site sizes and layout of the caravan park
- Amend the design of the community centre building
- Provide for a new stormwater management arrangement
- Remove 57 trees including 21 preferred koala feed trees
- Includes a replacement Koala Plan of Management (KPoM)
- Alternate location of water tanks, a new shed for housing of the fire pumps and removal of an approved storage shed.

Council issued consent for the expansion of the caravan park on 20 July 2010. The current application proposes to modify the terms of that approval and includes a replacement KPoM.

The application was notified, exhibited and referred to Government agencies with eight individual submissions and three petitions received. Primary issues raised in the submissions relate to impacts on koala's and the management of stormwater.

The KPoM has been revised in accordance with requirements of the NSW Department of Planning and Environment (DoPE) and is now approved. The modified stormwater system has been sited and designed in consultation with an Ecologist and Engineer. Further minor refinement and adjustments are recommended by way of a consent condition to ensure the stormwater design is constructed and managed in a manner which protects the environment and adjoining properties.

The proposed modification complies with the applicable matters pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*. It is recommended the application be approved subject to amending conditions contained within the attached schedule.

Delivery Program Links

Growing our Economy

EC1 Driving Economic Growth

EC1.4 Provide support to prospective developers regarding Council processes and requirements

Budget Implications

Nil.

Report

In accordance with Council Policy 15.2 - Development Assessment Panel (DAP) - Role, Constitution and Operation, application to modify Development Consent Notice DA2009/0116.04 is submitted to Council as the original application was determined by Council and the proposed modifications are not minor and inconsequential.

Site History

A caravan park was established at the site under DA1993/61 on 5 August 1993. This approved a service station and 44 site caravan park. DA1998/46 approved on 21 August 2001 provided for 31 additional sites and included a KPOM prepared by James Warren and Associates in 1998.

The current application, DA2009/116 was approved by Council on 20 July 2010 for extensions to the existing caravan park being an additional 91 sites, resident's hall, demolition, road works, landscaping and associated works. At this time, a KPOM prepared by Landpartners 2010 replaced the 1998 plan.

Since the approval of DA2009/116 the following minor modifications were approved under delegation:

- Modification 01 - 05 July 2013 defined 18 specific development stages and amended timelines for construction of the resident's hall, intersection works and cycleway.
- Modification 02 - This modification did not progress and has been withdrawn. It sought changes to the community building, reduction of sites, amendments to the development layout, and tree removal.
- Modification 03 - 24 August 2017 removed the 18 stages approved under the modification 01, implemented a staged payment of Section 64 contributions, and amended the Cultural Heritage conditions.

Representations from the community in late 2017 resulted in Council officers undertaking compliance action in relation to works at the site. Works which had commenced were not in accordance with the consent, trees identified for retention in the KPoM were removed, and stormwater works constructed were not in accordance with the Stormwater Management Plan.

The application now presented to Council addresses these issues as well as the changes not progressed under modification 02. The modifications proposed involve changes which are not considered minor and therefore require assessment and determination under section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

Applicant

Ardill Payne & Partners
PO Box 20
BALLINA NSW 2478

Subject Property

Lot 1 DP 1236953 and Lot 1 DP 1207903
570 Woodburn Evans Head Road
DOONBAH NSW 2473

Zoning

The site is zoned RU1 Primary Production, E3 Environmental Management and E2 Environmental Conservation. Caravan parks are permissible with consent in the RU1 zone and prohibited in both E2 and E3 zones. The caravan park footprint is wholly contained within the RU1 portion of the site. Consent conditions are recommended to ensure no work occurs outside the RU1 zoned area.

Description of Development

The modification proposes to amend the terms of the original consent to enable the following:

Reduction in the number of additional sites from 91 to 87, including consequential changes to the size and shape of some sites

Four sites have been removed resulting in a reduction in the number of sites from 91 to 87 with many sites increased in area. The site plan shows 166 sites, however there will be a total of 162 sites because four approved sites (134, 136, 137 and 144) have been removed.

Roadways remain consistent with the original approval. There has been an adjustment to proposed parking areas however the number of spaces remains

the same. A large recreation area south of the site and existing space adjacent the pool remains the same. The smaller internal park is reduced to 325m².

The amended layout is compliant with requirements of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. Plans of the proposed development are attached.

Tree removal and replacement KPoM

The removal of 57 scattered trees, including 21 preferred koala feed trees, is proposed. Both a Test of Significance and replacement KPoM have been prepared. The test of significance has found the proposed changes are minor in nature and do not result in any substantially different ecological impacts to those considered with the original application.

A replacement KPoM submitted as part of the modification has been approved by the Department of Planning and Environment (DoPE). The DoPE approved the plan in April this year subject to specific revisions being added to the plan. The KPoM, including the need to incorporate the DoPE revisions, has been conditioned in the proposed consent.

Management strategies outlined in Section 5 of the KPoM are comprehensive and include:

- Koala checks prior to habitat removal.
- Habitat compensation – 110 Swamp Mahogany to be planted making a total of 200 trees planted under this consent.
- Compensation habitat monitoring - a ten-year monitoring and replacement strategy with focus on survival and health of trees.
- A precinct based dispersal approach to separate the koala precinct from the development area including fencing and vehicle restriction.
- Measures to prevent vehicle strike, drowning, and manage existing dogs on the site.
- Continuation of the dog prohibition. The 2010 plan listed existing dogs at the site and prohibited any further dogs. Only three of these dogs remain. All visitor's dogs continue to be prohibited.

Changes to stormwater management

The original application included a Stormwater Management Plan which modelled stormwater quality and attenuation. This plan involved the use of open swales located centrally, and overland flows to the existing dam. Further stormwater design assessment undertaken by Newton Denny Chapelle in consultation with Council found use of the existing dam was constrained by site gradients and flows. An alternate solution to improve conveyance and minimise vegetation impacts has been investigated and another basin site considered.

Construction of drainage swales to the western property boundary has occurred and requires further refinement. The modification therefore proposes a replacement stormwater management arrangement.

The proposed replacement stormwater management plan is attached to this report.

Changes to the design of the community centre building

The community centre building is to remain in its previously approved location, however changes to its design are proposed. The building is single storey constructed with a combination of colourbond and cladding, concrete slab floor with CGI panel roofing. The building has a floor area of approximately 253m² containing common rooms, kitchen and amenities with an open timber deck facing the existing swimming pool. Plans of the community building are attached.

Changes to ancillary buildings on the site.

An approved storage shed adjacent to the western boundary has been removed. Initially three separate sheds adjacent to sites 83, 85 and 87 were proposed however, due to issues raised by NSW Rural Fire Service these have also been removed from the proposal.

Water tanks for firefighting have been relocated north of the existing storage shed and a new smaller shed to house the fire water pumps is proposed.

Exhibition Period

The modification proposal was notified for a period of 30 days from 22 February 2018 to 23 March 2018. The Statement of Environmental Effects was on display in Councils administration building in Casino and Evans Head.

All adjoining landholders, owners in the immediate vicinity, and previous objectors were notified in writing of the proposal and exhibition period in accordance with Richmond Valley Development Control Plan 2012.

External Referrals

Referrals were made to NSW Rural Fires Service, NSW Planning and Environment, Road and Maritime Services and NSW Police.

Authority	Comment
NSW Planning and Environment <i>cl. 13 State Environmental Planning Policy No 44 – Koala Habitat Protection</i>	The department approved the replacement KPOM by letter on 27 May 2015 subject to minor modifications. These modifications are provided in recommended consent condition 2. A revised document is to be submitted.
NSW Rural Fire	General Terms of Approval provided 07 June 2017

Authority	Comment
Service <i>Section 100B of the Rural Fires Act 1997</i>	subject to conditions. These conditions have been included in the recommended conditions of consent.
Roads and Maritime Services <i>cl. 104 State Environmental Planning Policy (Infrastructure) 2007</i>	Roads and Maritime Services advised the original specified requirements are met. Conditions relating to road access are not proposed to be modified.
NSW Police	Requested consideration for lighting and CCTV to the resident's hall and boom gate area. Access arrangements provided for Police, Ambulance, RFS and SES. Vegetation management and fencing. Consent conditions address these comments.

The application also referred to Council's Engineering, Building and Environmental Health Officers for comments and recommended consent conditions.

Environmental Planning Considerations

The following planning instruments and policies are relevant to the modification application and their requirements have been considered as part of the assessment process.

Environmental Planning and Assessment Act 1979 (EP&A Act)

Clause 4.55(2) provides a consent authority may modify the consent in certain circumstances as follows:

4.55(2)(a) It is satisfied that the development is substantially the same development as the development for which consent was originally granted, and

Comment: *The proposed modifications outlined above do not alter the approved expansion of the caravan park in a manner that is substantially different. The caravan park footprint remains within the existing approved footprint, the KPOM is supported by DoPE, the community building is in the same location, stormwater management is an ancillary component of the development, and relocation of water tanks and removal of the storage shed have no environmental impacts. Further the development remains compliant with Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005.*

The proposed modifications do not substantially change the consent as originally granted and therefore the application can be approved.

4.55(2)(b) It has consulted with the relevant Minister, public authority or approval body in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval.

Comment: The application was referred as required. Details of referrals are provided above.

4.55(2)(c) It has notified the application in accordance with: (i) the regulations, or (ii) a development control plan.

Comment: The application was notified for a period of 30 days from 22 February 2018 to 23 March 2018.

4.55(2)(d) It has considered any submissions.

Comment: Submissions are considered below:

Clause 4.55(3) the outlines the matters that must be considered in modifying the consent as follows.

4.55(3) The consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Comment: The matters to be considered are limited to those relevant to the proposed modification and are further outlined below.

The reasons for the grant of the original approval were that the development as amended, and implemented in accordance with the Statement of Environmental Effects, KPoM and consent conditions, was consistent with the relevant Environmental Planning Instruments and the matters prescribed by section 79C of the EP&A Act.



The matters under section 4.15(1) which are of relevance to the modification are:

Environmental Planning instruments	Richmond Valley Local Environmental Plan 2012 State Environmental Planning Policy
Draft Environmental Planning instruments	Not applicable
Development Control Plans	Richmond Valley Development Control Plan 2012 applies. The modifications proposed are not contrary to provisions of the DCP.
Planning agreements	Not applicable
The regulations	The modification application is not inconsistent with the regulations.
Coastal Zone Management Plan	See further comments below
The likely impacts	Addressed throughout this report
Site suitability	The modifications proposed are suitable as addressed throughout this report.
Submissions	Considered further in this report.

The public interest	The application was referred to Government agencies and placed on public exhibition. The matters raised are considered throughout this report and conditions are recommended.
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Richmond Valley Local Environmental Plan 2012

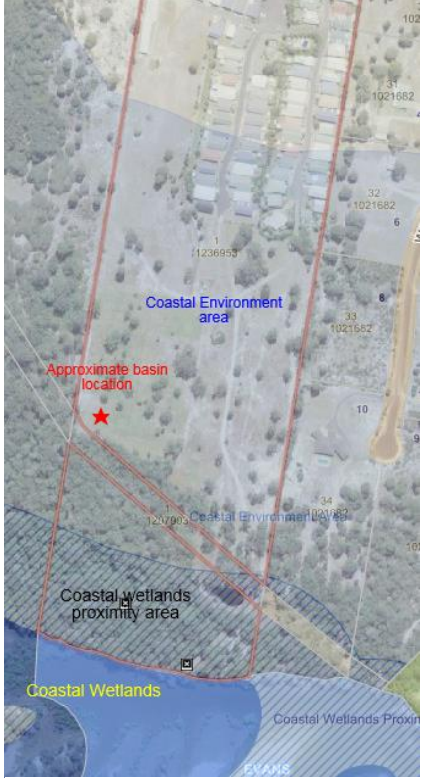
Provision	Comment
Landuse Table The site is zoned RU1 Primary Production, E3 Environmental Management and E2 Environmental Conservation. Caravan parks are permissible with consent in the RU1 zone and prohibited in both the E2 & E3 zones	<i>Complies</i> The Caravan park footprint is to be contained within the RU1 portion of the site including the proposed stormwater detention basin. Consent conditions are recommended to ensure the zone boundary is marked and works are excluded from the E2 and E3 areas.
4.3 Height of buildings	<i>Complies</i> A Maximum height of 8.5m applies. The modified community building is 4.4m high.
6.1 Acid Sulfate Soils The site is mapped as Class 3 with excavations below 1m requiring consideration.	<i>Complies</i> Excavations for stormwater infrastructure are required. Consent conditions have been recommended to require preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual and if required an Acid Sulfate Soils Management Plan.
6.3 Earthworks Earthworks require consent	<i>Complies</i> Earthwork modifications are proposed and include construction of stormwater swales and a detention basin as part of the replacement Stormwater Management Plan. A consolidated Stormwater Management Plan is conditioned inclusive of design, construction and maintenance elements.
6.5 Flood Planning	<i>Complies</i> Flood impacts have been considered by Councils Senior Development Engineer with the original consent and conditioned accordingly. The modification does not propose any matters that would significantly affect flood behaviour or are incompatible with the flood hazard.
6.6 Terrestrial biodiversity	<i>Complies</i> The land is mapped as having terrestrial biodiversity values towards the southern end of the site. New works for the stormwater system will occur in a small part of the mapped area. Both a Test of Significance and KPOM have been undertaken. The Test of Significance has found the proposed changes are minor in nature and unlikely to result in any substantially different ecological impacts to those considered

Provision	Comment
	with the original application. Further a replacement KPoM is proposed and has been approved by the DoPE.
<p>6.8 Riparian Land and Watercourses</p> 	<p><i>Complies</i></p> <p>The modification proposes an alternative stormwater management arrangement. Consent condition 55 sets out comprehensive requirements which include measures to avoid, minimise and mitigate impacts from stormwater flows upon the adjoining properties and sensitive vegetation and to protect water quality. The new stormwater basin is located so as to minimise tree removal. Condition 56 requires quality monitoring.</p>

State Environmental Planning Policies (SEPP)

SEPP	Comment
<i>State Environmental Planning Policy No 14 – Coastal Wetlands</i>	This SEPP was current at the time of lodgement, however has now been repealed. The coastal wetland is located at the Evans River. No works or activities are proposed in this area.
<i>State Environmental Planning Policy No 21 – Caravan Parks</i>	The proposed modifications will not have any impacts on compliance with the SEPP.
<i>State Environmental Planning Policy No 44 – Koala Habitat Protection</i>	A replacement KPoM has been considered by DoPE and is approved.
<i>Draft Review of State Environmental Planning Policy No 44 – Koala Habitat Protection</i>	The proposed amendment is to update controls to protect koala habitat. It includes changes to the definition of koala habitat, tree species and a standardised DA process. The site has prepared a replacement KPoM that is approved by DoPE and is therefore not inconsistent.
<i>State Environmental Planning Policy No 55 – Remediation of Land</i>	Consent conditions are included to address any potential contamination.
<i>State Environmental Planning Policy No 71 – Coastal Protection</i>	This SEPP was current at the time of lodgement however has now been repealed.

SEPP	Comment
<p>Clause 8 provides matters for consideration</p>	<p>The following consideration of Clause 8 is provided.</p> <ul style="list-style-type: none"> • The modified development includes tree removal. This is appropriately considered and mitigated in the KPoM and its management strategies. Compensatory planting, maintenance and monitoring commitments are allowed for. • The stormwater basin is separated from the River by approximately 200m. • The modified development does not alter access as compared to the existing approved development. • The KPoM and ecological investigations have demonstrated the modifications will not impact significantly upon the environment or the foreshore.
<p><i>State Environmental Planning Policy (Coastal Management) 2016.</i></p> <p>The land:</p> <ul style="list-style-type: none"> • is in the coastal zone. • is not on the Coastal Hazard map. • is on the proximity to Coastal Wetlands Map – clause 11 applies. • is on both the Coastal Environment and Coastal Use map – clause 12 applies. 	<p>At the time of lodgement of the modification this SEPP was a draft instrument. It commenced on 3 April 2018.</p> <p>(The hierarchy of development controls requires the coastal environment controls prevail over the coastal use controls.)</p> <p>The modifications potential impacts on the coastal environment and proximate coastal wetland relate to tree removal/koala habitat and the modified stormwater arrangement. Both matters are addressed extensively throughout this report and demonstrate:</p> <ul style="list-style-type: none"> • the proposal is physically separated from the mapped wetland area, • integral to the proposal are the mitigation measures outlined and approved in the KPoM. • an ecologist and engineer have been consulted in regard to the basin location, design and management. It is sited and designed to minimise impacts on koala's, and will not have a significant impact on the quantity or quality of surface and groundwater flows. • Modifications do not impact the scenic qualities of the coast, cultural heritage or places, overshadow the foreshore or cause any loss of views from public places. • The proposal is not significantly impacted by coastal processes. • Consent conditions are recommended to ensure the stormwater arrangement is constructed and managed in a manner that

SEPP	Comment
	<p>protects the coastal environment.</p> <ul style="list-style-type: none"> The KPoM is approved and will be implemented. Consent conditions have been recommended.

Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (Regulation)

The Regulation is the principal piece of legislation regulating the construction and operation of caravan parks. It includes provisions regulating the land and site requirements, setbacks, roads, approvals, design and installation of homes and the like.

The regulation requires a long-term site must have a minimum area of at least 80m². The modification proposes a reduction in the number of site and consequential increase in the area of some sites, with all sites being greater than required. The areas of community space, setbacks roads and parking remain consistent with the original consent and in compliance with the regulation.

Key Issues with the Application

Koala Plan of Management

The requirements for a KPoM are set out in SEPP Policy No 44. A KPoM may only be approved by New South Wales DoPE. This modification application includes tree removal and a replacement KPoM.

The removal of 57 scattered trees comprising 13 non-endemic species, 21 preferred koala feed trees and one dead tree is proposed. The trees are located

within the existing approved footprint area, except two. One dead and another preferred koala feed tree are to be removed for the stormwater basin.

The DoPE have undertaken an extensive review of the existing KPoM and considered submissions. The separation of the site into a koala habitat precinct and development precinct is a supported management approach. They have not supported the proposal to permit dogs at the site and have requested amendments to focus on successful establishment of compensatory habitat. These have been included in an updated version of the document submitted by the applicant in May 2018.

DoPE have now approved the replacement KPoM subject to minor amendments to the document. The requested amendments are included as recommended consent conditions with a consolidated plan to be completed and submitted to Council. Construction and ongoing operation of the caravan park is now required in accordance with the new KPoM, inclusive of the detailed management strategies set out in section 5. The proposed modifications being considered are consistent with the replacement KPoM.

Stormwater Management

An alternative stormwater management arrangement is proposed for the development. The original application included a Stormwater Management Plan prepared by Landpartners in 2008. It considered stormwater quality and attenuation, and proposed centrally located open swales stopping north of the former road reserve. Flows were to disperse overland making their way to the existing dam.

Further site investigations have found the Landpartners proposal constrained by gradient and alignment, and that existing construction does not conform. Consultants Newton Denny Chapelle have undertaken a review of the former designs and confirmed adjustments are required to address these issues.

The modified stormwater arrangement involves construction of a new basin/pond in the south-western part of the site. Open swales located to the east and western boundaries are included. Refinement of the western drain including the piped flow behind the existing shed is required to address the stability of the batters of open drains, due to the highly erodible nature of the soil and the poor quality of the soil to promote vegetation cover.

The basin design has a capacity of 1000m³ and spillway to ensure stability. Modelling confirms the proposed basin will have sufficient capacity to attenuate flows, prevent direct flows to the downstream environment enable sedimentation catchment and infiltration.

Construction of the basin will require removal of two trees, and this amended design has been undertaken in consultation with an ecologist having regard to Koalas and the compensatory planting area. No works are to occur within the E3 zoned area.

Council's Engineer has recommended a consent condition (no. 55) to require a final consolidated Stormwater Management Plan be prepared. It will be required to incorporate the more recent investigations and provide refinements to ensure there is no erosion or subsidence within 900mm of the property boundary. Proposed conditions 55 and 56 are substantial and ensure a workable co-ordinated approach to manage the stormwater and ensure the stormwater arrangement will function and be maintained in an environmentally sensitive manner.

Submissions

Eight individual written objections and three separate petitions were received during the exhibition period.

Petition 1 contained 22 signatories

Petition 2 contained 20 signatories

Petition 3 contained 25 signatories

A summary of the matters raised in these submissions are addressed below:

Stormwater Management

Maintenance of boundary fence, erosion in proximity to boundary and damage to the adjoining property, constructed drain behind existing shed inefficient, erosion and sand being directed to river, stormwater affecting bushland and impacts of high volume stormwater and floods.

Comment – Engineering investigations have confirmed the need for an alternative stormwater arrangement as detailed above. A new basin is proposed to provide attenuation and site constraints. The constructed swales and pipe (in proximity to the boundary) have been investigated and will require further refinement and adjustment. Council's Engineer has recommended consent conditions to address the potential for erosion and drain stability.

Impacts on koala's

Objections to the further removal koala trees, removal of trees not in accordance with existing KPoM, requests for commitment to tree establishment and supervision of works, opposes proposal to allow dogs, concerns with poor performance of 2010 offset plantings, trees affected by recent filling, concern with single species planting and measures to address potential drowning of koalas.

Comment – Compliance action in relation to tree removal was taken in late 2017. Work at the site has stopped and the proponent has prepared both the required KPoM and modification application. The most recently revised KPoM, and this proposed modification address this matter.

A KPoM is a comprehensive document approved by NSW DoPE. All submissions were forwarded to DoPE for consideration in their assessment. Revisions to the document were requested by DoPE in March 2018 with a revised document subsequently approved on 3 May 2018 subject to conditions.

The DoPE did not support the proposed pet policy and therefore dogs will continue to be prohibited. Commitments to compensatory planting success, monitoring, soil testing, supervision of works by qualified persons and measures to reduce potential drowning, have all been included in the document. Detailed management strategies are set out in Section 5. The minor adjustments required by DoPE are set out in recommended condition 2.

Compensatory planting is to commence following construction of the stormwater infrastructure to ensure plantings are not damaged.

Compliance action in relation to tree removal was taken in late 2017. Work at the site has stopped and the proponent is co-operating. The revised KPoM and this proposed modification address this matter.

Access to Boat Ramp and River

Objecting to restriction of vehicle access to river, seeking access arrangements, requesting confirmation of boat ramp approvals, residents not advised at time of purchase and unaware of KPoM.

Comment – A KPoM has existed since 1998 and was replaced by the 2010 Plan which included a fence and vehicle restrictions. The replacement KPoM (now approved by DoPE) also includes a fence separating the koala precinct from the development precinct. Vehicle access remains restricted however pedestrian access is provided.

A boat ramp has not been granted approval. This modification is not seeking approval for either vehicle access or a boat ramp. The issue concerning purchase of homes is not relevant to assessment of the modification.

Other Issues Raised

Issue	Comment
Objection to the 3 sheds in proximity to boundary.	<i>These sheds have been removed from the proposal.</i>
Bushfire management – requests updated bushfire management plan to account for poor communications (mobile and internet).	<i>Bushfire management is considered by NSW RFS. Their terms of approval are contained within the recommended conditions.</i>
Access – objection to single entrance being suitable in emergency situations.	<i>The original application proposed a single access which was considered suitable. The proposed modification does not increase traffic or propose changes to traffic movements.</i>

Newly constructed path in SEPP14 wetland	<i>This is a compliance matter however the proponent has advised some ground cover clearing to re-define a pre-existing path occurred and there is to be no further maintenance moving forward.</i>
Definition of development appropriateness of caravan park, site is marketed as over 55, responsibility to welfare of residents given site hazards.	<i>The development is approved as a caravan park. Site hazards were considered in the original approval, NSW RFS granted approval to the original application, and this modification subject to conditions. Flood impacts were considered in the original application. The modification does not alter these matters. Marketing is a matter not relevant to the application.</i>
Requesting confirmation of E2 and E3 boundaries	<i>E2 and E3 zones exist on the southern portion of the site as outlined above.</i>
Provision of toilet facilities at pool – external toilet requested.	<i>This is a matter for the site management. However, it is noted toilet facilities are provided in the community centre building.</i>
Requests community building be provided sooner or alternatively storage shed be refurbished.	<i>The consent currently requires the community building be provided when the number of homes including those existing reaches 120. The modification does not propose to amend this.</i>

Proposed amending conditions

Both the proposed modification and site works as constructed require several conditions to be amended. Minor administrative adjustments are also recommended to update the 2009 consent. The following table outlines reasons for the amending conditions. The conditions have been provided to the applicant who advised on 13 June 2018 that the client is accepting of the draft conditions.

Conditions	Reasons
Description	Approved sites are reduced from 91 to 87
Land identification	Updated, due to lot consolidation and closure of former Crown Road Reserve.
1	Reference new plans for the caravan park layout, community centre building and Statement of Environmental Effects
2	Ensure development is undertaken in accordance with the KPoM and that the plan is updated in accordance with DoPE requirements
3a	To ensure approval from the Office of Water is obtained (if required) for the stormwater arrangement
3b	Ensure development does not occur in the E2 or E3 zoned areas
5, 6, 71	References to Residents Hall have been replaced with Community Centre as shown on the new plans.

Conditions	Reasons
10 (deleted)	Condition relates to the former 2010 KPoM
10a	As work at the site has stopped pending approval of this modification, the proponent has been unable to progress the installation of dwellings already purchased. To assist in this regard this condition enables preliminary placement of only ten homes. The condition includes restrictions to ensure the homes are not connected to any services. Formal installation under S68 of the <i>Local Government Act</i> is not to occur until implementation of the KPoM, stormwater infrastructure and compliance with the consent is demonstrated.
13, 14	Remove references to previous landscape plans. These are now replaced by the new KPoM. Landscaping to the Woodburn Evans Head Road frontage is retained.
17	Update to remove reference to Richmond Valley Council as any further tree removal may require approval of other authorities under new legislation.
18	Administrative update as signage is now regulated under a SEPP
20, 34, 35, 36, 37, 38, 40, 42, 52	Removal of references to Construction Certificates where applicable (due to EPA Act amendments and the “as constructed works”). Replaced with alternative triggers.
22, 23	Deleted. Former Crown Road has been closed and purchased.
24, 25, 26	Include comments from NSW Police.
28, 47	Clarification to distinguish between Council and Private assets.
30	Update the trigger as there is Subdivision Certificate or Occupation Certificate.
55, 56	Detailed stormwater conditions, updated references to design plans, the need for consolidated plan, and Council approval before commencing work. Address issues along the western boundary, construction management and maintenance. Require construction of infrastructure prior to approval under S68 for installation.
57	Administrative adjustment to provide floor level surveys only for those affected sites rather than all sites.
60, 60a, 60b, 60c	Updated requirements for community centre kitchen.
65 (deleted)	Acid sulphate soils are addressed in condition 55.
65a	To ensure excavated soils are managed.
65b, 65c	To ensure imported fill is suitable.
77, 78	Administrative update; removal of note regarding limited inspection availability.
Integrated Development	Conditions as required by NSW RFS are all to be amended in accordance with their terms of approval.

Conditions	Reasons
General Terms of Approval	

Details of Conditions

The proposed conditions of consent are set out as follows:

1. In granting this development consent, Council requires:
 - All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions,
 - All proposed works be carried out in accordance with any amendment or modification outlined in these conditions,
 - Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions.

and be substantially in accordance with the stamped approved plan(s) and documents;

Site Plan	Dwg No 03.2	Issue O dated 2/05/2018
Site Plan with Tree Information	Dwg 03.5 Dwg 03.5a	Issue K dated 2/05/2018 Issue D dated 26/04/2018
Fire Water Pump Shed	Dwg no 01	Issue A dated 26/03/2018
Community Centre Proposed Plans – Alderley Design Job No. 16087	Proposed Floor Plan Dwg 02 Proposed Elevations Dwg 03 Kitchen Layout Dwg 04 Kitchen Layout Dwg 05 Bathroom Layouts Dwg 06	Issue A dated 13/10/2016
Statement of Environmental Effects	Proposed Additions to Evans Head Riverside Village Caravan Park Darryl Anderson Consulting Pty Ltd Section 96(2) Application Ardill Payne & Partners	Further Amended November 2009 including Annexures A to Z, Job No 8085 Revision 1 13.02.18
Additional Information Supplied by Ardill Payne	Ref/Job No. 8085	3 May 2018

& Partners	Response to RFI letter.	
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Copies of the approved plans are attached to this consent. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

Reason: *To correctly describe what has been approved (EPA Act Sec 79C) and to clarify staging has been removed from the approval under this modification.*

2. The undertaking of the development and use of the site shall be in accordance with the Koala Plan of Management at all times. The Revised Koala Plan of Management Ref No 2650-1013 fourth issue dated 03/05/2018 shall be amended as indicated in (a) to (d) below. The amending document is to be submitted to Council **within 28 days of issuing this Consent.**
 - a. The reference to "Appendix D" in section 5.23 be amended to "Appendix E".
 - b. Habitat Compensation, Condition 7 to be amended to:
Installation of the outstanding compensatory plantings within the Koala habitat precinct will occur within three months of development approval and must be completed before any further development of the site (with the exception of stormwater infrastructure). This restriction may be varied in writing by Council at its discretion.
 - c. Habitat Compensation, Condition 25 be amended to:
A suitably qualified person is to certify that any rectification actions are completed with respect to care and replacement of Koala feed trees. Riverside Management is to forward this certification on to Council.
 - d. Habitat Compensation, Condition 30 be deleted.**(Amended 19/06/2018)**

Note: The amending document should be numbered Ref No 2650-1015 fifth issue and submitted to Council.

Reason: *To make amendments to the Koala Plan of Management as required by NSW Planning and Environment.*

PLANNING

3. This consent does not authorise any existing unauthorised activity being carried out on the subject property.

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*
- 3a. If approval for the construction of any water collection/ storage infrastructure and/or the use of water is required from the Office of Water it shall be obtained **prior to such work commencing** and is separate to this consent. **(Added 19/06/2018)**

Reason: *To correctly describe what has been approved and ensure necessary approvals are obtained.*

- 3b. No work is permitted to occur in the E3 – Environmental Management zoned portion of the land. The proposed stormwater basin must be wholly contained and constructed within RU1 – Primary Production zoned land. The zone boundary shall be clearly marked/fenced on-site prior to work commencing. **(Added 19/06/2018)**

Reason: *To correctly describe what has been approved, protect the environment and ensure the Caravan Park is within the RU1 zoned part of the site.*

4. All sites shall be for permanent occupancy and contain a single manufactured home only. A manufactured home has the same meaning as in the Local Government Act 1993.

“manufactured home means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

- (a) that comprises one or more major sections, and
- (b) that is not a registrable vehicle within the meaning of the Road Transport (Vehicle Registration) Act 1997,

and includes any associated structures that form part of the dwelling”.

Reason: *To ensure compliance with the relevant legislation.*

5. The Community Centre not be used for any commercial purpose. **(Amended 19/06/2018)**

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

6. The Community Centre shall be constructed when capacity of the entire development (including existing sites) reaches one hundred and twenty (120) manufactured homes. A final occupation certificate for the Community Centre must be issued **prior to installation of any further manufactured home in excess of one hundred and twenty (120).** **(Amended 5/7/2013 & 19/06/2015)**

Reason: *To ensure adequate on-site facilities are provided for residents.*

7. No manufactured home(s) are to be installed until the existing development is connected to and capable of disposal of effluent to a Reticulated Sewage System. Certification/authorisation from Richmond Valley Council must be obtained indicating satisfactory arrangements, including payment of any fees and issue of necessary approvals, associated with connection to Council's Sewage System have been **made prior to the installation of any manufactured home(s).**

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

8. Access to and from the site shall be from the single main entrance only. Any other existing access to Woodburn-Evans Head Road shall be permanently closed **prior to the installation of any manufactured home.**

Reason: *To correctly describe what has been approved and traffic safety. (EPA Act Sec 79C)*

9. The proponent is to implement the recommendations of the Aboriginal Due Diligence Assessment prepared by Everick Heritage Consultants Ref: EV.571 dated 10 July 2017 during the construction phase, being:

- Cultural Heritage Induction
- Aboriginal Object find procedure
- Aboriginal Human Remains, and
- Conservation Principles **(Amended 24/08/2017)**

Reason: *To protect items of aboriginal heritage. (EPA Act Sec 79C)*

10. **Deleted 19/06/2018**

- 10a. Preliminary placement of any manufactured home(s) upon the sites numbered 119, 124, 125, 127, 128, and 130-134 is permitted prior to issue of a S68 approval, provided any such manufactured home is not connected to any services (sewer, water, electricity or telecommunications). Following preliminary placement a S68 approval for the installation of these manufactured home(s) is not to be issued until a letter of compliance is issued by Richmond Valley Council. The letter of compliance shall not be issued unless;

- i. The stormwater infrastructure is constructed in accordance with the approved consolidated Stormwater Management Plan (excluding the staged upgrade of the piped drain at the rear of the western shed).
- ii. The access track to the stormwater basin is constructed.
- iii. The amending Koala Plan of Management required under condition 2 is submitted to Richmond Valley Council and a copy forwarded to NSW Planning and Environment.
- iv. The Management Strategies outlined in Section 5 of the Revised Koala Plan of Management have been implemented and the site is confirmed to be in compliance with the Koala Plan of Management.
- v. The site is demonstrated to be in compliance with this consent.

(Added 19/06/2018)

Reason: *To enable the preliminary placement of 10 manufactured homes and ensure the development is compliant.*

11. The development shall provide transport services to residents on an as-needs basis. Transport services must be accessible to elderly persons with a disability.

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

CONSOLIDATION

12. Lots 202 and 203 shall be consolidated into one allotment under one title **prior to any work commencing upon Lot 202 (Amended 5/7/2013 & 24/08/2017)**

Reason: *To prevent future dealing in separately titled land. (EPA Act Sec 79C(c))*

LANDSCAPING

13. The Acoustic Barrier fronting Woodburn-Evans Head Road shall be located behind the 10metre setback and Landscape area. Detailed design plans and schedule of finishes for the acoustic barrier must be submitted and approved by Richmond Valley Council **prior to its erection.**

Construction of the acoustic barrier shall be completed to the satisfaction of Richmond Valley Council **prior to installation of any manufactured home(s) upon any sites numbered 145-165 (Amended 5/7/2013 & 24/08/2017 & 19/06/2018).**

Reason: *To ensure the development is compatible with the surrounding area and improve amenity. (EPA Act Sec 79C(c))*

14. Landscaping of the Woodburn Evans Head Road frontage shall be generally in accordance with the originally approved Landscape Plan LM070056-LS7 Revision B dated 03.10.2009 excepting the location of the Acoustic Barrier fronting Woodburn Evans Head Road. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

Reason: *To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*

15. **Deleted 5/7/2013**

16. All approved landscaping shall be maintained at all times to the satisfaction of Richmond Valley Council.

Reason: *To ensure that appropriate landscaping is provided. (EPA Act Sec 79C(c))*

17. Residents of affected sites must be notified of the trees identified for retention and their preservation status. All manufactured homes must be sized and located to avoid any future conflict with trees identified for retention. Trees identified for retention in the Development Application plans shall not be removed, lopped or damaged without separate approval. **(Amended 19/06/2018)**

Reason: *To correctly describe what has been approved, and ensure protection of Koala Habitat. (EPA Act Sec 79C)*

SIGNS/ADVERTISING/LIGHTING

18. Any proposed signage shall comply with the provisions of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or a separate Development consent shall be obtained. **(Amended 19/09/2018)**

Reason: *To correctly describe what has been approved. (EPA Act Sec 79C)*

19. Any outdoor display lighting shall be appropriately located or shielded so no additional light is cast on adjoining land or distracts traffic.

Reason: *To preserve the amenity of the area and traffic safety. (EPA Act Sec 79C(b))*

BUSHFIRE

20. **Prior to release of any Section 68 approval**—evidence the infrastructure design plans comply with NSW Rural Fire Service Integrated Development conditions of this consent is to be provided and approved by Richmond Valley Council. Certification from a Fire Protection Association Australia (FPAA) certified practitioner is required. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

Reason: To ensure compliance with this consent and Planning for Bush Fire Protection 2006.

21. **Prior to the occupation of each manufactured home**, evidence of compliance with the relevant NSW Rural Fire Service Integrated Development conditions of this consent, is to be provided to Richmond Valley Council. Certification of compliance is to be undertaken by a suitably qualified person.

Reason: To ensure compliance with this consent and Planning for Bush Fire Protection 2006.

CROWN ROAD RESERVE

22. **Deleted 19/06/2018**

23. **Deleted 19/06/2018**

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

24. The current entrance boom gate security arrangements are to be reviewed and any recommendations implemented, within twelve (12) months of the installation of any dwelling/manufactured home.

Local Police, Rural Fire Service and State Emergency Services are to be contacted and provided with keys or other entry arrangements as required by the agency. **(Amended 19/06/2018)**

Reason: To ensure appropriate crime safety measures and access for emergency services is provided in accordance with the NSW Police requirements.

25. The installation and operation of CCTV as a crime prevention strategy at the entrance/exit must occur **prior to the installation** of any manufactured home. The boom gate area is to be well lit to the satisfaction of NSW Police. **(Amended 19/06/2018)**

Reason: To ensure appropriate crime safety measures are provided in accordance with the NSW Police requirements.

26. Appropriate fencing is to be provided to the Caravan Park. Fencing of individual Caravan Park site boundaries may be of solid construction, however all other fencing shall be in accordance with the Koala Plan of Management. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

Reason: To ensure appropriate crime safety measures are provided in accordance with the NSW Police requirements.

- 26a. Roads and Carparking must be provided and constructed in accordance with Part 3 Subdivision 3 of the Local Government Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 and the following.

- Areas 1 and part Area 2 are existing and must be maintained at all times
- Area 2 adjacent Community Building prior to issue of an Occupation Certificate for the Community Building

- All other areas must be developed to ensure compliance with the Local Government Manufactured Homes Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005 (**Added 5/7/2013 & 24/08/2017**)

Reason: *To provide adequate off-street parking space for the anticipated traffic that will be generated by the development. (EPA Act Sec 79C(a))*

INFRASTRUCTURE

27. Where any work or access is required on land not owned by the developer, written permission shall be obtained from the owner of the land as no such permission is implied in this development consent. Such approval shall be submitted to Council **prior to the commencement of any such relevant works or access. (Amended 24/08/2017)**

Reason: *To ensure that the development as submitted can proceed.*

28. All civil works (water supply, sewerage, stormwater, earthworks, roadworks etc) are to be designed in accordance with the relevant standards.

- Council Assets are to be designed in accordance with the Northern Rivers Local Government Development and Design Manual, Northern Rivers Local Government Construction Manual and other Council standards/policies as appropriate. Final design plans shall be submitted to and approved by Richmond Valley Council prior to construction.
- Private Assets are to be designed in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. Certification of design plans of the proposed engineering works to satisfy private internal water supply, sewerage, stormwater, and roadworks infrastructure shall be submitted to Richmond Valley Council **prior to the commencement of any such works. (Amended 19/06/2018)**

Reason: *To ensure that works are carried out to Council Standards.*

29. Works within any part of any road reserve e.g. Woodburn-Evans Head Road, (including temporary site fencing that restricts pedestrian access, temporary disruption to traffic, etc) requires the preparation of a **Traffic Management Plan**. A number of individual Traffic Control Plans (TCPs) may be required to adequately implement the Management Plan. The Management Plan and TCPs shall comply with the provisions of the RTA document “**Traffic Control at Work Sites**” manual and shall be prepared by a person who is qualified, authorised and has passed an RTA approved training course. The designer’s certification number is to appear on the Traffic Control Plans.

The Plan(s) shall be submitted to and verified by Richmond Valley Council as part of the Roads Act Section 138 application **prior to the commencement of any works within a road reserve. (Amended 5/7/2013)**

Reason: *To ensure works carried out in the road reserve are carried out in a safe environment.*

30. Any damage caused to public infrastructure (roads, footpaths, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the owner of the infrastructure. The repairs shall be carried out **prior to the issue of any Section 68 Manufactured Home installation approval that occurs after the damage.**

Council must be notified in writing, **prior to commencement of works**, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths.

Absence of notification signifies that no damage exists, and the applicant is therefore liable for the cost of reinstatement of any damage found at the completion of the works.

(Amended 19/06/2018)

***Reason:** To protect the existing and future amenity of the locality and to formally record any pre-existing damage to existing assets.*

31. Application (under Section 138 of the Roads Act) for approval to carry out any work within the road reserve is to be made to Council **prior to any such works commencing**. This includes intersection works, driveway crossings and aprons, water, sewerage, stormwater, road works, pipelines, kerb and gutter, footpaths etc.

Any advertising required to be undertaken by Council shall be at the developer's cost.

The owner or contractor must not undertake any work within the public road reserve without giving Council's Works Department **two (2) working days notice of proposed commencement**. Failure to comply with this condition may result in a stop work notice being issued and/or rejection of the works undertaken.

All contractors working on such areas are to have Public Liability Cover to a minimum value of \$10,000,000. A certificate of currency is to be forwarded to Council **prior to the commencement of works**.

***Reason:** To comply with Section 138 of the Roads Act 1993.*

32. The developer shall have a suitably qualified or experienced supervisor on all projects where civil engineering works to be vested in Council are required. The name of the supervisor, who shall be responsible for the overall supervision of the works, is to be submitted to and approved by Council **prior to the commencement of any work on the future Council assets**.

***Reason:** To ensure adequate supervision and co-ordination of the works.*

33. The developer may engage contractors and sub-contractors to carry out civil engineering works that are to become Council's assets. Details (name, qualifications, experience, insurance currency, etc) of proposed contractors and sub-contractors for such civil works are to be submitted to Richmond Valley Council's Works Department for approval **prior to the commencement of any work on the future Council assets**.

***Reason:** To ensure adequately qualified and experienced contractors and sub-contractors are engaged on the works that will be vested in Council.*

WORKS FEES AND CONTRIBUTIONS

34. A defects liability bond (in cash or Bank Guarantee) shall be lodged with Richmond Valley Council. The date of Practical Completion shall be the date upon which all engineering works are completed and the defects liability bond has been paid. The bond shall be based on 10% of the value of the works that will become Council's assets (Council's adopted Revenue Policy (Fees and Charges)), and will be held by Council for a period of six (6) months from the date of Practical Completion. The defects liability bond will be refunded at the satisfactory completion of the maintenance period (6 months).

The bond shall be paid to Council **prior to the acceptance of any new Council infrastructure. Commencement of any subsequent work shall not be started until such payment has been received by Council. (Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

***Reason:** To provide adequate funds for the rectification of non-compliances, or failure to carry out maintenance during the maintenance period.*

35. For works to be vested in Council, a Civil Engineering assessment fee is to be paid to Council **prior to the commencement of any such relevant works**, for the assessment of plans, issue of an approval to proceed, and inspection of civil works that will impact on or become Council's assets. Rates are as detailed in Council's Revenue Policy (Fees and Charges), with quantities assessed from approved plans. **(Amended 24/08/2017 & 19/06/2018)**

***Reason:** To ensure engineering works are designed and constructed to Council standards.*

36. All building and construction work by private contractors in NSW, costing \$25,000 or more, is liable for the payment of the Long Service Levy to the Long Service Levy Payments Corporation. Construction work includes civil construction such as roads and bridges, pipelines, fuel gas and water storage and distribution infrastructure, sewerage drainage and treatment systems, retaining walls, electrical distribution infrastructure, etc. Confirmation of the payment to the Corporation (Council is an agent) is to be submitted to Council **prior to the commencement of any such relevant works, or relevant Construction Certificate for building works**. (Payments through Council are to be made payable to Richmond Valley Council. Cheques payable to the Corporation cannot be accepted by Richmond Valley Council.) **(Amended 24/08/2017 & 19/06/2018)**

***Reason:** To ensure the long service levy on private contractor constructed works is paid in accordance with State Government legislation.*

37. Payment of contributions levied under Section 64 of the Local Government Act, Richmond Valley Council's Revenue Policy and Development Servicing Plans, and Rous Water's Development Servicing Plan are required, and shall be payable at the rates applicable at the date of payment. (Payments may be made to Richmond Valley Council as an agent for Rous Water. Payment to Council must be by bank cheque or cash. Personal cheques are not acceptable.)

Contributions for each manufactured home shall be paid **prior to the issue of each Local Government Act 1983 Section 68 approval for the installation of**

each Manufactured Home. Each payment shall be calculated based on the number of bedrooms within each manufactured home.

The summary calculation table below of overall ETs is based on the application as originally submitted and the Water Directorate Guidelines for a Mobile Home Park. (Amended 5/7/2013 & 24/08/2017 & 19/06/2018)

Overall Assessment of Section 64 Local Govt Act & Water Management Act 2000 Levy Area – Evans Head, Woodburn and Broadwater	TechOne Code	Est. No. of ETs	Cost per ET (\$)	Estimated Total Amount (\$)
RVC Water Headworks	WatS64Hwks	NIL	\$2,046.00	\$ NIL
RVC Sewerage Headworks	SewS64Hwks	128.0	\$8,000.00	\$1,024,000.00
Rous Water # Water Headworks	Rous64Hwks	56.3	\$8,404.00	\$ 473,145.20
Total Estimated Section 64 contributions (based on original DA 2009.0116 application and rates @ 30/5/2018 but generally applicable for payment 1/7/2017 to 30/6/2018)				\$1,497,145.20

Reason: To provide funds for the provision of services and facilities identified in Richmond Valley Council's Water and Sewer Developer Contributions Plan, and Rous Water's Development Servicing Plan.

38. Payment of contributions levied under Section 94A of the Environmental Planning and Assessment Act 1979 and Richmond Valley Council's Revenue Policy and Contributions Plan are required. Such levies shall contribute towards the provision, extension or augmentation of public amenities or public services in accordance with Richmond Valley Council's Section 94A Development Contributions Plan.

Contribution rates:

NIL for total cost of development < \$100,000

0.5% of total cost of development for development \$100,000 to \$200,000

1.0% of total cost of development for development > \$200,000

Details of the total cost of the development (in accordance with Section 5 of the Richmond Valley Council Section 94A Development Contributions Plan and clause 25J of the Environmental Planning and Assessment Regulation 2000) shall be submitted to and approved by Richmond Valley Council prior to payment of the contribution. Total cost shall include "all the costs and expenses that have been or are to be incurred by the applicant in carrying out the development" including such items as demolition, decontamination, construction of roadworks, stormwater, water supply, sewerage, landscaping, intersection upgrade, Community Centre, and the like. Contributions required by this condition will be adjusted at the time of

payment of the contribution in accordance with the formula detailed in Section 1.2 of Richmond Valley Council's Development Contributions Plan i.e. by CPI from the date of consent.

The Section 94A levy at the rate of 1% of the total cost of work (for each section of civil or building work, or the value associated with each application for a Section 68 approval to “*Install a manufactured home, moveable dwelling or associated structure on land*”) shall be paid to Richmond Valley Council **prior to the commencement of any such civil or building works or issue of each Section 68 approval for the installation of each Manufactured Home.** (Amended 5/7/2013 & 24/08/2017 & 19/06/2018)

Reason: *To provide funds for the provision of services and facilities identified in Richmond Valley Council's Section 94A Development Contributions Plan (EPA Act Sec 94A).*

WORKS SUBDIVISION

39. If the proposed road widening intersection works encroaches upon private land, then the area of encroachment shall be surveyed out and dedicated to Council as road reserve at no cost to Richmond Valley Council. Such boundary adjustments must appear on a submitted linen plan, with the annexed lot be dedicated as road reserve.

Reason: *To ensure an adequate road network in accordance with adopted standards.*

WORKS DESIGN

40. Plans showing all civil engineering works that will become Council's assets, e.g. roads, kerb and gutter, stormwater drainage, water, sewer, etc, shall be submitted to and approved by Richmond Valley Council. Council approval of the plans is required **prior to the commencement of any such works.** Such works shall be designed and documented in accordance with Richmond Valley Council's Standards. (Amended 5/7/2013 & 24/08/2017 & 19/06/2018)

Reason: *To provide adequate services for the development.*

41. Existing services that require reconstruction or adjusting to suit a development (water, sewerage, stormwater, road works, kerb and gutter, etc.) are to be carried out at the developer's expense. Construction is to be in accordance with Richmond Valley Council's standards, or the affected asset owners standards. (Amended 5/7/2013)

Reason: *To protect existing services.*

WORKS ENVIRONMENTAL

42. The applicant is to prepare and implement an Erosion and Sediment Control Plan during the construction stages in accordance with NSW Landcom's "Managing Urban Stormwater Soils and Construction, 2004.

For developments where the earthworks will involve the disturbance of greater than 2500m² in total development area a Soil and Water Management Plan must

be submitted. Details of Erosion and Sediment Control Plan and re-vegetation works shall be submitted to the Council for approval **prior to the commencement of any such works**. The plan must contain where applicable: -

- a) Name, address and phone number of the person ultimately responsible for ensuring implementation of the plan.
- b) Site Boundaries, Scale, North Point and Locality Plan.
- c) Access protection measures.
- d) Nature and extent of earthworks including the volumes, levels and locations of cut and fill if undertaken.
- e) Where applicable the location of upstream diversion measures to divert “clean” water away from the area of earthworks.
- f) Stormwater discharge points during the construction phase.
- g) Location of all soil, gravel, landscaping material etc stockpiles.
- h) Location and type of proposed erosion and sediment control measures.
- i) Site rehabilitation measures including the timing of revegetation works.
- j) Frequency and nature of maintenance program for erosion and sediment controls.
- k) Existing and proposed contours of the site.
- l) Existing and proposed drainage patterns for the site.
- m) Location of lands where a protective ground cover must, as far as practicable, be maintained.
- n) Approximate location of tree’s and other vegetation showing trees and vegetation for removal and retention, consistent with other plans attached to the application.
- o) Identify any areas which are to be fenced off as “no go” areas. Areas to be protected from construction activities to prevent soil compaction (future infiltration, bio retention, grass swale areas or on site effluent disposal areas) or vegetation damage (vegetation to be retained on site).
- p) Details of calculations for sediment basins.
- q) Details of any measures proposed to be kept as permanent stormwater fixtures.

During construction works all motor fuels, oils and other chemicals are to be stored and used on site in a manner which ensures no contamination of stormwater. No incidents of visible pollution leaving the construction site. No litter placed in a position where it may be blown or washed off site. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

Reason: *To minimise erosion and sediment and associated impacts in accordance with the Protection of the Environment Operations Act and to protect the capacity of downstream drainage networks (both constructed and natural).*

43. No approval is given or implied to remove street vegetation, except as approved in writing by Richmond Valley Council, or as clearly marked on engineering civil works plans submitted to and approved by Richmond Valley Council.

Reason: *To protect the existing and future amenity of the locality.*

WORKS INSPECTION/TESTING

44. Test results of civil works that will become Council’s assets are required to be submitted to Council to ensure that the material supplied and the work carried out conforms to the Northern Rivers Local Government Development and Design

Manual and the Northern Rivers Local Government Construction Manual. The full cost of all testing is to be met by the developer.

Test results for road pavement materials, pavement densities, sealing designs and spraying records, pipeline pressure testing, concrete compressive strength, etc are to be submitted to Council as soon as they are available. All testing results associated with each stage are to be received by Council **prior to the acceptance of any new Council infrastructure within the relevant stage. (Amended 5/7/2013 & 24/08/2017)**

Reason: *To ensure that materials used and construction methods satisfy Council's standards.*

45. Civil works that become Council's assets (or works that will impact on Council's infrastructure e.g. inter allotment drainage lines and pits) require hold point inspections to be carried out by a representative of Council and the developer at the appropriate stages for the particular type of construction. As a minimum, a pre-construction inspection to assess proposed construction methods, trees to be removed, erosion and sediment controls, traffic controls, etc. is required to be held between Richmond Valley Council staff, the contractor, and the project manager.

All inspections will require a **minimum of 24 hours prior notification** to Council.

Reason: *To ensure engineering works are constructed to council standards.*

46. Roadworks hold point inspections are to be carried out by a representative of Council and the developer at the following typical stages for council road assets (not all stages may be applicable):
- Pre-construction – An initial inspection to assess proposed construction method, trees to be removed, erosion and sediment controls, compulsory inspections, etc.
 - Filling – During filling works, at completion of each layer of fill.
 - Drainage – Drainage lines after laying and jointing, but before backfilling.
 - Subgrade – Road formation prior to gravelling.
 - Sub-Base – Sub-Base course gravel prior to kerb and gutter and/or base course gravel.
 - Base course – Prior to surface coating.
 - Surface Coating
 - Line Marking
 - Work as Executed plans
 - Practical Completion
 - End of maintenance period

All inspections will require a **minimum of 24 hours prior notification** to Council.

Reason: *To ensure engineering works are constructed to Council's standards.*

ROADS & ASSOCIATED INFRASTRUCTURE

47. The developer shall provide the following road and transport infrastructure works, with associated stormwater drainage structures, that have been designed and constructed in accordance with Council's Northern Rivers Local Government Development and Design Manual, the Northern Rivers Local Government Construction Manual, and the Local Government (Manufactured Home Estates,

Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The developer shall be responsible for any costs, including maintenance of new Council infrastructure, for a period of six (6) months from:

1. the date of approval of completion of the work, or
2. from the date of the commencement of the maintenance bond (whichever is later).

Required road works include:

INTERSECTION - entrance from Woodburn-Evans Head Road

The existing intersection for the development is to be upgraded to a channelised right-turn intersection (type CHR) in accordance with AUS SPEC Manual and Austroads Part 5: Intersections at Grade, giving particular attention to pavement widening and drainage of the intersection. Intersection upgrade will be generally in accordance with the submitted traffic management plan (Landpartners Traffic Management Report dated 5 December 2007) as detailed in the Statement of Environmental Effects.

ROADS AND TRANSPORT INFRASTRUCTURE – cycleway

A 2.0m wide cycleway, including all associated line marking, guide post, signs, and passing bays, road crossings, etc is to be designed and constructed from the development site to the existing cycleway in Bottlebrush Crescent, Evans Head.

INTERNAL ACCESS ROADS - private roads must be suitable for larger vehicles

Design and construction of the internal roads, kerb and gutter, and drainage shall be in accordance with the Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005. The Access roads shall include necessary drainage structures to maintain stormwater flow patterns in accordance with the stormwater management plan. Excessive concentration of flows shall not be directed to onsite stormwater disposal systems. The access, parking and manoeuvring for the site shall comply with the requirements of AS 2890.1-2004: Parking Facilities, Part 1: Off-street carparking and AS 2890.2 – 2002 - Parking Facilities, Part 2: Off-street commercial vehicle facilities. Plans are to include, but not be limited to, drainage (pipes, pits, on-site detention, etc.), vehicle manoeuvring turning paths (i.e. fuel deliveries, waste and emergency access) line marking and signage.

Design plans, including intersection and pavement design, sealing, cycleway details, internal road designs, etc are to be submitted to and approved by Richmond Valley Council **prior to the issue of the Construction Certificate for the intersection and cycleway.**

Construction and acceptance by Richmond Valley Council of the intersection works is to be completed **prior to installation of any further manufactured home in excess of one hundred and five (105).**

Construction and acceptance by Richmond Valley Council of the 2.0m cycleway works is to be completed **prior to installation of any further manufactured home in excess of one hundred and twenty (120).**

Approval to proceed for subsequent works shall not be issued until the respective staged construction works required by this condition have been met. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

***Reason:** To ensure an adequate transport network in accordance with adopted standards.*

48. Any damage to public infrastructure (roads pavements, footpaths, water and sewer mains, power and telephone services etc) is to be rectified to the satisfaction of the Director of Works. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the Developers' expense and any such costs are payable to Council.

***Reason:** To maintain a safe and clean road network.*

WATER SUPPLY

49. The applicant shall provide water supply/reticulation to service the development without negatively impacting on the existing supply infrastructure.

The applicant shall carry out a water supply system analysis (including consultation with Rous Water and Richmond Valley Council) in this area to ensure that water supply needs can be met for this development without impacting on the current supply system in accordance with the Water Supply Code of Australia WSA 03.

The Applicant shall provide water works to service the development in accordance with proposed staging and Rous Water approval. The works shall include a water service to cater for the commercial, domestic and firefighting requirements of the full development site. Details of the required size of service to accommodate commercial, domestic and fire requirements for the full development site shall be submitted to Rous Water and Richmond Valley Council **prior to issue of Section 68 approval for additional manufactured homes within that stage. (Amended 24/08/2017)**

***Reason:** To provide adequate services for the development.*

50. Full design plans of the proposed engineering works to satisfy water supply conditions shall be submitted to and approved by Rous Water. Rous Water's approval shall be submitted to Richmond Valley Council **prior to the installation of any new manufactured homes associated with expansion of the existing development.**

Section 138 Roads Act approval and Public Liability Cover to a minimum value of \$10,000,000.00 is required for contractors working in the road reserve. A certificate of currency is required. **(Amended 5/7/2013 & 24/08/2017)**

***Reason:** To provide adequate services for the development.*

51. The applicant shall submit to Richmond Valley Council a Certificate of Compliance from the water supply authority (Rous Water for water supply) confirming that the water supply works have been constructed in accordance with the approved

design plans and that any required fees, costs and charges have been paid **prior to issue of Section 68 approval for additional manufactured homes within that stage. (Amended 24/08/2017)**

***Reason:** To ensure the development is completed in accordance with the conditions and approved engineering construction design plans to the satisfaction of the water authority. (Water Management Act 2002)*

SEWERAGE

52. The Applicant shall provide sewerage infrastructure to service the full development site.

Sewerage works for the proposed private pumping station and discharge rising main shall be designed and constructed in accordance with Richmond Valley Council's standards. (All components of the private pump station and rising main to the connection point of Council's infrastructure shall be owned, operated and maintained by the Applicant.) Design of the proposed private internal sewer system servicing the internal lots shall be in accordance with the relevant Richmond Valley Council standards and WSAA codes.

Certification of design plans of the proposed engineering works to satisfy internal sewerage infrastructure conditions shall be submitted to Richmond Valley Council **prior to the commencement of any such works.** Public Liability Cover to a minimum value of \$10,000,000.00 is required for contractors working in any road reserve. A certificate of currency is required.

Construction and commissioning of the new sewerage infrastructure (ie pumping station and rising main) to service the full development site including those lots currently connected to the on site treatment and disposal facility, shall be completed prior to the **installation of any new manufactured homes associated with expansion of the existing development. (Amended 24/08/2017 & 19/06/2018)**

***Reason:** To provide adequate sewerage infrastructure to service the development for the health of the residents and the environment.*

53. Richmond Valley Council will undertake all works involved in the final connection to the existing sewerage system. This work will be carried out after inspection and testing of the developer constructed works, and will be at the developer's cost. A minimum of 14 days notice is required. (Where Richmond Valley Council is required to supply materials for the work, longer notice to Council is essential.)

***Reason:** To maintain the integrity of Richmond Valley Council's existing operational infrastructure.*

54. The applicant shall submit to Richmond Valley Council a Certificate of Compliance from the water authority (Richmond Valley Council for sewerage) confirming that the sewerage infrastructure works have been constructed in accordance with the approved design plans and that any required fees, costs and charges have been paid prior to the **installation of any new manufactured homes associated with expansion of the existing development. (Amended 24/08/2017)**

Reason: *To ensure the development is completed in accordance with the conditions and approved engineering construction design plans to the satisfaction of the water authority. (Water Management Act 2002)*

STORMWATER

55. All stormwater shall be directed to proposed stormwater drainage paths and the proposed sedimentation/infiltration basin. Stormwater design plans (including pipe sizes, pit surface and invert levels, driveway and parking area levels and directions of flow, treatment details, etc) shall be in accordance with Council's standards for urban and rural stormwater drainage and should be generally in accordance with the submitted Stormwater Management Plan as detailed in the Statement of Environmental Effects (Landpartners Stormwater Management Report dated the 27 October 2009) and amendments by;

1. Newton Denny Chapelle "Engineering Design Note Stormwater Management Report dated February 2018 contained within the Section 96 application received 15 February 2018,
2. Newton Denny Chapelle "Assessment of Constructed Stormwater Pipe – Riverside Village – 570 Woodburn Evans Head Road, Evans Head NSW" assessment letter dated 23 February 2018,
3. Ardill Payne response to submissions letter dated 3 May 2018,
4. Subsequent updates approved by Richmond Valley Council to refine/improve the design/construction of the highly erodible sand particularly along the open and piped stormwater line along the western boundary of the site): and,
5. No work/construction shall occur within the E3 – Environmental Management zoned area of the site.

A final consolidated Stormwater Management Plan shall be submitted and approved by Richmond Valley Council **prior to the commencement of any such works.**

The Plan shall include:

- a) Procedures for the installation and maintenance of relevant stormwater control infrastructure.
- b) Design plans for stormwater pipelines.
- c) Design plans for stormwater swales.
- d) Design plans for the sedimentation/infiltration basin. The location of the basin shall be demonstrated to not encroach the E3 zoned area (CS added).
- e) Design plans for the pipeline between the community shed and the western boundary (current and full development requirements).
- f) Erosion and sediment controls (temporary and permanent).
- g) Design plans for changes to the "as constructed" western drain including methods to;
ensure stability of the highly erodible sands along the western boundary, including behind the fire water tank area; and,
- h) ensure there is no erosion or subsidence within 900mm of the property boundary for the full length of the drain
- i) Suitably qualified surveyor or engineer certifying detention volumes, overland flow paths, and retention basin weir details.
- j) Copies of digital designs for both water quantity and quality calculations.

- k) Low flow drainage systems within the existing grass swales.
- l) A schedule of Works indicating how stormwater works will be undertaken throughout the development.
- m) Details of the Monitoring and reporting program.
- n) Details of the maintenance inspection program for the stormwater infrastructure, particularly the swales.
- o) Details of all relevant stormwater control infrastructure and how that infrastructure will minimise stormwater peak flows and peak pollutant concentrations.
- p) Proposed extraction at or below 1.0m in depth below natural ground shall include a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual, and if required an acid sulfate soils management plan.
- q) A construction management strategy outlining measures to protect the environment, trees identified for retention, and outline procedures to ensure works and construction activities occur only within the RU1 zoned area of the site.

All designs must have provision to ensure that all gross pollutants remain above ground and cannot enter Council's stormwater system or a natural watercourse.

Council will not support the use of 'wet sump systems' for the treatment of stormwater quality, plans showing such devices will not be approved for construction.

Public Liability Cover to a minimum value of \$10,000,000.00 is required for contractors working in the road reserve. A certificate of currency is required.

Construction of the Stormwater infrastructure is to be completed **prior to the issue of any Section 68 application relating to the installation of a Manufactured Home approval discharging to that downstream section of stormwater infrastructure. (Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

***Reason:** To ensure an adequate stormwater drainage system in accordance with adopted standards and to protect the environment.*

56. The Applicant shall submit for the approval of the Richmond Valley Council, a Stormwater Quality Monitoring and Swale Maintenance program **prior to the issue of any Section 68 approval**. This program shall form part of the Stormwater Operational Environmental Management Plan. The program shall include, but not necessarily be limited to:

- a) Identification of contaminants to be tested, including those required under the ANZECC (Australia New Zealand Guidelines for Fresh and Marine Water Quality) 2000;
- b) monitoring frequencies,
- c) methodologies for stormwater quality monitoring; and,
- d) stability of the highly erodible sand soils along the open swales, particularly along the western boundary of the property.

(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)

***Reason:** To ensure an adequate stormwater drainage system in accordance with adopted standards.*

FLOODING

57. Mid Richmond Floodplain Risk Management Plan Control Measure **FL2c**
Based on the Mid Richmond Floodplain Risk Management Plan (adopted by Council 17 February 2004), **All habitable floor levels are to be greater than or equal to the 100 year flood level plus 0.5 m freeboard.**
RL 4.9 m AHD (100yr flood) + 0.5m (freeboard) = **RL 5.4 m AHD (min. floor) for all new manufactured homes.**

A survey certificate signed by a practising qualified surveyor is to be submitted to Richmond Valley Council prior to the occupation of each new manufactured home to certify that the **floor level** of the new manufactured home is at a level **equal to or higher than RL 5.4 m AHD**. The certification shall include the actual floor level of the constructed habitable floor. **(Amended 5/7/2013 & 19/06/2018)**

Certification details shall be submitted in the following format.

Mid Richmond Floodplain Risk Management Plan	
DA Number	2009/116
Street Number	590
Street	Woodburn Evans Head Rd
Town/Village	Doonbah
Lot Number	
Deposited Plan	
Habitable Floor Level (m AHD) actual	
Low Ground Level of the lot (m AHD)	
High Ground Level of the lot (m AHD)	

Reason: To comply with the requirements of Council's adopted Mid Richmond Floodplain Risk Management Plan.

58. Mid Richmond Floodplain Risk Management Plan Control Measure **BC1**
Buildings are to have flood compatible material below the minimum floor level (RL 5.4 m AHD) for residential development. **(Amended 5/7/2013)**

Reason: To comply with the requirements of Council's adopted Mid Richmond Floodplain Risk Management Plan.

WORK AS EXECUTED

59. Works-as-Executed drawings for any works to be vested in Council are to be submitted to and approved by Richmond Valley Council. Work-as-Executed drawings and plans in digital format for those staged construction works shall be lodged with Council (AutoCAD or similar – changes as a separate layer in red). Minor works that have not been prepared electronically are to be submitted at 1:500 scale or better. All work as executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plan is accurate. The plans must clearly identify any amendments (in red) to the original design. The applicant shall be deemed to have indemnified all

persons using such drawings against any claim or action with respect to breach of copyright. **(Amended 5/7/2013 & 24/08/2017)**

***Reason:** To provide adequate records of services for the development.*

ENVIRONMENTAL HEALTH

TRADE WASTE & DESIGN SPECIFICATIONS

60. An application to discharge liquid trade waste, including plans and specifications of any pre-treatment devices and proposed trade waste installations shall be submitted to Council and approved **prior to release of the relevant Construction Certificate**. The application must be in accordance with Councils' Liquid Trade Waste Policy and must address discharges from all liquid trade waste sources including commercial kitchens and food preparation areas and the vehicle wash bay. The vehicle wash bay is to be connected to Council sewer. **(Amended 5/7/2013 & 24/08/2017 & 19/06/2018)**

***Reason:** To ensure adequate protection of utility services and to ensure compliance with Councils Liquid Trade Waste Policy*

- 60a. On completion of the fit-out of the community centre kitchen it must be inspected and approved by Council's Environmental Health Section **prior to issue of any Occupation Certificate**. **(Added 19/06/2018)**

***Reason:** To ensure compliance with AS4674 and relevant food safety legislation.*

- 60b. All work associated with the fit out of the Community Centre kitchen must comply with the requirements of Australian Standard 4674-2004 and the Food Standards Code. **(Added 19/06/2018)**

***Reason:** To ensure compliance with the Australian Standards and to meet legislative requirements to provide facilities meeting food hygiene standards.*

- 60c. The mechanical ventilation system in the Community Centre kitchen must comply with the requirements of Australian Standard 1668.2. In this respect a compliance certificate including air flow testing for the exhaust ventilation system must be submitted to Council from a suitably qualified mechanical ventilation engineer **prior to issue of any Occupation Certificate**. **(Added 19/06/2018)**

***Reason:** To provide suitable indoor air quality and secure compliance with applicable standards.*

NOISE

61. Heat pumps for hot water systems and pumps attached to rainwater tanks must not cause offensive noise. The pumps must be housed in enclosures suitably designed and installed to prevent the emission of offensive noise as defined in the Protection of the Environment Operations Act (1997).

***Reasons:** To protect the amenity of the area*

62. Detailed plans and specifications of the noise attenuation barrier recommended to be constructed in the Environmental Noise Impact Report prepared by consultant

Cater Rvenskild Group dated 2nd March 2010 must be submitted to Richmond Valley Council and approved **prior to the installation of any manufactured home(s) upon any sites numbered 145-165. (Amended 5/7/2013 & 24/08/2017)**

***Reason:** To provide a detailed design for construction and installation*

63. The barrier must be certified on completion of its construction by a suitably qualified acoustic consultant detailing that it has been constructed and installed in accordance with the approved plans and specifications **prior to the installation of any manufactured home(s) upon any sites numbered 145-165. (Amended 5/7/2013 & 24/08/2017)**

***Reason:** To protect the amenity of the residents and comply with applicable noise standards.*

ON-SITE SEWAGE MANAGEMENT SYSTEM

64. **Prior to the release of the Construction Certificate for**, details of the removal of the existing on-site sewage management treatment system and its wastewater disposal system (i.e. sub-surface drip irrigation system) are to be submitted and approved by Richmond Valley Council. These details shall include but not be limited to such information as removal of the drip irrigation laterals, the timing of the removal of the sewage treatment plant, timing of the pump out of the wastewater tanks, and remediation of the site containing the existing on-site sewage management treatment system and the wastewater disposal area. **(Amended 5/7/2013 & 24/08/2017)**

***Reason:** To ensure the protection of the environment.*

ACID SULFATE SOILS

65. **Deleted 19/06/2018**

CONTAMINATED MATERIAL

- 65a. Prior to the removal of any excavated soil off the site, the soil is to be stockpiled, soil samples taken and analysed for contaminants. A report detailing the proposed off-site disposal site and the results of any sampling are to be forwarded to Council for approval prior to removal of excavated soil. Any contaminated soils will be required to be transported to a landfill that is licenced to take such fill. **(Added 19/06/2018)**

***Reason:** To ensure that environmental protection measures are being adhered to.*

- 65b. Only clean, uncontaminated fill may be used on the site. Documented evidence validating the fill, including the source site history confirming concentration levels are below acceptable limits prepared by a suitably qualified person shall be submitted to council for approval **prior to the Section 68 approval. (Added 19/06/2018)**

***Reason:** To protect the environment and public health*

- 65c. Council requires confirmation that all fill/soil that has been imported for sites 78-134 inclusive of roads, carparking areas and batters is not contaminated. For all imported fill/soil provide:-

- Confirmation of the source of the fill material.
- Confirm that the fill material is visually clean.

If the fill/soil was not sourced from a credible source i.e. a quarry, then a contaminated land assessor is to take a minimum of one composite sample from the excavated soil and analyse for heavy metals, total petroleum hydrocarbons and pesticide-related organochlorine and organophosphate compounds and confirm that their concentration levels are below the acceptable limits (NEPM 2017). **(Added 19/06/2018)**

Reason: *To ensure that environmental protection measures are being adhered to.*

BUILDING

66. A Construction Certificate must be obtained from Council or an accredited certifier at least two (2) days prior to any building or ancillary work commencing. Where the Construction Certificate is obtained from an accredited certifier the determination and all appropriate documents must be notified to Council within seven (7) days of the date of determination. **(Amended 5/7/2013 & 24/08/2017)**

Reason: *Required by Section 81A of the Environmental Planning and Assessment Act, 1979 and Part 8, Division 2 of the Environmental Planning and Assessment Regulation, 2000.*

67. Notice of Commencement of work at least two (2) days prior to any building or ancillary work being carried out must be submitted to Council on the relevant form. **(Amended 5/7/2013 & 24/08/2017)**

Reason: *Required by Section 81A(2) of the Environmental Planning and Assessment Act, 1979 and Clause 136 of the Environmental Planning and Assessment Regulation, 2000*

68. **Prior to any work commencing** toilet facilities must be provided at or in the vicinity of the work site.

Reason: *To provide sanitary facilities for workers.*

69. A hoarding or fence must be erected between the work site and the existing caravan park.

Reason: *To protect the health and safety of the public.*

70. Construction works must not unreasonably interfere with the amenity of the neighbourhood. In particular construction noise, when audible on adjoining residential premises, can only occur:

- a) Monday to Friday - 7.00 am to 6.00 pm.
- b) Saturday – 8.00 am to 1.00 pm.
- c) No construction work which will adversely impact on the amenity of the area is to take place outside the above hours, including Public Holidays.

Reason: *To preserve the amenity of the area.*

71. Access for people with disabilities must be provided to and within the Community Centre and its associated structures as set out in Table D3.2 of the Building Code of Australia by means of a continuous path of travel in accordance with AS1428.1:-

- i) from the allotment boundary at a point of entry from a road to the doorway at the entrance floor; and
- ii) from any car-parking space on the allotment (whether within or outside the building) provided in accordance with D3.5; and
- iii) from any other building on the allotment to which access for people with disabilities is required; and
- iv) through the principal public entrance. **(Amended 5/7/2013 & 19/06/2018)**

Reason: *Required by Part D3.3 of the Building Code of Australia*

72. Sanitary facilities for people with disabilities must be provided as set out in Part D3.2 and F2.4 of the Building Code of Australia. **(Amended 5/7/2013)**

Reason: *Required by Parts D3.3 & F2.4 of the Building Code of Australia.*

73. Detailed working drawings for the fit-out to the toilet for disabled persons shall be submitted to and approved by Council **prior to issue of a Construction Certificate for the Community Building.** (Details shall be in accordance with AS 1428.1 Design for Access and Mobility). **(Amended 24/08/2017)**

Reason: *To ensure compliance with the Building Code of Australia.*

74. The swimming pool must be surrounded at all times by a child resistant barrier in accordance with the requirements of the Swimming Pools Act, 1992.

Reason: *Required by Section 7 of the Swimming Pools Act, 1992.*

75. A temporary child resistant barrier a minimum of 1.2 metres high must be erected during the construction of the pool if it requires water being added/ retained during construction.

Reason: *Required by Section 7 of the Swimming Pools Act, 1992.*

76. The occupation or use of a building must not commence until an Occupation Certificate has been issued by the Principal Certifying Authority. Where Council is not the Principal Certifying Authority then all documentation must be forwarded to Council within seven (7) days of issue. An application form and associated fee is required to made to council where Council is the Principal Certifying Authority. (N.B. All Critical Stage Inspections must have been completed prior to the issue of the Occupation Certificate). **(Amended 5/7/2013 & 24/08/2017)**

Reason: *To monitor compliance with the Development Consent and Construction Certificate.*

77. If Council is to be engaged as the Principal Certifying Authority the following progress and mandatory critical stage inspections will be required with 48 hours notice for any insitu construction;

- a) at the commencement of the building work, erosion control, safety signs and site toilet facilities to be erected.
- b) after excavation for, and prior to the placement of, any footings.
- c) prior to pouring any in-situ reinforced concrete building element.
- d) prior to covering of the framework for any floor, wall, roof or other building element.
- e) prior to covering waterproofing in any wet areas. (Class 2, 3 & 4 only 10% of rooms)
- f) prior to covering any stormwater drainage connections.
- g) the external drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the house drains certified by the plumber must be submitted to Council.
- h) after the building work has been completed and prior to any occupation certificate being issued in relation to the building. Prior to final inspection being requested, all certificates required by this consent are to be submitted to Council. (Amended 5/7/2013 & 19/06/2018)

Reason: *To monitor compliance with the Development Consent and Construction Certificate.*

78. Where Council is not the Principal Certifying Authority the following inspections will be required with 48 hours notice

- a) the external sewer drainage lines which have been installed by a licensed plumber. A water test is required prior to drains being covered. A layout plan of the house drains certified by the plumber must be submitted to Council. **(Amended 19/06/2018)**

Reason: *To ensure compliance with Local Government Act 1993.*

79. At completion/occupation, the following certification must be submitted to Council, if Council is to be engaged as the Principal Certifying Authority:

- a) 'Works as executed' diagram of external and internal drainage. A licensed plumber's certification that 'works as executed' complies with AS 3500 must accompany the diagram.
- b) A licensed electrician's certification that a smoke detection system has been installed in accordance with AS 3786.
- c) Window manufacturer's certification that glazing components comply with the relevant Australian Standards.
- d) Truss manufacturer's design criteria for timber trusses.
- e) Licensed pest controller's certification of method of termite protection complies with AS 3600.1
- f) A suitably qualified person's certification that the waterproofing of the wet areas is in accordance with Part 1.7 of the Building Code of Australia.
- g) Installation certificates in relation to essential fire safety measures.
- h) Energy efficiency requirements under Section J of the Building Code of Australia.

Reason: *To monitor compliance with the Development Consent and Construction Certificate.*

80. At completion/occupation, the following certification must be submitted to Council, if Council is not the Principal Certifying Authority:

- a) 'Works as executed' diagram of external and internal drainage. A licensed plumber's certification that 'works as executed' complies with AS 3500 must accompany the diagram.

Reason: *To monitor compliance with the Development Consent and Construction Certificate.*

81. A full assessment by a person suitably qualified is to be submitted to Council to confirm compliance with Section J of the Building Code of Australia, **prior to issue of a Construction Certificate for the Community Building. (Amended 5/7/2013)**

Reason: *To ensure the building is capable of efficiently using energy*

82. **Prior to installation of individual manufactured homes** a separate application under Section 68 of the Local Government Act 1993 in relation to all water, sewerage and stormwater services must be submitted to and approved by Richmond Valley Council.

Reason: *To ensure adequate services to the development*

INTEGRATED DEVELOPMENT GENERAL TERMS OF APPROVAL

General terms of approval for NSW Rural Fire Service under Section 100B of the Rural Fires Act 1997

1. The development proposal is to comply with the layout identified on the drawing titled 'Gateway Lifestyle – Site Plan' (Drawing No. 03.2, Issue O), dated 2 May 2018, except as modified by the following conditions.

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

2. At the commencement of building works and in perpetuity, the entire property from the northern boundary to a distance of 27 metres south of sites 95, 96, 118, 122, 123, 124 and 134 shall be maintained as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones.
3. Throughout the development of the site, the area of any undeveloped land (identified for future development) shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of Planning for Bush Fire Protection 2006 and the NSW Rural Fire Service's document Standards for asset protection zones.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so

as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

4. Water, electricity and gas are to comply with the requirements of sections 4.1.3 and 4.2.7 of Planning for Bush Fire Protection 2006.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

5. Internal roads shall comply with section 4.2.7 of Planning for Bush Fire Protection 2006, except that any temporary dead end roads shall be provided with an all weather turning circle with a minimum 12 metre outer radius.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

6. Arrangements for emergency and evacuation are to comply with section 4.2.7 of Planning for Bush Fire Protection 2006.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

7. New construction on Sites 95, 96, 118, 122, 123, 124 and 134 shall comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.
8. New construction on Sites 80 to 94, 97, 98, 116, 117, 121, 125, 126, 132, 133 and 166 shall comply with section 3 and section 6 (BAL 19) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone area' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.
9. New construction on all sites not detailed above and the community centre building shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Landscaping

10. Landscaping to the site is to comply with the principles of Appendix 5 of Planning for Bush Fire Protection 2006. In this regard the following landscaping principles are to be incorporated into the development:
 - a) Suitable impervious areas being provided immediately surrounding the building such as courtyards, paths and driveways;
 - b) Grassed areas/mowed lawns/ or ground cover plantings being provided in close proximity to the building;
 - c) Restrict planting in the immediate vicinity of the building which may over time and if not properly maintained come in contact with the building.

Conditions-Amended 5/7/2013, 24/08/2017 & 19/6/2018**Conclusion**

Consent is sought to modify the terms and conditions of DA2009/0116 (as amended) under provisions of Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*. The caravan park was granted consent for expansion under this consent in 2010. The modifications proposed do not change the type or character of development as approved and therefore the development remains substantially the same.

The proposal involves reduction in the number of sites including adjustments to the size and shape of sites, changes to the community centre building, storage sheds and water tanks, stormwater management arrangement, tree removal and replacement KPOM.

The modified stormwater arrangement is found to be warranted and has been designed and sited to minimise environmental impacts. It is recommended that a consent condition be included to provide a consolidated Stormwater Management Plan to ensure construction and ongoing management address issues raised in submissions.

Concerns relating to tree removal and protection of the koala are addressed in a revised KPOM which has been approved by the DoPE. The proposal has demonstrated compliance with the applicable environmental planning legislation.

The Development Assessment Panel endorsed the proposed conditions (included in the body of this report) at its meeting of 7 June 2018. Appropriate adjustment to consent conditions have been recommended to ensure the requirements of the planning instruments are met and any potential adverse environmental impacts will be minimised, particularly in relation to the KPOM and stormwater arrangement.

Attachment(s)

Included below:

1. Development Plans
2. Revised Koala Plan of Management

14.7 SWANSON LANE CASINO, LAND TRANSFER**Responsible Officer:**Cherie Holdsworth, Coordinator Economic Development

RECOMMENDATION

Recommended that:

1. The ownership of Lot 1 DP 1172945 is transferred from Richmond Valley Council to Michelle Nellie Patterson for nil consideration.
2. All costs in relation to the transfer, including preparation of the applicable documents should be borne by registered proprietor.

260618/11 RESOLVED (Cr Humphrys /Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Lot 1 in Deposited Plan 1172945 (Property D as shown in the annexed plan) is currently owned by Richmond Valley Council however this is due to an oversight when the land boundaries were identified after gazettal in 1957.

The land contains approximately 1/3 of a building which is predominantly located on property B. It is clear from investigations that the land should be in the same ownership as property B.

To correct this situation, it is proposed to transfer property D, for nil consideration to the current owner of property B.

The owner of property B has engaged a solicitor who can complete the appropriate forms and processes at no cost to Council.

Delivery Program Links

Making Council Great

CS2 Great Support

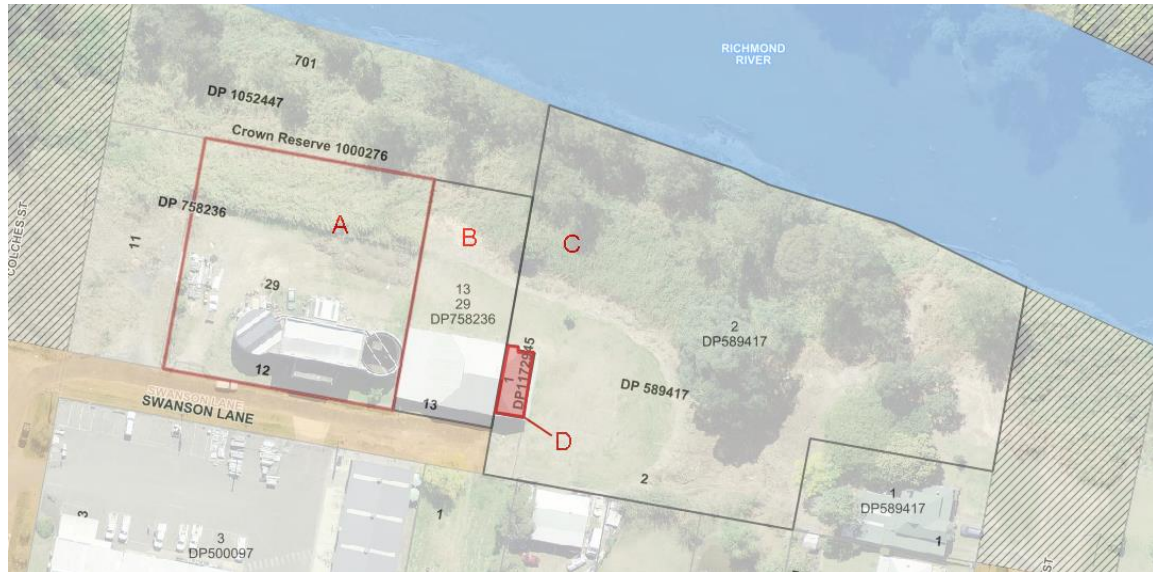
CS2.12 Examine all revenue and expenditure reduction opportunities within legislative powers.

Budget Implications

Expenses for the proposed sale are nil as all costs will be borne by the owner of property B.

Council currently pays rates on the land. The 2017/18 charges were \$407.19. This cost will be borne by the new owner in the future.

Report



Annexed plan: Swanson Lane Casino

In 1957 the land shown highlighted in the above picture was gazetted to Council for water supply purposes (Properties A, B, C and D). After decommissioning the water pumping station Council sold property B which contained a shed.

However, there was an oversight at the time and the small parcel of land marked D (shaded red) was not identified as a separate parcel of land. This parcel contains approximately 1/3 of a building which is predominantly located on property B.

In 2002 the then owner of property B purchased properties A and C from Council thinking it would resolve this issue of the shed encroaching on the adjoining land.

In 2012 the land titles office produced a plan that identified the existence of property D and issued title of the land to Council.

Properties B and C are still in the same ownership, with Council owning property D. Recently the owner of properties B and C has contacted Council and requested that this omission be corrected and that the title to property D is transferred to them.

We have investigated the history of the land, the transactions of sales and the Council resolution regarding the sale of properties A and C. It is clear that there

was an omission when the parcels were sold to the adjoining owner and that the land marked D was intended to be transferred to the owner of property B.

To correct this situation, it is proposed to transfer property D, being Lot 1 in Deposited Plan 1172945, for nil consideration to the current owner of property B.

The owner of properties B and C has engaged a solicitor who can complete the appropriate forms and processes at no cost to Council.

Consultation

Council staff has consulted with the lawyers for the owners of properties B and C and have thoroughly researched the history of the subject land and identified the title and plan searches on all related properties to confirm the history and intent of previous property transfers.

Conclusion

Through their lawyer, the owner of property B has contacted Council and asked for the ownership of property D to be investigated, and if found appropriate, that the land be transferred to them.

Investigations were completed and it is clear that the ownership of this land should be the same as the owner of property B.

The owner of properties B and C has engaged a solicitor who can complete the appropriate forms and processes at no cost to Council.

This report is to obtain a resolution to enable council staff to complete the required documentation to affect the sale.

Attachment(s)

Nil.

14.8 MOUNT MARSH ROAD DEDICATION

Responsible Officer:

Andrew Leach (Manager Asset Planning)

RECOMMENDATION

Recommended that:

1. Council agree to the dedication of Lot 3 DP1222696 as Council controlled road from NSW Department of Industry – Crown Lands.

2. Council agree to not maintain this section of road reserve in the future.
3. Council amend the Roads Asset Register to record this decision and ensure that future Section 10.7 planning certificates issued with respect to all properties requiring access from the road shall include a relevant notation.

260618/12 RESOLVED (Cr Humphrys /Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Council was contacted by NSW Department of Industry – Lands and Water in relation to a proposal to create a new road reserve through a Crown Reserve (previously known as Lot 7300 DP1143399, now Lot 1 DP1222696) at Mount Marsh. An unmaintained Council controlled road reserve exists on the eastern side of the Crown reserve, with an unmaintained Crown controlled road reserve existing on the western side. There is a vehicular track in use within the new road reserve. The new road reserve is a link between these two road reserves and is the subject road identified in this report.

The road reserve has now been created with registration DP1222696 and permission is being sought to have this road reserve transferred to Council's control. It is proposed to accept control of the road reserve and resolve to not maintain the road in the future.

Delivery Program Links

Connecting People and Places

PP2 Getting Around

PP2.1 Improve Road Management practices at Richmond Valley Council

Budget Implications

If the road reserve is to be nominated as not being a maintained road reserve, there will be no financial implications in accepting control of this road reserve.

Report

Council has a Road Management Policy (Policy 11.7) which outlines the requirements for Council where roads are dedicated to Council, but their maintenance is not accepted. The Road Management Policy requires a

resolution of Council to enable the dedication. The purpose of this report is to fulfil this requirement.

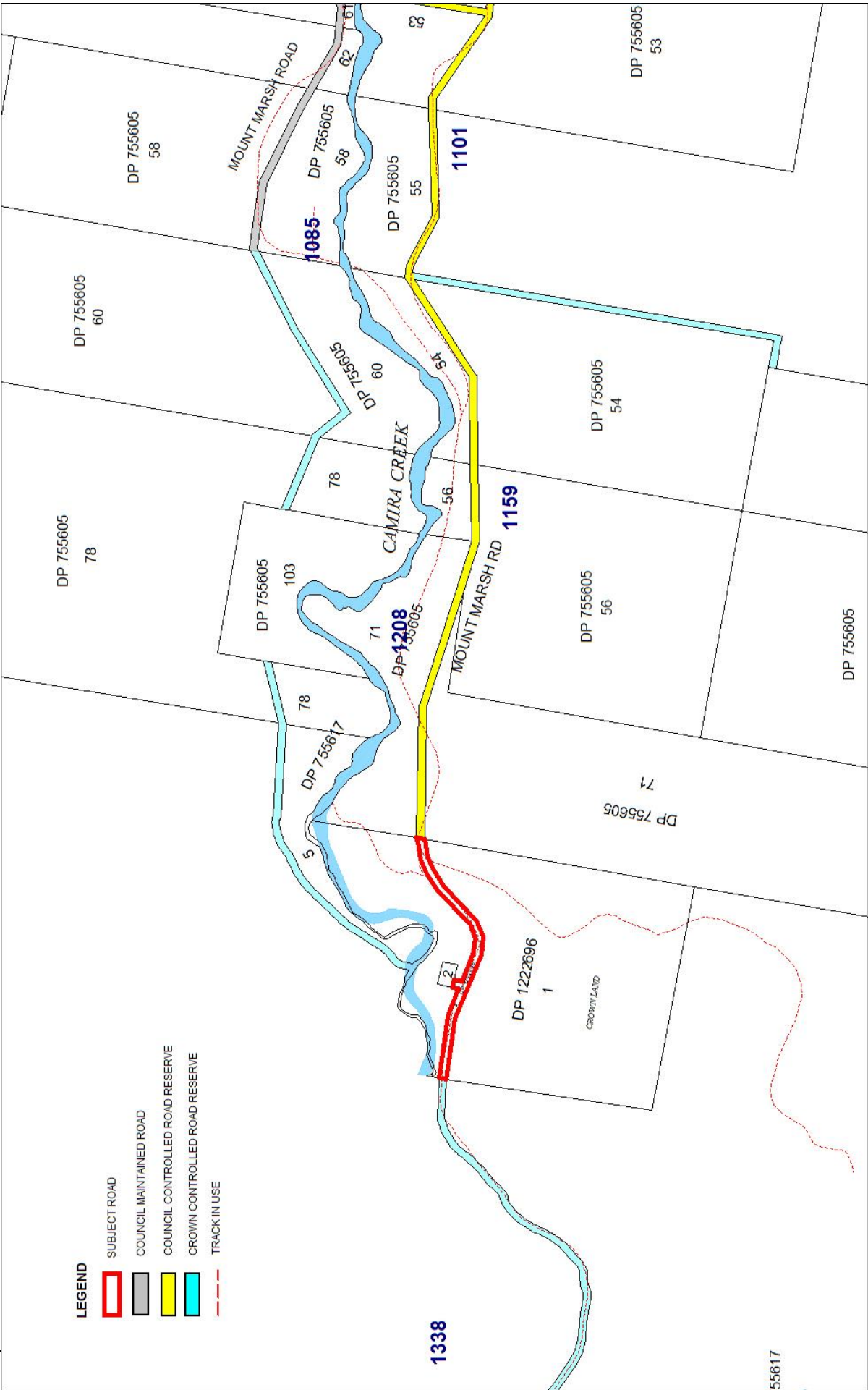
Mount Marsh Road starts at the Summerland Way, Whiporie and is sealed for approximately 1.8km to the railway line. From the railway line, the road is maintained as an unsealed road for approximately 10km. A formed track continues for approximately 2km from this point where it passes through private property before turning south and crossing Camira Creek where the track then heads in a westerly direction. Whilst the track runs parallel with an unmaintained Council controlled road reserve, the track is not contained within the road reserve. Three rural properties (1159, 1208 and 1338 Mount Marsh Road) use this road for their access up to this point.

Where the track leaves the western side boundary of 1208 Mount Marsh Road Mount Marsh (Lot 71 DP755605), the new road reserve created by DP 1222696 begins at this point. The track is wholly within the 20.115m wide and variable road reserve for the full length (approximately 700m) which is proposed to be transferred to Council's control. This section of road is shown in the following diagram bounded in red.

The NSW Department of Industry – Lands have created a new road reserve over the track through the crown reserve which connects with the Crown controlled road reserve along its western side boundary. This road reserve is currently still under Crown control, but as the Crown is not a road construction authority, all road reserves created over formed tracks on Crown land are requested to be transferred to Council for future control.

This section of road reserve continues on to serve as access to 1338 Mount Marsh Road, Mount Marsh, which is the most westerly property within the Richmond Valley LGA on this road. Whilst the property is quite large and vegetated, aerial photography of the site shows a building with residential type surrounds.

Whilst the tracks in use in this area of Mount Marsh don't always lie within the road reserve boundaries, this particular section of road reserve does. If any maintenance was required to be undertaken along this road reserve by third parties, Council is the most appropriate authority to approve construction works.



Consultation

Council staff has discussed this matter with NSW Department of Industry staff, with the final outcome of the decision not impacting upon any persons use of the road reserve in the future.

Conclusion

Council would be the most appropriate authority to be in control of this road reserve.

Attachment(s)

Nil.

14.9 FINANCIAL ANALYSIS REPORT – MAY 2018**Responsible Officer:**

Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

RECOMMENDATION

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of May 2018.

260618/13 RESOLVED (Cr Humphrys /Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

The purpose of this report is to inform Council on the status and performance of its investment portfolio in accordance with the *Local Government Act 1993* (Section 625), *Local Government (General) Regulation 2005* (Clause 212), Australian Accounting Standard AASB 139 and Council's Investment Policy.

The value of Council's Investment Portfolio as at 31 May 2018 including General Bank Accounts and Trust Funds are shown following;

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$42,190,708	\$1,374,131	\$120,995	\$43,685,834

The rate of return on Council's investments for May 2018 was 2.62% which is above the 90 Day Bank Bill Index for May of 2.03%.

Delivery Program Links

Making Council Great

CS 2 Great Support

CS2.14 Provide efficient, effective and highly valued financial services to the organisation

Budget Implications

As at 31 May 2018, Council had earned \$385,850 in interest and \$296,456 in fair value gains for total investment revenue of \$682,306 against a budget of \$788,396 (which equates to 86.54%).

Report

Reserve Bank of Australia (RBA) Cash Rate Update

The RBA left the cash rate unchanged at 1.50% per annum at its May 2018 meeting.

Rate of Return

The weighted average rate of return on investments increased in May 2018 to 2.62%, an increase of 5 basis points from the previous month. This rate of return is 59 basis points above the 90 Day Bank Bill Index of 2.03% which is Council's benchmark.

Council's Investment Portfolio

The value of Council's Investment Portfolio as at 31 May 2018 including General Bank Accounts and Trust Funds are shown below.

Investment Portfolio	Face Value	General Bank Accounts	Trust Funds
\$42,190,708	\$41,183,350	\$1,374,131	\$120,995

The Investment Portfolio balance at 31 May 2018 of \$42,190,708 is made up of Council's Business Online Saver Account (\$8,183,350), Term Deposits (\$21,000,000) and NSW Treasury Corporation Investments (\$13,007,358).

Council's investment portfolio has maturity dates ranging from same day up to 732 days. Term deposits of \$21,000,000 represented 49.77% of the total portfolio as at 31 May 2018. Council made three new term deposits: one each

with Bank of QLD, Members Equity Bank and Elders Rural Bank. Of these financial institutions only Bank of QLD supports the fossil fuel industry. These term deposits were chosen as they offered the highest available returns after diversification principles were applied. Three term deposits matured during the period.

Council had \$12,000,000 in longer term investments being the Cash Facility Trusts with NSW Treasury Corporation as at 31 May 2018. The investment values as at 31 May 2018 are shown below.

Hourglass Cash Facility Trust	Hourglass Strategic Cash Facility Trust
\$4,478,593	\$8,528,766

Environmentally Sustainable Investments (ESI's)

The current holdings in ESI's is \$11,000,000 or 26.07% of the total portfolio. The information for the assessment has been sourced from the website www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia.

Conclusion

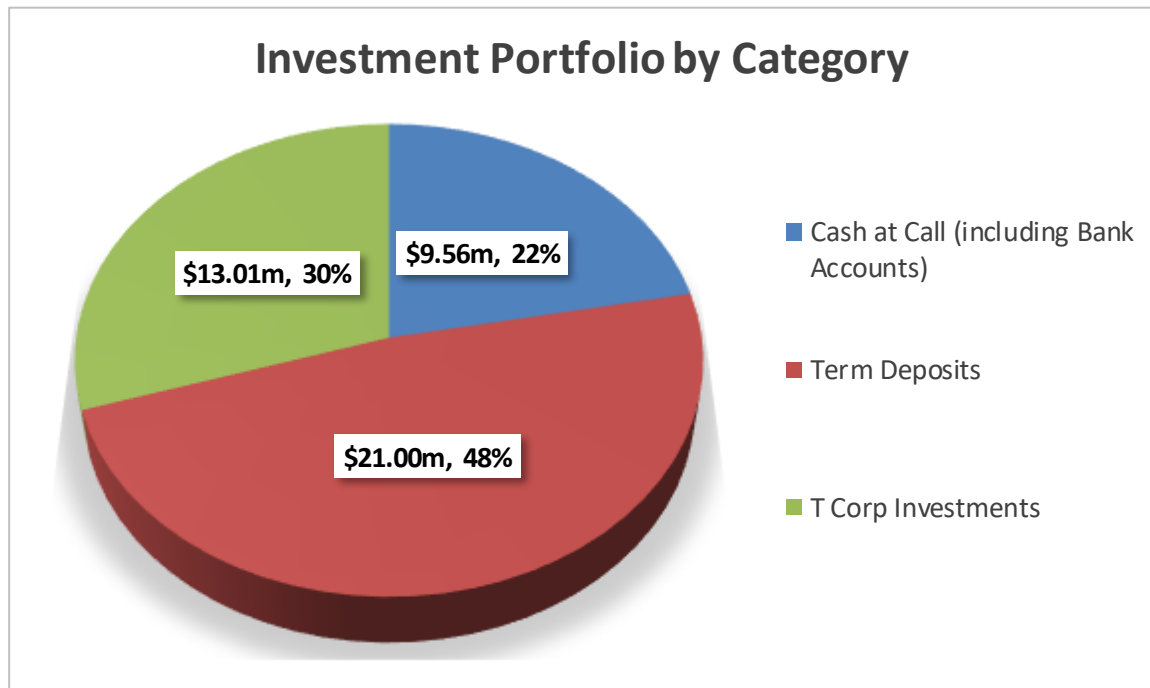
During the month of May 2018 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy. As at 31 May 2018 Council's investments totalled \$42,190,708 with a further \$1,495,125 held in bank accounts. The average rate of return was 2.62% for the month of May and total investment revenue equals 86.54% of budgeted revenue for the year to 31 May 2018.

Attachment(s)

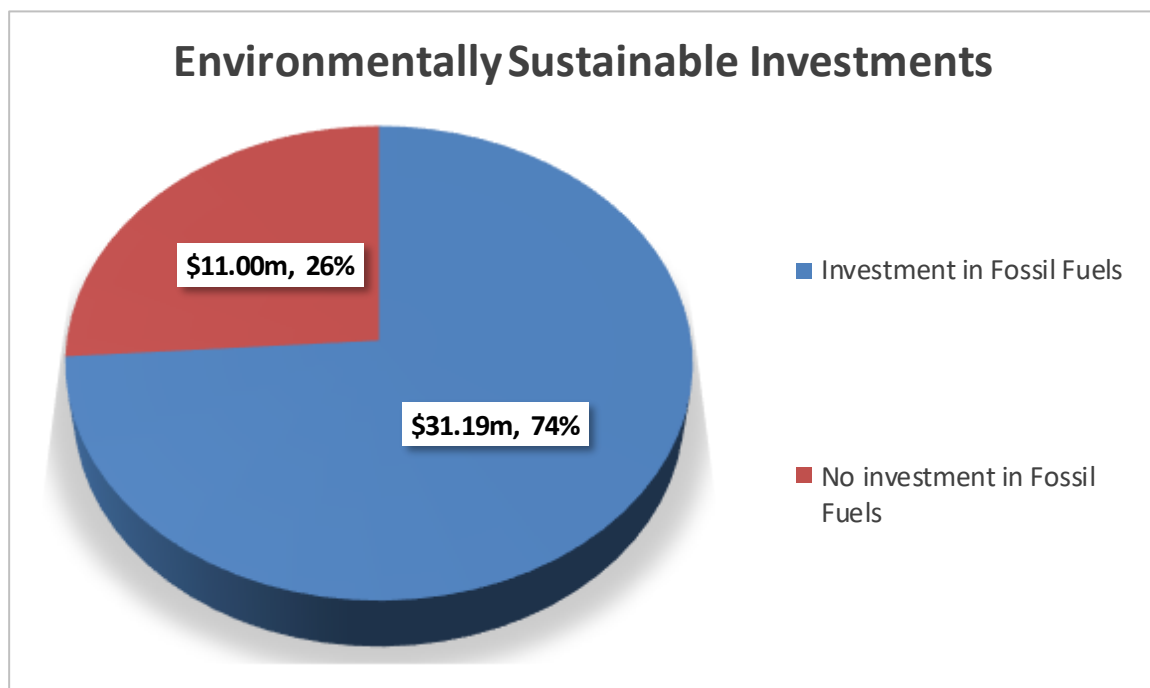
Included below in Appendix:

1. Supporting Graphs
2. Investment Portfolio as at 31 May 2018.

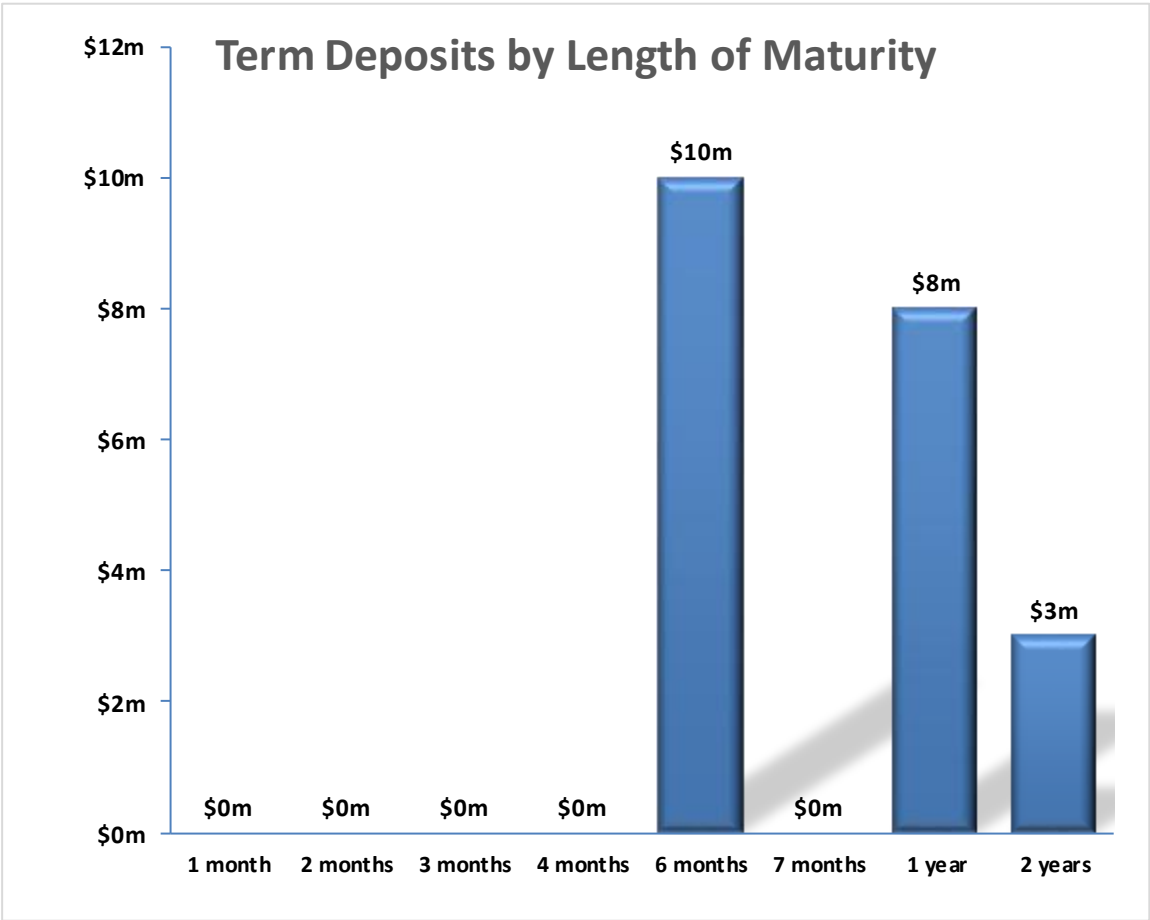
The following graph shows Council's investment portfolio by investment category as at 31 May 2018.



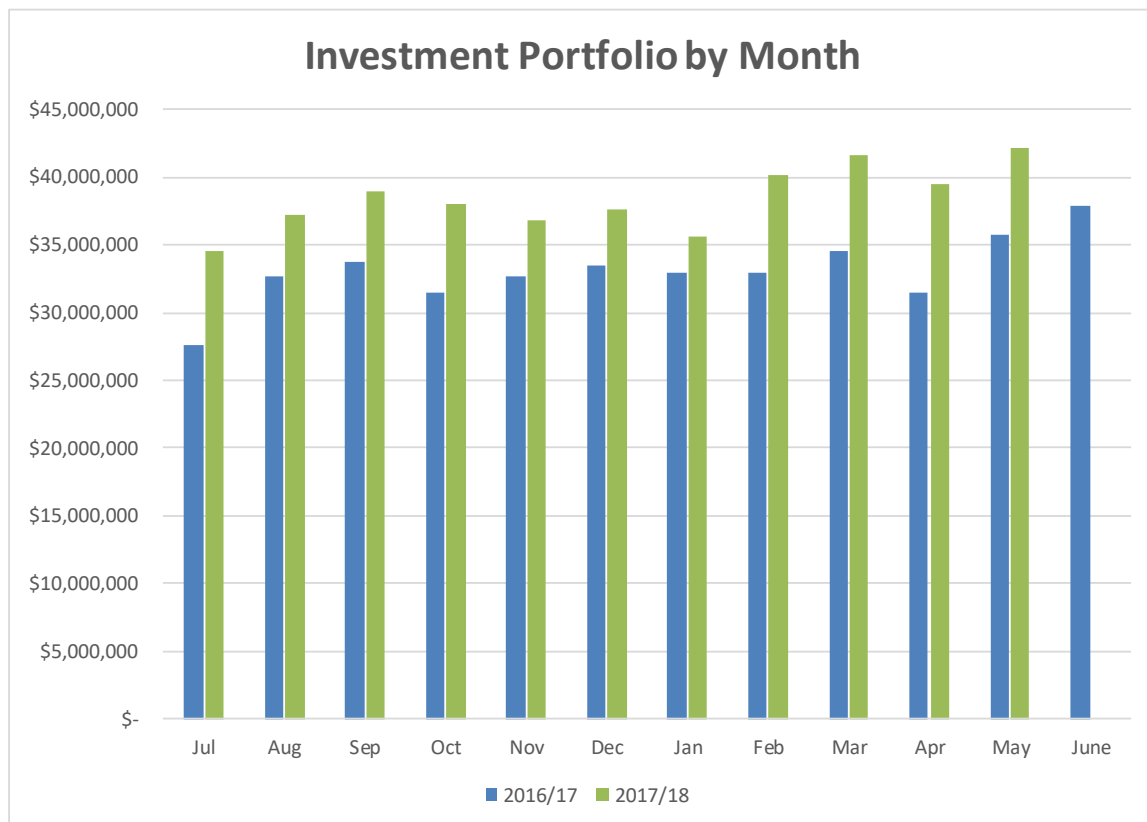
The following graph details Council's Environmentally Sustainable Investments as a percentage of Council's investment portfolio as at 31 May 2018.



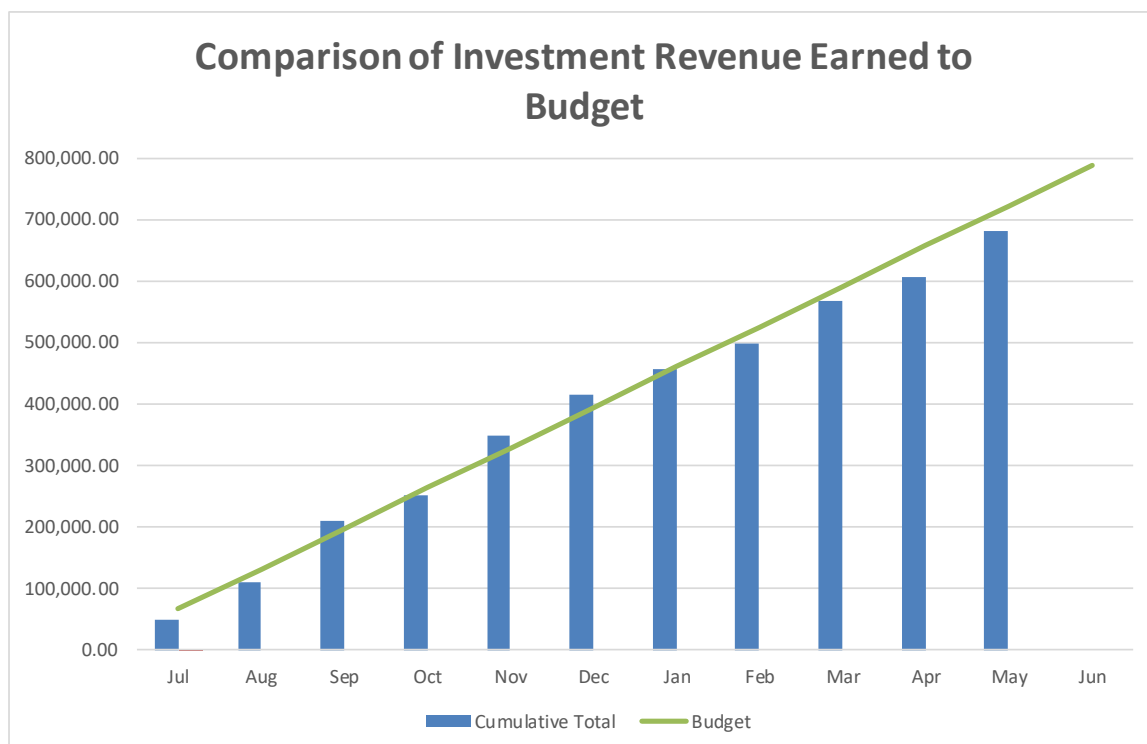
The following graph shows the length of time of Council's term deposit maturities as at 31 May 2018.



The following graph shows Council’s total investment portfolio by month over the past two financial years to date.



The following graph compares Council's total investment revenue by month to the budgeted revenue.



RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31 MAY 2018										
Investment Source	Investment Type	Rating	Environmentally Sustainable Investments	Investment Date	Maturity Date	Rate of Return	Original Investment Value	Current Investment Fair Value	Interest/ Fair Value Gain Received	% of Total Portfolio
<u>Cash at Call</u> CBA Business Online Saver Interest on Other Bank Accounts	At Call	A1+/AA	N	At Call		1.15%	N/A	8,183,350	4,456	19.40%
						Total		8,183,350	4,871	19.40%
<u>Term Deposits</u> Auswide Bank Auswide Bank Defence Bank Bank of QLD Defence Bank MyState Bank Limited People's Choice Credit Union Westpac ING Direct AMP Ltd Defence Bank Westpac ING Direct Westpac ING Direct MyState Bank Limited AMP Ltd Members Equity Bank Bank of QLD Members Equity Bank Elders Rural Bank AMP Rebate	Term Deposit	A3/BBB-	Y	28/11/2017	28/11/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A3/BBB-	Y	28/11/2017	28/11/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	1/12/2017	1/06/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB+	N	1/12/2017	1/06/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	4/12/2017	4/12/2018	2.75%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB+	Y	11/12/2017	12/06/2018	2.65%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	12/12/2017	12/06/2018	2.67%	N/A	1,000,000	0	2.37%
	Term Deposit	A1+/AA-	N	20/02/2018	20/02/2019	2.63%	N/A	1,000,000	6,485	2.37%
	Term Deposit	A2/A-	N	21/02/2018	21/02/2020	2.90%	N/A	1,000,000	0	2.37%
	Term Deposit	A1-A	N	26/02/2018	27/08/2018	2.80%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	1/03/2018	3/09/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A1+/AA-	N	1/03/2018	1/03/2019	2.62%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/A-	N	1/03/2018	2/03/2020	2.88%	N/A	1,000,000	0	2.37%
	Term Deposit	A1+/AA-	N	5/03/2018	3/09/2018	2.60%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/A-	N	5/03/2018	5/03/2020	2.88%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB+	Y	6/03/2018	6/03/2019	2.75%	N/A	1,000,000	0	2.37%
	Term Deposit	A1-A	N	13/03/2018	10/09/2018	2.80%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	9/04/2018	9/10/2018	2.75%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB+	N	28/05/2018	28/05/2019	2.75%	N/A	1,000,000	0	2.37%
	Term Deposit	A2/BBB	Y	29/05/2018	29/05/2019	2.80%	N/A	1,000,000	0	2.37%
Term Deposit	A2/BBB+	Y	29/05/2018	29/11/2018	2.80%	N/A	1,000,000	0	2.37%	
<u>Matured Term Deposits</u> Bank Australia Bank of QLD Members Equity Bank	Term Deposit	A2/BBB	Y	27/11/2017	28/05/2018	2.65%	N/A	0	13,214	0.00%
	Term Deposit	A2/BBB+	N	28/11/2017	28/05/2018	2.60%	N/A	0	12,893	0.00%
	Term Deposit	A2/BBB	Y	29/11/2017	29/05/2018	2.60%	N/A	0	12,893	0.00%
						Total		21,000,000	45,655	49.77%
<u>NSW Treasury Corporation Hourglass Investments</u> Cash Facility Trust Strategic Cash Facility Trust	Trust		N	Various	N/A	2.28%	4,000,000	4,478,593	8,602	10.62%
	Trust		N	Various	N/A	2.40%	8,000,000	8,528,766	16,756	20.21%
						Total		13,007,358	25,358	30.83%
<u>Bank Accounts</u>										
Account Name	Balance \$ 31-May-18	Total Investment Portfolio at Face Value								
General Fund Bank Account	1,361,797	Total Investment Portfolio at Fair Value								
Trust Fund Bank Account	120,995	Interest Revenue Received								
NAB Cheque Account	0	Overall Average Interest Rate								
Evans Head Memorial Areodrome Fund	12,334	Total Bank Account Portfolio								
Total	1,495,125	Total Portfolio								
2.62%										
42,190,708										
75,884										
1,495,125										
43,685,834										

14.10 QUARRY PRODUCT PRICES - 2018/2019 REVENUE POLICY**Responsible Officer:**Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

RECOMMENDATION

Recommended that Council adopt the proposed pricing schedule for various quarry products for the 2018/2019 financial year as included in the table in this report effective from 1 July 2018.

260618/14 RESOLVED (Cr Humphrys /Cr Simpson)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Executive Summary

Council requires flexibility in managing the pricing of its quarry products. As provided by clause 201(4) of the *Local Government (General) Regulation 2005*, Council does not disclose pricing for its quarry products as part of its publicly advertised Revenue Policy. Taking this approach allows Council to adjust pricing as required without the need to amend the Revenue Policy and seek public submissions. Council still needs to formally adopt the prices it intends to charge for its quarry products for the 2018/2019 financial year.

Delivery Program Links

Making Council Great

CS2 Great Support

CS2.14 Provide efficient, effective and highly valued financial services to the organisation.

Budget Implications

The quarry pricing schedule included with this report has been incorporated into Council's quarry budgets for the 2018/2019 financial year.

Report

Quarry product prices proposed for the 2018/2019 financial year have been developed. These prices did not form part of the publicly advertised 2018/2019 Draft Revenue Policy, with Council having disclosed the following clause:

'In accordance with Clause 201(4) of the Local Government (General) Regulation 2005, the statement of fees and structure of the pricing methodology

does not include information that could confer a commercial advantage on a competitor of Council.'

The relevant legislative provisions regarding commercial in confidence pricing is covered by Section 405(2) of the *Local Government Act 1993* and Clause 201(4) of the *Local Government (General) Regulation 2005* regarding the Revenue Policy.

Council requires flexibility in setting the pricing of its quarry products. This is due to being able to respond quickly to changes in costs of production, sales quantities and other market influences. The legislative provisions detailed above allow Council to adjust prices as required without the need to amend the Revenue Policy and seek public submissions.

Council must still formally adopt the prices it intends to charge for its quarry products effective 1 July 2018.

Consultation

No consultation is required due to the application of Clause 201(4) of the *Local Government (General) Regulation 2005*.

Conclusion

It is necessary for Council to determine quarry product prices for the 2018/2019 financial year to ensure Council has endorsed the prices proposed to be charged. As indicated above, an analysis on quarry product prices has been undertaken and it may be likely that there will be further amendments to quarry product prices during the course of the 2018/2019 financial year.

Attachment(s)

Included on the following pages:

1. Fees and Charges - Quarries 2018/2019.

FEES AND CHARGES - QUARRIES 2018/2019

Quarry Products

1. Rates

All rates shown are amounts per tonne inclusive of GST. They include known and regularly used products currently in use and are subject to change. The rates include production costs, loading costs and royalties. The rates that Council intends to charge are contained in the table on the following page:

FEE/CHARGE DESCRIPTION	2017/18 FEE/ CHARGE LEVIED \$	2018/19 FEE/ CHARGE LEVIED \$	UNIT	GST INCLUDED	PRICING CAT.
Quarry Products – Woodview Quarry					
Overburden (Stock No 401)	10.00	10.50	Per tonne	Y	D
Roadbase MB20 (Stock No 404)	24.00	25.00	Per tonne	Y	D
Roadbase DGS40 (Stock No 411)	24.00	25.00	Per tonne	Y	D
Roadbase Blend (Stock No 407)	32.00	33.00	Per tonne	Y	D
Woodview Flood Blend (Stock No 408)	24.00	25.00	Per tonne	Y	D
Select Fill (Stock No 410)	20.50	21.50	Per tonne	Y	D
Metal Dust (Stock No 415)	18.00	18.50	Per tonne	Y	D
Aggregates – 7mm (Stock No 416)	37.00	38.00	Per tonne	Y	D
Aggregates – 10mm (Stock No 417)	39.00	40.00	Per tonne	Y	D
Aggregates – 14mm (Stock No 418)	37.00	38.00	Per tonne	Y	D
Aggregates – 19mm (Stock No 422)	37.00	38.00	Per tonne	Y	D
Aggregates pre-coated – 7mm (Stock No 419)	53.00	54.00	Per tonne	Y	D
Aggregates pre-coated – 10mm (Stock No 420)	55.00	56.00	Per tonne	Y	D
Aggregates pre-coated – 14mm (Stock No 421)	53.00	54.00	Per tonne	Y	D
Aggregates pre-coated – 19mm (Stock No 424)	53.00	54.00	Per tonne	Y	D
Screenings Oversize (Shot Rock) (Stock No 423)	22.00	23.00	Per tonne	Y	D
Gabion Rock (Stock No 426)	28.00	29.00	Per tonne	Y	D
Rail Ballast (Stock No 425)	28.00	29.00	Per tonne	Y	D

FEE/CHARGE DESCRIPTION	2017/18 FEE/ CHARGE LEVIED \$	2018/19 FEE/ CHARGE LEVIED \$	UNIT	GST INCLUDED	PRICING CAT.
Quarry Products – Casino Depot Stockpile					
Aggregates pre-coated – 7mm (Stock No 503)	66.00	67.00	Per tonne	Y	D
Roadbase MB20 (Stock No 511)	42.00	43.00	Per tonne	Y	D
Roadbase Blend (Stock No 504)	50.00	51.00	Per tonne	Y	D
Metal Dust (Stock No 512)	36.00	37.00	Per tonne	Y	D
Sand Screened (Stock No 540)	35.00	35.00	Per tonne	Y	D
Coldmix (Stock No 542)	204.00	210.00	Per tonne	Y	D
Topsoil (Stock No 550)	70.00	72.00	Per tonne	Y	D
Quarry Products – Evans Head Depot Stockpile					
Roadbase Blend (Stock No 616)	50.00	51.00	Per tonne	Y	D
Metal Dust (Stock No 611)	36.00	37.00	Per tonne	Y	D
Sand Screened (Stock No 620)	35.00	35.00	Per tonne	Y	D

14.11 TENDER RVC806650 – STAGE 2 DETAILED DESIGN AND CONSTRUCTION FOR RENEWAL OF THE NORTHERN RIVERS LIVESTOCK EXCHANGE**Responsible Officer:**Ben Zeller (Manager Projects and Performance)

RECOMMENDATION

Recommended that:

1. AGS Commercial be awarded the tender for the Stage 2 Detailed Design and Construction for Renewal of the Northern Rivers Livestock Exchange (NRLX).
2. The General Manager be delegated the authority to negotiate with AGS Commercial on the Northern Rivers Livestock Exchange Stage 2 options to ensure the renewal meets Council's requirements while not exceeding the project budget of \$7 million.
3. The General Manager is authorised to sign necessary documentation and the Common Seal of Council be affixed to any documentation when required.

260618/15 RESOLVED (Cr Simpson/Cr Cornish)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously

Executive Summary

Richmond Valley Council released a Request for Tender for the Stage 2 Detailed Design and Construction for Renewal of the Northern Rivers Livestock Exchange on 30 April 2018 with a closing date of 4 June 2018. Tenderers could seek clarifications and conduct site visits up until 25 May 2018.

By the tender closing date of 4 June 2018, Council received two (2) tender submissions from Wiley and Co and AGS Commercial. The tender evaluation process commenced on 5 June and the evaluation panel agreed to recommend AGS Commercial to Council as the successful tenderer.

As set out in detail in this report, AGS Commercial provides Council with the best value for money tender submission. Their tender satisfied the Assessment Panel that they have the necessary design, construction and site management

experience and the tendered price leaves Council with considerable scope to include further innovative options that will maximise the outcomes for the \$7 million funding Council has available through funding from the NSW Government's Restart NSW Fund.

Delivery Program Links

Connecting People and Places
PP2 Getting around
PP2.2 Striving for consistent improvement

Budget Implications

This tender is for the Stage 2 Design and Construction for Renewal of the Northern Rivers Livestock Exchange. Funding of \$7 million has been approved for Council under the NSW Government's Restart NSW Fund.

Report

Tender Process

Richmond Valley Council released a Request for Tender for the Stage 2 Detailed Design and Construction for Renewal of the Northern Rivers Livestock Exchange on 30 April 2018 with a closing date of 4 June 2018. Tenderers could seek clarifications and conduct site visits up until 25 May 2018.

Council's Project Management Office (PMO) formulated the scope for the second stage of the upgrade with reference to the NRLX Masterplan developed during the Stage 1 project, learnings from the Stage 1 design and construction project, and collaboration with NRLX operational staff and stakeholders. The outcome of this exercise was a list of design inclusions that were separated into mandatory and discretionary categories and requiring participating tenderers to price.

The mandatory inclusions were:

- Design and site survey
- Site supervision, project management and insurances
- Site establishment
- Stakeholder management
- Civil Works
- Demolition Works
- Concrete Works
- Roof Structure and supports
- Hydraulics
- Lighting
- Holding Yard renewal
- Holding Yard soft flooring
- Delivery Pens renewal

- Technology improvements
- Weighing Area renewal
- Stormwater management
- Electrical and power requirements

The following list of discretionary items was prioritised by the assessment panel but not communicated to potential tenderers. In order of priority:

- New transit yards
- Pre-sale scanning
- Extra selling pens
- Canteen and office upgrade
- Scale House renewal
- Maintenance shed
- Carpark
- Billboard Sign on the Summerland Way
- LED signage
- Smart rain gauge
- Landscaping and gardening
- Outdoor furniture
- Roof over public path

Pre-tender, it was the PMO's opinion that all the mandatory and discretionary inclusions were likely to be valued at greater than the \$7 million budget. The intention of the tender process was to create price tension competition between tenderers and determine which tenderer could provide Council with the best value for the \$7 million investment.

The tender issue timeline was as follows:

- 30 April 2018 – Tender release
- 25 May 2018 – Clarification, Site Visit and Questions close
- 4 June 2018 – Tender close

At the conclusion of the tender period, Council received tender submissions from Wiley and Co and AGS Commercial.

Tender Analysis

The tender evaluation was conducted between 5 June and 22 June 2018, by the following evaluation panel members:

- David Timms – Manager Infrastructure Services
- Ben Zeller – Manager Projects and Performance
- Jeff Breen – Project Engineer

The panel met several times in this period and forwarded clarification questions to each of the tenderers. Both tenderers were invited to participate in an interview and presentation session during the assessment period where they provided further detail to the assessment panel about their submissions.

Tenders were assessed as follows:

3.14 Evaluation Criteria

Tenders will be assessed against both Commercial (Pricing etc.) and Technical (Non-Price) Criteria.

Tenders will be assessed using a weighted scoring process based on information provided with the Tender.

The Technical evaluation criteria will be used in the evaluation of Tender submissions received for this Request for Tender in order of preference are:

3.14.1	Lump Sum Price Mandatory Activities and Value for Money For Discretionary Activities	50%
3.14.2	Proposed methodology and Project Timelines	20%
3.14.3	Experience in similar projects, for design, construction and project management	15%
3.14.4	Innovation and Environmental consideration	10%
3.14.5	Evidence of benefit to local economy	5%

Evaluation Results

Tender	Price Items (50%)					Non-Price Assessment (50%)							Total Score	
	Price Items (35%)			Discretionary Price		Methodology and		Experience (15%)		Innovation, Enviro.				
	Assessed Price	Normalised Score	Weighted Score	Score out of 10	Weighted Score	Score out of 10	Weighted score	Score out of 10	Weighted Score	Score out of 10	Weighted Score	Local Benefit out of 10		Weighted Score
Wiley & Co	\$5,696,940.00	8.31	2.91	7.52	1.13	6.00	1.20	8.00	1.20	3.00	0.30	6.00	0.30	7.04
AGS Comme	\$4,735,646.00	10.00	3.50	10.00	1.50	5.00	1.00	4.00	0.60	7.00	0.70	8.00	0.40	7.70

The evaluation panel individually scored each tender and then held a final evaluation meeting to reach a consensus score. The consensus score was not an average of the panel's individual scores but an agreed score after significant discussion and analysis.

As per the final evaluation matrix table above, AGS Commercial received the highest score overall at 7.70 with Wiley and Co at 7.04. AGS Commercial scored higher in price criteria 5.00 to 4.04 but Wiley and Co scored higher in non-price criteria 3.00 to 2.70.

The evaluation panel unanimously endorsed AGS Commercial as the company that will deliver the best project outcome for council.

Price (50% Weighting):

Mandatory items pricing - The evaluation panel assessed each mandatory inclusion item and determined whether both tenders were comparable in terms of the delivered outcome. Two mandatory items were excluded from price assessment as Wiley and Co did not provide a comparable price or outcome for Stormwater Management and Power Upgrades.

The costs of the non-comparable items above were subtracted from the total costs to arrive at a comparable costs figure.

These total amounts were:

AGS Commercial \$4,735,646
Wiley and Co \$5,696,940

These lump sum prices were given a weighting where the lowest price received a score of ten and the highest price received a score relative to the lowest price (8.31).

Discretionary items pricing – Prior to the release of the tender, the assessment panel ranked the discretionary items from 1 to 14. When the tenders were assessed, each discretionary item was analysed to determine if both submissions were comparable. Items deemed not comparable were Pre Sale Scanning, the car park and public path roof and these were excluded. Comparable items were then given a score out of ten based on the scope and options provided by each tender. These scores were then recalculated to allow for price differences and then totalled for each tender (AGS Commercial 34.2042, Wiley 25.7373). As the tender with the highest score, AGS Commercial received a score of 10 for discretionary price items and Wiley a relative score of 7.52.

Price Score totals:

AGS Commercial – 5.00 (Mandatory 10.00 * 35% weighting plus Discretionary 10.00 * 15% weighting)

Wiley and Co – 4.04 (Mandatory 8.31*35% weighting plus Discretionary 7.52 * 15% weighting)

Methodology / Timelines (20%):

Both tenders provided acceptable project management plans and timelines with AGS Commercial estimating a completion date of May 2019. Both tender also addressed their plans for stakeholder consultation and for staging the construction with minimal impact to ongoing operations.

The assessment panel were comfortable that AGS Commercial's methodology and timelines were appropriate for a project of the scale of the Stage 2 NRLX renewal project.

Experience (15%):

AGS Commercial has no previous experience in the design and construction of livestock facilities. They have managed other large projects in the Northern Rivers and for this project they have partnered with a group of subcontractors who participated in the Stage 1 NRLX renewal project. Proway, Shayne Baker Earthmoving, and Grant Bulmer Welding will provide AGS Commercial with the necessary skill and experience to deliver Council's required outcome.

Innovation (10%):

AGS Commercial has provided several innovative ideas for the Stage 2 NRLX upgrade. These are highlighted by six potential stormwater and legacy effluent improvement options and also a solution for existing septic problems in the scale house and canteen.

Local Economy (5%):

Being based in Lismore, AGS Commercial has first-hand experience with engagement of the Richmond Valley local community and they work with a wide variety of local consultants, contractors and suppliers and have committed to further these relationships if successful with this tender.

As part of Council's due diligence, credit checks and referee checks were performed on AGS Commercial. These were both extremely positive for the company and provided reassurance that any partnership would be a successful one.

Probity

The tender has been conducted in accordance with Clause 166(a) of the Local Government (General) Regulation 2005.

To ensure Council observed the necessary probity requirements throughout the process, Thomas Noble and Russell accountants (TNR) were again engaged to

be Council's probity advisors. On an as needs basis, the PMO liaises with TNR on probity issues and to obtain comment from them at the completion of milestone events with the NRLX upgrade.

The evaluation was conducted in accordance with the Local Government Tendering Guidelines and Tendering Evaluation Principles and Process. Confidentiality and probity were maintained throughout the process.

Conclusion

Council has been presented with two excellent tender submissions. Both companies could reasonably be expected to deliver the desired outcomes and provide value for money for this project. The evaluation panel understands the risk of moving away from Wiley and Co who successfully delivered the Stage 1 project and would have used the experience gained to improve the project delivery for the next stage. However, with 'value for money' as the key driver of assessment, AGS Commercial's pricing will see more improvements delivered under the \$7 million budget.

AGS Commercial's choice of subcontractors also provides Council with some reassurance that any shortfall in direct experience will be filled. This and the substantial difference in quoted pricing means that the evaluation scoring favoured AGS Commercial over Wiley and Co.

It is recommended that AGS Commercial be awarded the contract for Stage 2 Detailed Design and Construction for Renewal of the Northern Rivers Livestock Exchange as they scored the highest by the evaluation panel **(7.70)**.

As AGS Commercial has been recognised as the best option to deliver the project for Council, it is also recommended that the General Manager be delegated the authority to negotiate with AGS Commercial on the Northern Rivers Livestock Exchange contract to ensure the renewal meets Council's requirements and does not exceed the project budget of \$7 million.

Attachment(s)

Nil.

15 MATTERS FOR INFORMATION

RECOMMENDATION

Recommended that the following reports submitted for information be received and noted.

260618/16 RESOLVED (Cr Mossissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

15.1 NORTHERN RIVERS LIVESTOCK EXCHANGE BI-MONTHLY UPDATE**Responsible Officer:**

Vaughan Macdonald (General Manager)

Report

At Council's Ordinary Meeting held on Tuesday, 17 May 2016 it was resolved that Council *"receive a bi-monthly report on the NRLX upgrade and operational issues identified in the report"* which it had considered at that meeting.

The last update was provided at the Ordinary Council Meeting held in April which reported the projects practical completion on 5 March 2018. On agreeing to practical completion, Council and the Contractor have entered the twelve-month defect period where agreed defects are rectified as soon as possible by the Contractor. Council and the Contractor will continue to meet quarterly over the next year to review the project and any outcomes from its operational use.

Council held the official opening of the Stage 1 NRLX upgrade on 18 April 2018. The Federal Member for Page, Kevin Hogan, the Mayor and Councillors, Council's Executive and managers and staff all attended the opening which received positive coverage from local media outlets.

A recent reconciliation of the project budget shows that the project cost has come in slightly below the \$7 million allocated. The income and expenditure has been audited to determine the validity of budget management, and confirm that items purchased were for the express purpose of delivering the project outcome. The audit result was positive and this report formed part of Council's final submission to the Federal Government to secure the final milestone payment of \$1.75 million under the Building Better Regions Fund.

On 13 June 2018, Council received confirmation from the department (refer to attachment below) that the report was accepted and the project deemed complete. The funding payment will be received prior to 30 June 2018.

Recent feedback from Stakeholders has been positive regarding the finished product, commenting on the benefits for buyers, sellers and agents.

With regards to Stage 2, Council staff are currently assessing tender submissions with interviews with potential contractors proposed to be held in June. The development application was lodged in early April and is being

reviewed by Council's planners. As with Stage 1, the capital value of the next stage is greater than \$5 million and will require approval by the Joint Regional Planning Panel.



Australian Government

Department of Infrastructure, Regional Development and Cities

Ref: NSRF200531

Mr Vaughan Macdonald
General Manager
Richmond Valley Council
10 Graham Place
CASINO NSW 2470

Dear Mr Macdonald

NATIONAL STRONGER REGIONS FUND – EXPANSION OF THE NORTHERN RIVERS LIVESTOCK EXCHANGE, CASINO

Thank you for submitting your Project Completion Report. The Department of Infrastructure, Regional Development and Cities (the Department) has completed an assessment of the report and is pleased to advise that the Expansion of the Northern Rivers Livestock Exchange, Casino project has been assessed as complete.

As per the Schedule in the Funding Agreement between the Commonwealth of Australia, as represented by the Department, and the Richmond Valley Council for the Expansion of the Northern Rivers Livestock Exchange, Casino project, the Operational Period of this project has commenced as at the date of this letter. The duration of the Operational Period is five (5) years.

The Department would like to take this opportunity to congratulate you on the successful completion of the project and for delivering a valuable asset to your community.

Please contact John Bowmer on 02 6393 4025 if you have any questions regarding this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Sandison'.

Kathy Sandison
Director
Contract Management

13 June 2018

GPO Box 594 Canberra ACT 2601 Australia • Telephone: 02 6274 7111 • Facsimile: 02 6257 2505
Website: www.infrastructure.gov.au • ABN 86 267 354 017

Delivery Program Links

Growing our Economy

EC2 Building on our Strengths

EC2.2 The Northern Rivers Livestock Exchange returns a profit to the community

15.2 GRANT APPLICATION INFORMATION REPORT – MAY 2018**Responsible Officer:**

Ryan Gaiter (Chief Financial Officer/Manager Mid-Richmond)

Report

This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications submitted for the month of May 2018.

There were no new grants approved during the month of May 2018. Council received funding for twelve grants during the reporting period, totalling \$2,039,400. Council was not notified as being unsuccessful with any grant applications and applied for eight new grants during May 2018. Details of these grants are provided below:

Grants that have been received

NRLX Truck Wash Upgrade	
Project ID	10226
Funding Body	Transport for NSW
Funding Name	Fixing Country Truck Washes
Government Level	Federal
Project Value (exc GST)	\$418,076
Grant Funding (exc GST)	\$358,076
Council Funding (exc GST)	\$ 60,000
Date Application Submitted	6 October 2016
Date Received	\$43,470 received 3 May 2018 \$89,519 received 25 May 2018
Total Funds Received To Date	\$137,683
Comment (if required)	N/A

Flood Event of 12 March 2017 Emergency and Restoration Works	
Project ID	10256
Funding Body	Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
Project Value (exc GST)	\$1,773,221
Grant Funding (exc GST)	\$1,744,221
Council Funding (exc GST)	\$ 29,000
Date Application Submitted	Various
Date Received	\$111,000 received 30 May 2018
Total Funds Received To Date	\$1,484,000
Comment (if required)	N/A

Flood Event of 28 March 2017 Emergency and Restoration Works

Project ID	10258
Funding Body	Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
Project Value (exc GST)	\$3,113,420
Grant Funding (exc GST)	\$3,084,420
Council Funding (exc GST)	\$ 29,000
Date Application Submitted	Various
Date Received	\$99,000 received 30 May 2018
Total Funds Received To Date	\$2,025,000
Comment (if required)	N/A

Broadwater to Broadwater Beach Shared Path

Project ID	10262
Funding Body	Roads and Maritime Services
Funding Name	Active Transport Program, Priority Cycleways
Government Level	State
Project Value (exc GST)	\$1,000,000
Grant Funding (exc GST)	\$1,000,000
Council Funding (exc GST)	\$ 0
Date Application Submitted	1 August 2017
Date Received	\$567,000 received 30 May 2018
Total Funds Received To Date	\$567,000
Comment (if required)	N/A

Modern Catering and Amenities Block for Casino Showgrounds

Project ID	10267
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$267,883
Grant Funding (exc GST)	\$267,833
Council Funding (exc GST)	\$ 0
Date Application Submitted	12 September 2017
Date Received	\$88,401 received 30 May 2018
Total Funds Received To Date	\$88,401
Comment (if required)	N/A

Evans Head Tennis Clubhouse Construction and Fitout

Project ID	10268
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund

Government Level	State
Project Value (exc GST)	\$260,990
Grant Funding (exc GST)	\$101,990
Council Funding (exc GST)	\$159,000
Date Application Submitted	13 September 2017
Date Received	\$33,657 received 31 May 2018
Total Funds Received To Date	\$33,657
Comment (if required)	N/A

Broadwater Outdoor Youth Space and Park Upgrade

Project ID	10269
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$221,785
Grant Funding (exc GST)	\$131,785
Council Funding (exc GST)	\$ 90,000
Date Application Submitted	12 September 2017
Date Received	\$43,489 received 29 May 2018
Total Funds Received To Date	\$43,489
Comment (if required)	N/A

Casino Civic Hall Revitalisation

Project ID	10270
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$152,028
Grant Funding (exc GST)	\$152,028
Council Funding (exc GST)	\$ 0
Date Application Submitted	12 September 2017
Date Received	\$50,169 received 29 May 2018
Total Funds Received To Date	\$50,169
Comment (if required)	N/A

'Fit for Parks' – Outdoor Gyms for Crawford Square Casino and Evans Head Riverside

Project ID	10271
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$201,926
Grant Funding (exc GST)	\$201,926

Council Funding (exc GST)	\$ 0
Date Application Submitted	13 September 2017
Date Received	\$66,635 received 29 May 2018
Total Funds Received To Date	\$66,635
Comment (if required)	N/A

Roads to Recovery Program 2015-2019

Project ID	N/A
Funding Body	Department of Infrastructure and Regional Development
Funding Name	Roads to Recovery Program
Government Level	Federal
Project Value (exc GST)	\$6,420,841
Grant Funding (exc GST)	\$6,420,841
Council Funding (exc GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$236,500 received 23 May 2018
Total Funds Received To Date	\$5,715,069
Comment (if required)	N/A

NSW Small Business Month

Project ID	N/A
Funding Body	NSW Department of Industry, Skills and Regional Development
Funding Name	NSW Small Business Month
Government Level	State
Project Value (exc GST)	\$5,000
Grant Funding (exc GST)	\$5,000
Council Funding (exc GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$5,000 received 23 May 2018
Total Funds Received To Date	\$5,000
Comment (if required)	NSW Small Business Month – to be held in October 2018

Financial Assistance Grant Scheme 2017/18

Project ID	N/A
Funding Body	N/A
Funding Name	NSW Local Government Grants Commission
Government Level	Federal
Project Value (exc GST)	\$4,790,987
Grant Funding (exc GST)	\$4,790,987
Council Funding (exc GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$605,560 received 16 May 2018 (General Purpose Component \$411,487, Local Roads Component \$194,073)

Total Funds Received To Date	\$4,790,987 (total funding received)
Comment (if required)	Approved August 2017

Grant Applications Submitted

Woodburn Riverside Park Development – Playground and Central Hub Area	
Project ID	10283
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$570,040
Grant Funding (exc GST)	\$551,776
Council Funding (exc GST)	\$ 18,264
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Stan Payne Oval Sporting Facility Enhancement with Grandstand Upgrade and Security Bollards	
Project ID	10284
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$309,884
Grant Funding (exc GST)	\$309,884
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Woodburn Recreational Oval Enhancement of Sporting Facilities	
Project ID	10285
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$98,714
Grant Funding (exc GST)	\$98,714
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Queen Elizabeth Park Sporting Complex Enhancement	
Project ID	10286
Funding Body	Department of Premier and Cabinet's Office

	of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$479,717
Grant Funding (exc GST)	\$479,717
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Coraki Hockey Club Training Facilities – Windsor Park Revitalisation

Project ID	10287
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$95,053
Grant Funding (exc GST)	\$95,053
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Crawford Square Casino – Accessible Splashpad

Project ID	10288
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$883,436
Grant Funding (exc GST)	\$883,436
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Evans Head Main Beach Access Enhancement

Project ID	10289
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$185,765
Grant Funding (exc GST)	\$185,765
Council Funding (exc GST)	\$ 0
Date Application Submitted	3 May 2018
Comment (if required)	N/A

Casino Industries Activation	
Project ID	10291
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Regional Growth Fund - Growing Local Economies
Government Level	State
Project Value (exc GST)	\$13,333,000
Grant Funding (exc GST)	\$ 7,969,000
Council Funding (exc GST)	\$ 364,000
Date Application Submitted	31 May 2018
Comment (if required)	Other financial contribution of \$5,000,000 to be made by an associated joint venture if application is successful.

Delivery Program Links

Making Council Great

CS2 Great Support

CS2.12 Examine all revenue and expenditure reduction opportunities within legislative powers

Budget Implications

All Council funding required regarding the grants in this report has been included in Council's budget, with the exception of the Casino Industries Activation grant application under the Regional Growth Fund - Growing Local Economies program. If Council is successful with this grant application, its share of \$364,000 will require inclusion in Council's budget during the 2018/2019 financial year.

Attachment(s)

Nil.

15.3 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 MAY 2018 TO 31 MAY 2018

Responsible Officer:

Andrew Hanna (Manager Development and Environment)

Report

This report provides a summary of development activity on a monthly basis. All Development Applications determined in the month are outlined in this report, including Section 96 approvals, applications that are refused and withdrawn, and applications with no development value such as subdivisions.

Council receives a weekly summary of the status of applications (including all received). Council notifies all determinations of Development Applications in the local newspaper pursuant to Clause 101 of the *Environmental Planning and Assessment Act 1979* (as amended) on a monthly basis.

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 May 2018 to 31 May 2018 was 25, with a total value of \$1,705,522.00.

In order to provide a better understanding of the value of Development Consents issued by Council over a 12-month period, a graph is set out below detailing this information.

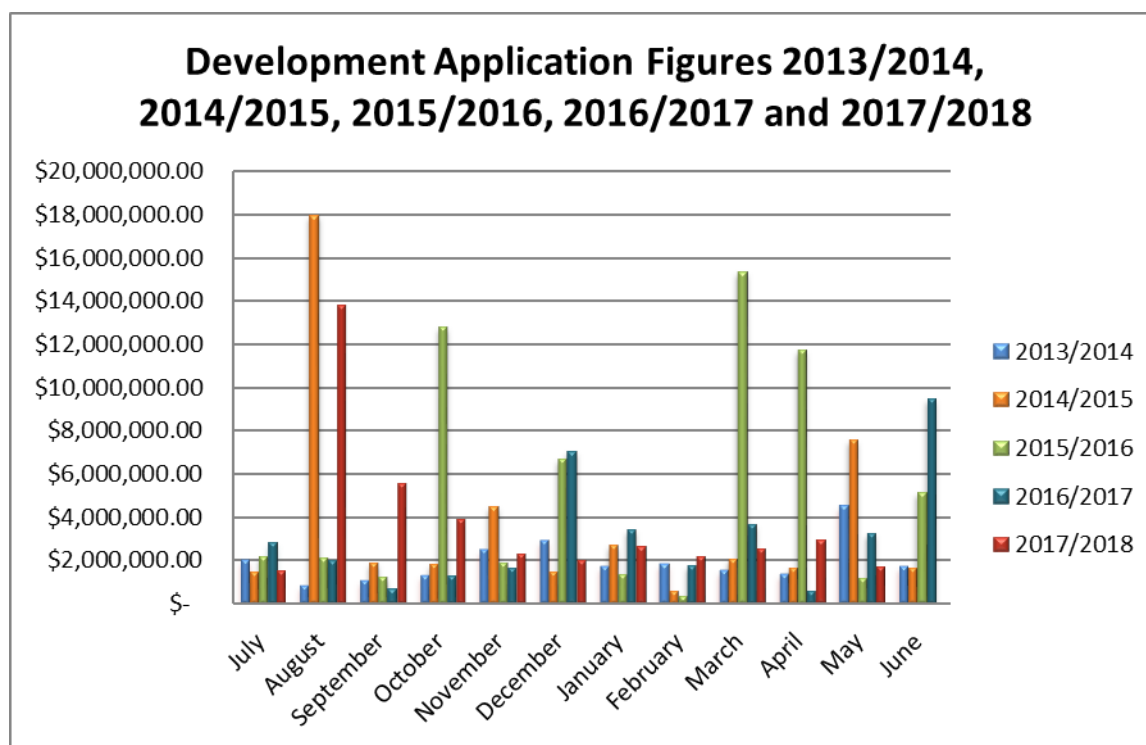


Figure 1: Monthly dollar value of development processed by Council over five financial years.

Figure 2 graph provides the annual value of Development Consents issued by Council over six financial years and Figure 3 and 4 graphs provide a detailed review of the value for the reporting month of May 2018.

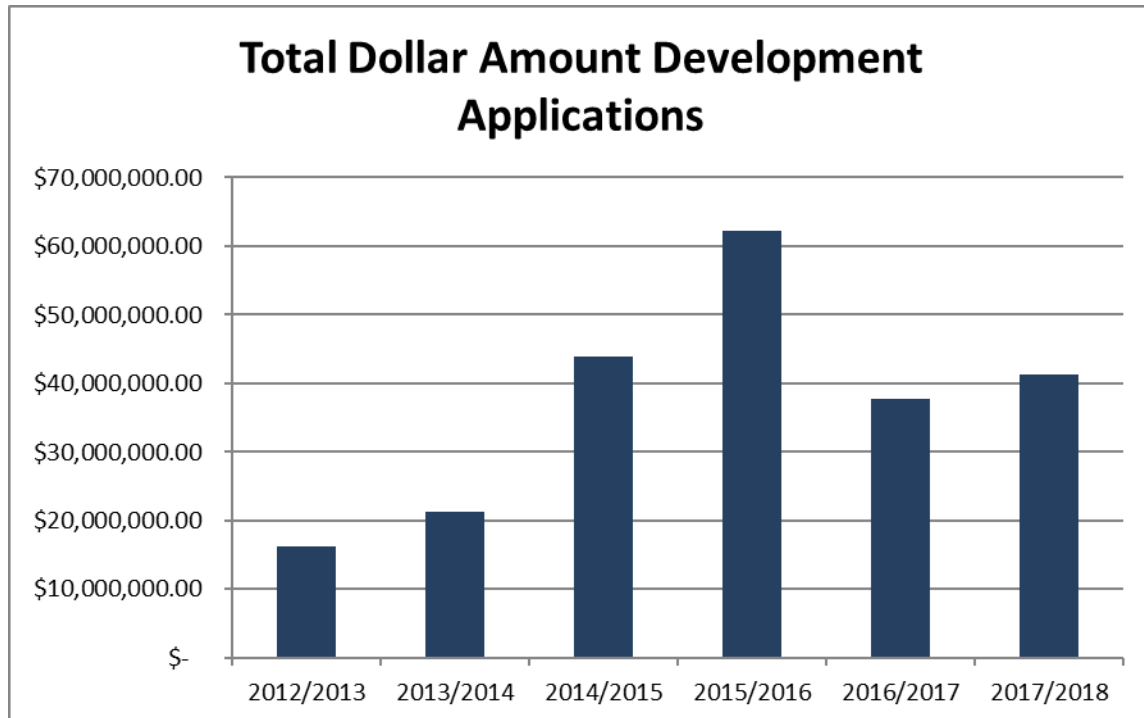


Figure 2: Annual value of development.

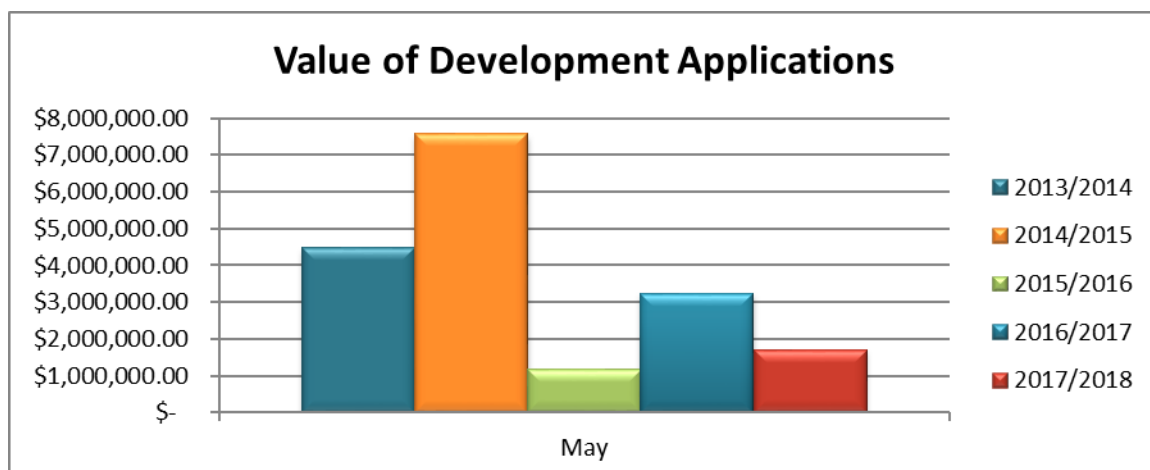


Figure 3: Value of development for the month of May.

Number of Development Applications

The number of applications received by Council does not necessarily reflect the value of developments as single large developments can be equivalent in value to a large number of more standard type developments such as sheds, dwellings and small commercial developments.

Figures 4 and 5 below detail the number of applications determined by Council which, as stated above, is not necessarily reflective of the value of development.

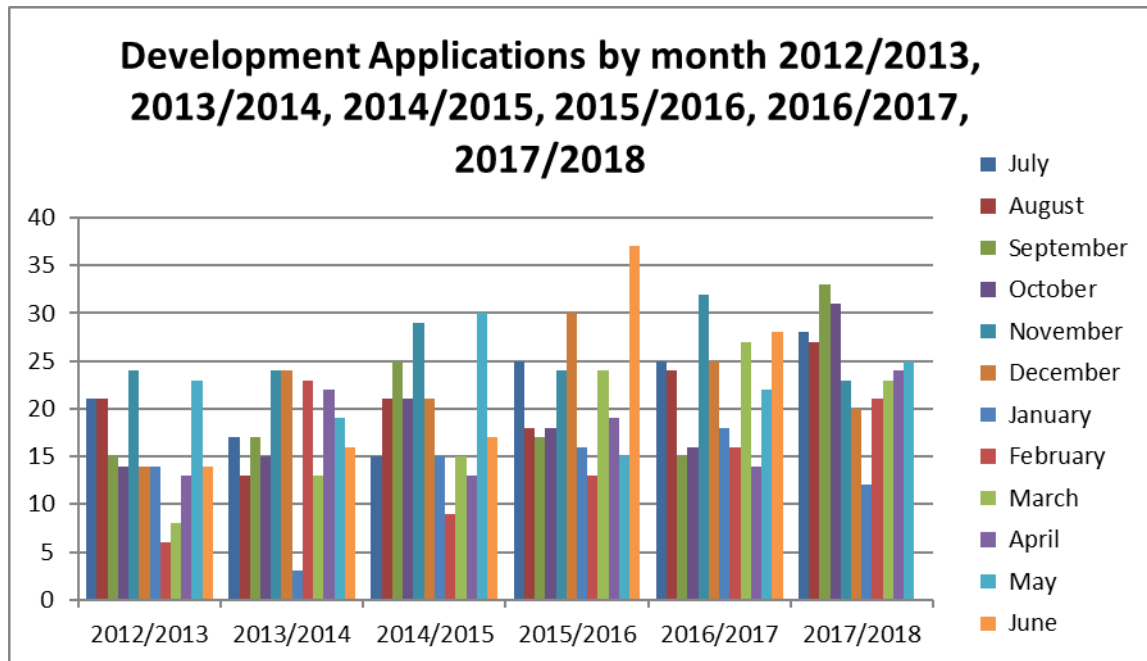


Figure 4: Number of Development Applications per month over six financial years.

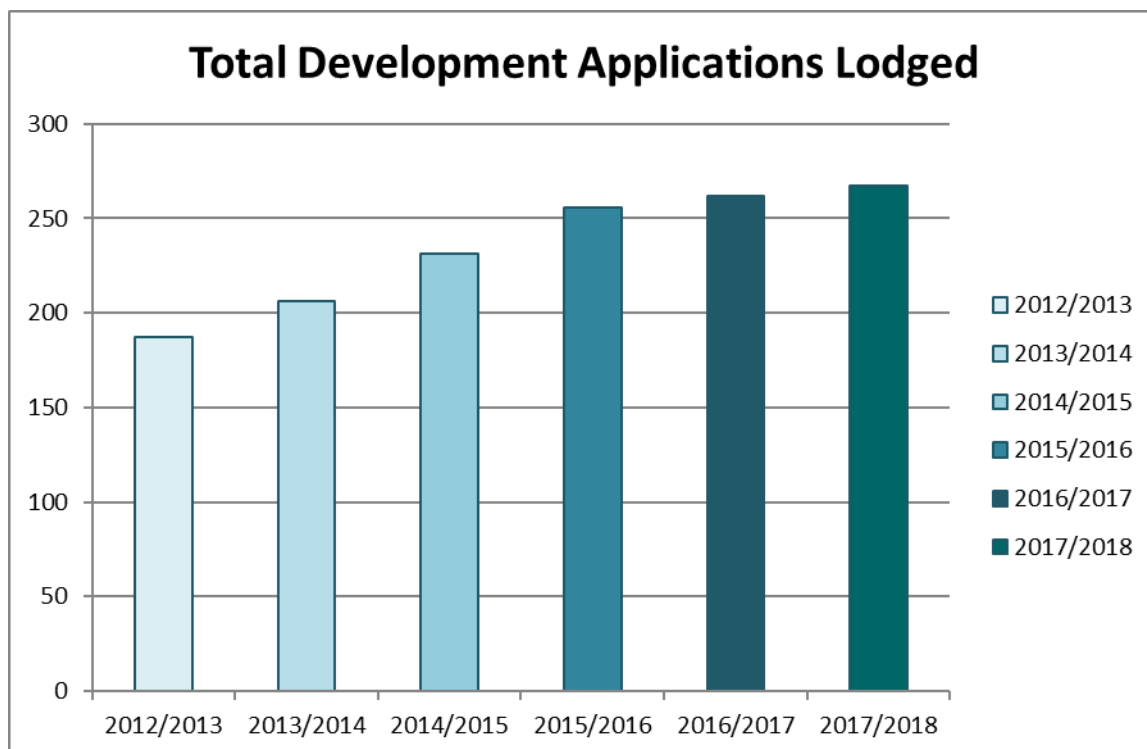


Figure 5: Number of development applications per year over six financial years.

Activity for the month of May

General Approvals (excluding Subdivisions, Section 96s)	17
Section 96 amendments to original consent	4
Subdivision	1
Refused	0
Withdrawn	3
Complying Development (Private Certifier Approved)	0
TOTAL	25

Delivery Program Links

Growing our Economy

EC1 Driving Economic Growth

EC1.6 Improved customer satisfaction with the DA process

Attachment(s)

Summary on following page;

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 May 2018 to 31 May 2018							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2018/0120	Ardill Payne & Partners	El Franco WL Franco	21-33 Pacific Highway, Broadwater	Subdivision to Create Six (6) Lots	4/12/2017	22/05/2018	\$ -
DA2018/0145	Ben Campbell Building Group	LR Lewis-Hughes SE Lewis-Hughes	39 Heath Street, Evans Head	Dwelling and Detached Shed	9/01/2018	9/05/2018	\$ 482,428.00
DA2018/0172	HL Robertson	HL Robertson	3 Belmore Street, Coraki	Shed with attached Carport	23/02/2018	10/05/2018	\$ 6,500.00
DA2018/0189	Coral Homes - Professional Planning Group	AR Morris RL Morris	60 Kent Street, Casino	Dwelling	26/03/2018	14/05/2018	\$ 245,411.00
DA2018/0196	Perry Homes (Aust) Pty Ltd	BA Lee KJ Evans	199 Reardons Lane, Swan Bay	Dwelling	5./04/2018	2/05/2018	\$ 243,000.00
DA2018/0198	Hayes Building Consultancy	LJ Black DR Brodin	2/54 Richmond Street, Woodburn	Deck and Variation to Development Control Plan 2015	10/04/2018	9/05/2018	\$ 18,000.00
DA2018/0200	SR Thompson	SR Thompson KL Thompson	101 Schielers Road, Tomki	Dwelling Extensions	12/04/2018	23/05/2018	\$ 30,000.00
DA2018/0204	MA Farrell	MA Farrell SM Farrell	96 Musgraves Road, North Casino	Shed	16/04/2018	9/05/2018	\$ 30,000.00
DA2017/0187.02	NS Higgins TS Higgins	TS Higgins NS Higgins	26 Tareeda Court, Spring Grove	Section 4.55 Modification Dwelling	17/04/2018	4/05/2018	\$ -
DA2018/0206	AGS Commercial Pty Ltd	EM Butcher MJ Butcher	9 Dixon Place, North Casino	Shed with Awning	19/04/2018	8/05/2018	\$ 45,440.00
DA2018/0207	DM Bertoli	DM Bertoli	3/69 Woodburn Street, Evans Head	Dwelling Extensions - Bathroom in Existing Garage	23/04/2018	14/05/2018	\$ 12,000.00
DA2018/0190.01	Meticon Homes QLD Pty Ltd	TM Norwell KC Scurr	East Coraki Road, East Coraki	Section 4.55 Modification Dwelling	23/04/2018	1/05/2018	\$ -
DA2018/0210	Wayne Lollback Building Co Pty Ltd	WO Lollback KL Hayward	4 Rayner Street, Casino	Demolition of existing shed and construction of new Garage and Carport	26/04/2018	14/05/2018	\$ 10,500.00
DA2018/0211	AE Lickiss	DJ Lickiss AE Lickiss	9730 Pacific Highway, Woodburn	Farm Shed	26/04/2018	14/05/2018	\$ 20,000.00
DA2018/0213	Newton Denny Chapelle	RSM Properties Pty Ltd	139 Walker Street, Casino	Private Car Park	27/04/2018	29/05/2018	\$ 120,000.00
DA2017/0114.01	MW Rees	KL Rees MW Rees	89 Richmond Street, Woodburn	Section 4.55 Modification Dwelling Extensions		7/05/2018	\$ -
DA2018/0216	Titan Northern Rivers Pty Limited	WA Micallef	12 Colches Street, Casino	Shed	1/05/2018	18/05/2018	\$ 24,700.00
DA2018/0219	AGS Commercial Pty Ltd	GN Bryant, Mrs L J Bryant	24 Country Lane, Casino	Shed	4/05/2018	23/05/2018	\$ 45,875.00
DA2018/0223	Meticon Homes QLD Pty Ltd	AP Greenwood KL Greenwood	54 Flatley Place, North Casino	New Single Dwelling & Variation to Development Control Plan 2015	8/05/2018	25/05/2018	\$ 356,368.00
DA2018/0076.01	Hayes Building Consultancy	AW Maguire	20 Pacific Crescent, Evans Head	Deck and Dwelling Alterations	9/05/2018	22/05/2018	\$ -
DA2018/0225	Hayes Building Consultancy	SP Lyons T Wotherspoon	4 Figtree Drive, Casino	Awnings	9/05/2018	28/05/2018	\$ 15,300.00
DA2017/0171.02	BA Harley	RG McKenzie SL McKenzie	1465 Bentley Road, Bentley	Section 4.55 Modification Dwelling, Garage & Inground Concrete Swimming Pool	55/05/2018	25/05/2018	\$ -

16 QUESTIONS ON NOTICE

Nil.

17 QUESTIONS FOR NEXT MEETING (IN WRITING)

Nil.

18 MATTERS REFERRED TO CLOSED COUNCIL

Set out below is section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in a closed part of a meeting.

The matters and information are the following:

- (a) personnel matters concerning particular individuals (other than councillors)
- (b) the personal hardship of any resident or ratepayer
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret
- (e) information that would, if disclosed, prejudice the maintenance of law
- (f) matters affecting the security of the council, councillors, council staff or council property
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any code of conduct requirements applicable under section 440.

In accordance with the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following business is of a kind as referred to in section 10A(2) of the Act and should be dealt with in a part of the meeting closed to the media and public.

18.1 PROPOSED SALE OF LAND

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it.

In accordance with section 10A(2) (c) and (d)(i) of the *Local Government Act 1993* discussion in an open meeting would, on balance, be contrary to the public interest because disclosure of possible terms of sale at this stage would put the Council at a competitive disadvantage in its negotiations preventing it from achieving a 'best value for money' outcome for the community and could confer a commercial advantage on a person with whom Council is conducting business and the matter also relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it

18.2 REQUEST FOR FINANCIAL ASSISTANCE SEWER CONNECTION – PROPERTY ID 173340

Reason for Confidentiality

This matter is classified CONFIDENTIAL under section 10A(2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (a) personnel matters concerning particular individuals (other than councillors).

This matter is classified confidential due to its content containing personnel issues.

It is not appropriate for personnel issues to be discussed in public. As part of Council processes, the outcome of consideration of the matter will be disclosed to the public.

The General Manager reported that no written representations had been received in respect to the items listed for consideration in Closed Council.

The Mayor called for verbal representations from the gallery.

There were no representations from the gallery.

260618/17 RESOLVED (Cr Humphrys/Cr Morrissey)

That

1. Council resolve into Closed Council to consider the business identified in Item 18.1 and 18.2, together with any late reports tabled at the meeting.
2. Pursuant to section 10A(1)-(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of section 10A(2) as outlined above.
3. The correspondence and reports relevant to the subject business be withheld from access to the media and public as required by section 11(2) of the *Local Government Act 1993*.

Section 10A(4) of the Local Government Act 1993 provides that members of the public be 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.

In addition, Council's Code of Meeting Practice provides for any written representations to be read to the meeting by the General Manager.

FOR VOTE - All Council members voted unanimously.

Council closed its meeting at 6.05 pm. The public and media left the Chamber.

The Open Council Meeting resumed at 6.25pm.

19 RESOLUTIONS OF CLOSED COUNCIL

The following resolutions of Council, passed while the meeting was closed to the public, were read to the Open Council Meeting by the General Manager.

18.1 PROPOSED SALE OF LAND

That

1. Council authorise the General Manager to negotiate the sale of part of the land generally in accordance with the details considered by Council.
2. Council authorise the General Manager to enter into and endorse relevant documents, contracts and transfers, including affixing the seal of Council where appropriate, for the sale of the land generally in accordance with the details considered by Council.
3. Prior to entering into any binding contract for the sale of the land the matter be reported back to Council as an open report.

18.2 REQUEST FOR FINANCIAL ASSISTANCE SEWER CONNECTION – PROPERTY ID 173340

That Council contribute half the cost towards the installation of a pod for Property ID: 173340

The Meeting closed at 6.26 pm.

CONFIRMED – 17 July 2018