

Richmond  
Valley  
Council



**Minutes**  
**Ordinary Meeting**  
**Tuesday, 17 May 2016**

## Table of Contents

<b>PRESENT .....</b>	<b>1</b>
<b>1     <b>ACKNOWLEDGEMENT OF COUNTRY .....</b></b>	<b>1</b>
<b>2     <b>PRAYER.....</b></b>	<b>1</b>
<b>3     <b>PUBLIC ACCESS AND QUESTION TIME .....</b></b>	<b>1</b>
<b>4     <b>APOLOGIES .....</b></b>	<b>2</b>
<b>5     <b>MAYORAL MINUTE.....</b></b>	<b>3</b>
<b>6     <b>CONFIRMATION OF MINUTES.....</b></b>	<b>3</b>
6.1     Ordinary Meeting Minutes - Tuesday, 19 April 2016 .....	3
<b>7     <b>MATTERS ARISING OUT OF THE MINUTES.....</b></b>	<b>3</b>
<b>8     <b>DECLARATION OF INTERESTS.....</b></b>	<b>4</b>
8.1     Declaration of Interests - Ordinary Meeting 17 May 2016.....	4
<b>9     <b>PETITIONS.....</b></b>	<b>4</b>
<b>10    <b>NOTICES OF MOTION .....</b></b>	<b>4</b>
<b>11    <b>MAYOR’S REPORT .....</b></b>	<b>4</b>
<b>12    <b>DELEGATES’ REPORTS .....</b></b>	<b>4</b>
12.1    Delegates’ Reports submitted to the May 2016 Ordinary Meeting .....	4
<b>13    <b>MATTERS DETERMINED WITHOUT DEBATE .....</b></b>	<b>8</b>
<b>14    <b>MATTERS FOR DETERMINATION.....</b></b>	<b>9</b>
14.1    Northern Rivers Livestock Exchange (NRLX) Future Management.....	9
14.2    Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft Ten Year Long Term Financial Plan.....	22

---

14.3	Quarterly Budget Review of Richmond Valley Council as at 31 March 2016 .....	25
14.4	Monthly Budget Adjustments - April 2016 .....	30
14.5	Financial Analysis Report - April 2016 .....	33
14.6	Mayoral Allowance/Councillor Fees 2016/2017 .....	37
14.7	Community Financial Assistance Program.....	39
14.8	Tender RVC325.16 - Construction of Cell 5 Nammoona Landfill.....	42
14.9	Adoption of Companion Animals Management Plan.....	45
14.10	DA2016/0022 Evans Head Workers' Camp Development Application - Response to Allegations.....	64
<b>15</b>	<b>MATTERS FOR INFORMATION.....</b>	<b>67</b>
15.1	Disclosure of Interest - Appointment of Designated Persons ....	68
15.2	Grant Application Information - April 2016 .....	69
15.3	Richmond-Upper Clarence Regional Library Grant Projects.....	71
15.4	Update on Council's Shark Management Strategy.....	74
15.5	Development Applications determined under the Environmental Planning and Assessment Act for the period 1 April 2016 to 30 April 2016.....	76
<b>16</b>	<b>QUESTIONS ON NOTICE.....</b>	<b>79</b>
<b>17</b>	<b>QUESTIONS FOR NEXT MEETING (IN WRITING).....</b>	<b>79</b>
17.1	Response to Question asked at the last Ordinary Meeting .....	79
<b>18</b>	<b>MATTERS REFERRED TO CLOSED COUNCIL.....</b>	<b>79</b>
<b>19</b>	<b>RESOLUTIONS OF CLOSED COUNCIL.....</b>	<b>79</b>

**MINUTES OF THE ORDINARY MEETING OF RICHMOND VALLEY COUNCIL,  
HELD IN THE COUNCIL CHAMBERS, CNR WALKER STREET AND  
GRAHAM PLACE, CASINO, ON TUESDAY, 17 MAY 2016 AT 5.00 P.M.**

---

**PRESENT**

---

Crs Ernie Bennett (Mayor), Robert Hayes, Sandra Humphrys, Steve Morrissey, Robert Mustow, Daniel Simpson and Col Sullivan.

Vaughan Macdonald (General Manager), Angela Jones (Director Infrastructure and Environment), Ryan Gaiter (Manager Finance and Procurement) and Roslyn Townsend (Corporate Support Officer) were also in attendance.

**1 ACKNOWLEDGEMENT OF COUNTRY**

---

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

*"Council would like to show its respect and acknowledge all of the traditional custodians of land within the Richmond Valley Council area and show respect to elders past and present."*

**2 PRAYER**

---

The meeting opened with a prayer by the General Manager.

**3 PUBLIC ACCESS AND QUESTION TIME**

---

**3.1 PUBLIC ACCESS - MR MATTHEW MCCORMACK - ITEM 14.1 -  
NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) FUTURE  
MANAGEMENT**

Mr McCormack advised that he is President of the Casino Auctioneers Association Incorporated and also a part of T & W McCormack Pty Ltd which has been operating in Casino and the surrounding area for over 100 years and selling in Casino saleyards since 1948. It was noted that during this time Casino had established a reputation as the Beef Capital. On behalf of all the agents, Mr McCormack stated that he would like to see Council continue to own and operate the Northern Rivers Livestock Exchange and make sure it remains a valued part of our community. Mention was made of the current strong cattle prices and country coming back on line by way of tree plantations being returned to cattle grazing land which in turn would result in more cattle coming through the saleyard facility. He commented on the proposed very large increase to \$10,000 of the auctioneers/agents permit fee but stated that the agents were willing to

comply with this charge and that every agent was committed to supporting the saleyards. Mr McCormack stated that he would like to see the vendor throughput fee and capital works levy being kept to a minimum for producers as this encouraged more cattle to come through the facility. In closing, he stated that the agents were hopeful of continuing their association with Council to make the Northern Rivers Livestock Exchange remain stable and viable for many years to come.

The Mayor thanked Mr McCormack for his presentation.

### **3.2 PUBLIC ACCESS - MS JILL LYONS - ITEM 14.1 - NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) FUTURE MANAGEMENT**

Ms Lyons expressed support of Council's recent community meeting on Monday, 9 May which confirmed that the community's expectation was that Council would continue to own and operate the saleyards. Ms Lyons supported Council's continued ownership and operation of the facility as a business together with the required upgrading and, on behalf of the many members of the community who had spoken to her, encouraged the adoption of all the recommendations contained in the report.

The Mayor thanks Ms Lyons for her presentation.

### **3.3 QUESTION - MS LIZ STOPS**

Ms Stops asked the following question:

*"Following on from my question last month, did Council contact the State Government regarding holding an information session on the Draft North Coast Regional Plan in the Northern Rivers? If so, what was the outcome?"*

The General Manager advised that contact had been made with the Department of Planning following which a response had been received that the information sessions were being held in Tweed Heads, Coffs Harbour and Port Macquarie; these being the locations where peak interest groups had been invited. Other information sessions were not being conducted although Council had asked about that, as did a number of other groups. The Department also confirmed that it had been contacted by one of the anti CSG lobby groups (using the Department's terminology) but the request had been denied. Following Council's last meeting staff had been busy preparing Richmond Valley Council's submission, together with Council's contribution to the NOROC submission. The General Manager advised that there had also been some newspaper articles from our Local Member Chris Gulaptis clarifying the State Government's position on references to CSG in the Draft Plan.

## **4 APOLOGIES**

---

No apologies were received for this meeting. However, Cr Simpson requested leave of absence for the next Council Meeting.

**170516/ 1    RESOLVED    (Cr Mustow/Cr Hayes)**

That Cr Simpson be granted leave of absence for the next Council Meeting to be held in June 2016.

FOR VOTE - All Council members voted unanimously.

(It was noted that Cr Mustow had suggested that the agenda item "Apologies" be edited to include "Leave of Absence Requests." This is a matter that should be addressed in a future review of Council's Code of Meeting Practice.)

---

**5            MAYORAL MINUTE**

---

Nil.

---

**6            CONFIRMATION OF MINUTES**

---

**6.1        ORDINARY MEETING MINUTES - TUESDAY, 19 APRIL 2016**

A copy of the Minutes of the Ordinary Meeting, held on Tuesday, 19 April 2016, was distributed with the Business Paper.

**RECOMMENDATION**

Recommended that the Minutes of the Ordinary Meeting, held on Tuesday, 19 April 2016, be taken as read and confirmed as a true record of proceedings.

**170516/ 2    RESOLVED    (Cr Morrissey/Cr Mustow)**

That the Minutes of the Ordinary Meeting, held on Tuesday, 19 April 2016, 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**

---

**7.1        DRAFT NORTH COAST REGIONAL PLAN - OVERVIEW (ORDINARY MEETING MINUTE 190416/8 - PAGES 63-74)**

Cr Simpson enquired whether Council's submission had been finalised and, if not, when it was proposed that it would be finalised. He also asked whether Councillors could be provided with a copy of the submission.

The Director Infrastructure and Environment stated that it was expected the draft submission should be finalised by the end of the week and that it would then be sent to Councillors for review. Following any feedback from Councillors the submission would be finalised and sent to the Department.

## **8 DECLARATION OF INTERESTS**

---

### **8.1 DECLARATION OF INTERESTS - ORDINARY MEETING 17 MAY 2016**

Cr Hayes declared a non-pecuniary (insignificant conflict) interest in Item 15.5 - Development Applications determined under the Environmental Planning and Assessment Act for the period 1 April to 30 April 2016 (Applicant for DA2016/0131, DA2016/0161 and DA2016/0179).

## **9 PETITIONS**

---

Nil.

## **10 NOTICES OF MOTION**

---

Nil.

## **11 MAYOR'S REPORT**

---

Nil.

## **12 DELEGATES' REPORTS**

---

### **12.1 DELEGATES' REPORTS SUBMITTED TO THE MAY 2016 ORDINARY MEETING**

---

### **RECOMMENDATION**

Recommended that the Delegates' Reports be received and noted.

**170516/ 3 RESOLVED** (Cr Morrissey/Cr Sullivan)

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 in regard to meetings/functions attended by Councillors.

**Submitted by Cr Mustow and Cr Sullivan**

**Subject Matter of Attendance:** Rous Water Council Meeting held at Lismore on 20 April 2016.

**Precis/Summary of Issues Discussed/Considered:**

Summary of the main items of business were:

1. Notice of motion – Solar installations at water treatment plants; emissions policy/strategy

Council considered a notice of motion from Cr Dey in relation to solar installations and agreed as follows:

1. Develop a greenhouse gas abatement strategy or policy.
2. In relation to solar generation of electricity, consider forms of partnerships for energy supply such as (i) systems installed on the water treatment plants by others who then on-sell the electricity to Rous Water, or (ii) distributors which provide sustainably generated electricity.
3. Monitor solar system availability with particular emphasis on finding one that is both cost effective and capable of supplying electricity for 24 hours per day by use of onsite power storage.

Voting against: Crs Meehan, Mustow and Johnson

Council further resolved to consider an allocation of \$70,000 in the 2016/17 budget to investigate energy efficiency measures, financial outcomes, and energy savings from various projects. Each of those projects were listed in the business paper (refer to page 21 Appendix A).

Voting against: Cr Meehan

2. Development Servicing Plan (DSP) for Bulk Water Supply 2016 – on public exhibition

A review was undertaken of the DSP for Bulk Water Supply and a revised version developed. The water supply developer charge for the Rous Water bulk supply area is payable to Rous Water by all developers that increase the demand for water in the Rous Water bulk supply area. Those developments that are both within the Rous Water bulk supply zone and the respective constituent Council's water reticulation area also pay a reticulation developer charge to the



constituent Council. The arrangement that is in place is that constituent Councils act as agents and collect the charge for and on behalf of Rous Water.

The draft DSP 2016 has a new development servicing charge of \$8,256/ET, a reduction of \$990 or 10.7%.

The draft DSP for Bulk Water Supply 2016 is on public exhibition until 2 June 2016 (inclusive). A copy of the draft plan is available on Council's website.

Any comments received during the exhibition period will be the subject of a report to Council's June 2016 meeting.

In addition to the review of the DSP for Bulk Water Supply, a review was also undertaken of Rous Water's Retail Water Supply Services DSP. Over the past six years only two applications have been received requiring payment under the DSP.

Council agreed to revoke the DSP and has adopted a position whereby future development costs within the Rous Water retail water supply system will be managed by agreement on a 'price on application' case-by-case basis.

### 3. Policies

#### *i) Work Health and Safety (revised)*

Following a routine review of Council's WHS Policy a range of minor amendments were recommended. The proposed amendments reflected the existence and content of Council's WHS Management System which is a complementary framework in place governing work health and safety.

The revised policy was adopted with one further minor amendment. A copy of the policy is available on Council's website.

### 4. Information reports

#### *i) Investments – March 2016*

This report outlined all Council's investments and borrowings as at March 2016. The total funds invested for March 2016 was \$19,525,070 with a return of 2.72%.

#### *ii) Water production and usage – March 2016*

This report indicated that for the March 2016 period water consumption by constituent Councils had decreased by comparison to the same period last year. Byron Shire Council's consumption increased slightly from the previous year due to the Easter holiday and Bluesfest falling in late March. All other Council areas recorded a significant decrease in consumption from the same period the previous year.

Daily source usage during March 2016 averaged 29.122ML which was a decrease from the February 2016 daily average of 31.398ML.

Rocky Creek Dam received 356mm of rainfall in March 2016. As at the date of the report Rocky Creek Dam was at full capacity.

-----

**Submitted by Cr Humphrys and Cr Morrissey**

**Subject Matter of Attendance:** Richmond River County Council Meeting held at Lismore on 18 April 2016.

**Precis/Summary of Issues Discussed/Considered:**

Summary of the main items of business were:

1. Draft Operational Plan incorporating the 2016/17 budget estimates and Revenue policy

Council resolved to confirm its budget estimates and Revenue policy which predicts an operating surplus of \$2,200 for 2016/17, with the draft Operational Plan to be advertised for public comment prior to adoption at Council's June meeting.

2. Richmond River Flood Warning and Evacuation Management Review (BMT WBM Pty Ltd report)

The final draft report prepared by BMT WBM Pty Ltd titled 'Richmond River Flood Warning and Evacuation Management Review' has been completed.

*i) Monitoring*

Flood conditions established a need for continuity with priority sites highlighted or chosen for conversion to AHD and sites for rainfall and river gauges. These actions were assigned to Richmond River County Council, BoM and Office of Environment and Heritage (OEH).

*ii) Flood forecasting and warning*

Five additional sites were recommended in established areas that could improve emergency response; this action was assigned to BoM.

*iii) Flood response*

This was developed as a flood intelligence package with practical application assigned to SES; preparation of a toolkit for flood response, consequence flood modelling, and communication of consequences.

*iv) Community education and flood information*

This element was designed around an engagement strategy and plan, including an interactive website provided by Richmond River County Council, SES and relevant local government areas. Council is responsible for rural flood hazard mapping and evacuation mapping. *(Note: Councillors will recall that Richmond*

*River County Council was awarded second place in the 2015 Floodplain Management Association excellence awards for the website).*

Of the above four recommendations, Council has secured grant funding for number one and has further sought grant funding to progress recommendation number four. This project is of regional significance and the grant contribution is being sought from the Northern Rivers Regional Organisation of Councils (NOROC). The other two recommendations have either been completed or are to be referred to another agency to progress.

### 3. Information reports

The following report was received and noted:

#### *i) Investments report – March 2016*

This report outlined all Council's investments and borrowings as at March 2016. The total funds invested for March 2016 were \$2,470,632 and receiving a return of 2.74%.

## **13 MATTERS DETERMINED WITHOUT DEBATE**

---

### **170516/ 4 RESOLVED** (Cr Morrissey/Cr Humphrys)

That Items 14.4, 14.5, 14.6, 14.9 and 14.10 be determined without debate.

FOR VOTE - All Council members voted unanimously.

Prior to the above motion being put to the vote, Councillors were given the opportunity to identify items on which they wished to ask questions.

- Item 14.9 - Cr Mustow enquired whether the details of dog off leash exercise areas were publicised for the information of members of the community.

The General Manager advised that the location of dog off leash exercise areas was available in the form of maps on Council's website however they were in need of refreshing from a branding perspective. Council's website also provided quite a detailed range of information on how Council managed companion animals and that some of the communication material would be updated in line with the implementation of a new Companion Animals Management Plan.

- Item 14.10 - Cr Mustow thanked the Director Infrastructure and Environment and her staff for the very informative and detailed reply to comments and allegations made by a speaker at the last Council Meeting.

**14 MATTERS FOR DETERMINATION**

---

**14.1 NORTHERN RIVERS LIVESTOCK EXCHANGE (NRLX) FUTURE MANAGEMENT****Responsible Officer:**Vaughan Macdonald (General Manager)

---

**RECOMMENDATION**

Recommended that Council:

1. Continue to own and operate the Northern Rivers Livestock Exchange (NRLX) as a business in line with the requirements of the Local Government Act.
2. Operate the business to consistently achieve at least a breakeven operating result in the short term to contribute to remaining a 'Fit' Council under the NSW Government's Fit for the Future reforms.
3. Increase throughput fees to \$9.90 (incl GST) and the capital works levy to \$1.10 (incl GST) for the 2016/17 financial year.
4. Increase Auctioneers/agents permit fee to \$10,000 (incl GST) for the 2016/17 financial year.
5. Authorise the General Manager to complete a review of throughput fee levels and pricing structures and auctioneer/agents licence fees and structures at similar saleyard facilities and report back to Council to inform fee levels/structures for the 2017/18 financial year.
6. Authorise the General Manager to prepare design specifications and cost estimates for a full upgrade of the NRLX, with development stages identified to enable upgrading in line with available funding.
7. Authorise the General Manager to prepare a procurement and probity plan and to issue an open tender for the redevelopment of the NRLX.
8. Establish a consultation forum that includes appropriate experts and key stakeholders to inform the redevelopment and transitional operational arrangements to modernise the operation of the NRLX.

**170516/ 5 RESOLVED** (Cr Sullivan/Cr Simpson)

That Council:

1. Continue to own and operate the Northern Rivers Livestock Exchange (NRLX) as a business in line with the requirements of the Local Government Act.
2. Operate the business to consistently achieve at least a breakeven operating result in the short term to contribute to remaining a 'Fit' Council under the NSW Government's Fit for the Future reforms.

3. Increase throughput fees to \$9.90 (incl GST) and the capital works levy to \$1.10 (incl GST) for the 2016/17 financial year.
4. Increase Auctioneers/agents permit fee to \$10,000 (incl GST) for the 2016/17 financial year.
5. Authorise the General Manager to complete a review of throughput fee levels and pricing structures and auctioneer/agents licence fees and structures at similar saleyard facilities and report back to Council to inform fee levels/structures for the 2017/18 financial year.
6. Authorise the General Manager to prepare design specifications and cost estimates for a full upgrade of the NRLX, with development stages identified to enable upgrading in line with available funding.
7. Authorise the General Manager to prepare a procurement and probity plan and to issue an open tender for the redevelopment of the NRLX.
8. Establish a consultation forum that includes appropriate experts and key stakeholders to inform the redevelopment and transitional operational arrangements to modernise the operation of the NRLX.
9. Receive a bi-monthly report on the NRLX upgrade and operational issues identified in the report.

FOR VOTE - All Council members voted unanimously.

---

### **Executive Summary**

The Northern Rivers Livestock Exchange (NRLX) is a key business activity for Richmond Valley Council and the major marketing centre for the beef industry in the Northern Rivers region. Council has been working to upgrade the facility for many years with funding the upgrade being the obstacle to commencing the project.

In late 2015 Council was successful in receiving a \$3.5 million grant under the Federal Government's National Stronger Regions Fund. Prior to commencing the project it was timely to review the various options for the redevelopment and future management of the NRLX.

The review is now complete and has concluded that the optimal option is for Council to continue to own and operate the facility and to proceed with upgrading the facility with the available of \$7 million.

The review identified that a more sustainable financial and operational model is required if the facility is to realise its potential as a leading regional livestock exchange in NSW, which befits Casino's status as the Beef Capital of Australia.

This report sets out the background to the review, the current performance of the NRLX, upgrade options, future management options and proposes a first step to a future funding model that is sustainable in the long term for Richmond Valley Council, Northern Rivers Beef Producers, Auctioneers and Agents, and the Richmond Valley community.

## **Community Strategic Plan Links**

Focus Area 2 Local Economy - Long term Goal 2.1 Business, Industry and Agriculture (Strategy 2.1.2 Promote a broad agricultural base while ensuring our current position as the beef capital of NSW is maintained).

## **Budget Implications**

As detailed in the report.

## **Report**

### **1. Background**

The NRLX is a critical asset for Casino and the Northern Rivers region and was opened in 1983.

Council resolved at its meeting on 16 February 2016 to prepare an open tender for the various options to redevelop the NRLX that assesses the long term financial implications of each option and to hold a public information session to outline the options for the redevelopment of the NRLX and to seek feedback from the community prior to issuing a tender. At no time has the current Council considered selling the NRLX.

Council has capacity to fund a \$7 million upgrade, which includes the \$3.5 million in Federal Government funds. This aims to provide roofing to enable the provision of soft floors in cattle pens and improvements to gate latches to improve safety. Council has legislative responsibilities to ensure that Work Health and Safety, Environment Protection Authority (EPA) requirements and animal welfare issues are addressed at the current facility as the current operating arrangements are unsustainable.

Council held a public information session to present the facts about the options for the future of the NRLX which was attended by approximately 250 people. The outcome of this meeting was that Council should continue to own and operate the NRLX.

### **2. Council consideration of future management options**

The NRLX is a regional facility that provides a marketing centre for beef producers across the entire Northern Rivers region. It is estimated that up to 40% of annual throughput is from producers who have farms in other council areas. The current operations are financially and operationally unsustainable as there are significant maintenance, animal welfare, and work health and safety issues to be addressed. Council also needs to consider the trend towards direct selling from the farm and the growth of the on-line livestock marketplace which can affect throughput at the NRLX. As a result Council has been exploring options for the future management of the facility.

Council saleyards across the eastern seaboard are being closed, sold or leased to enable rationalisation and in some cases redevelopment by the private sector. There is evidence that higher quality facilities lead to happier and heavier cattle, increasing returns to beef producers by more than the yard fee increases required to fund redevelopment. Fees do increase to provide a return on investment and fully fund depreciation.

### **3. Fit for the Future**

Council was assessed 'Fit' under the NSW Government's Fit for the Future reforms and to remain 'Fit' Council needs to implement its Fit for the Future Improvement Proposal that was submitted to IPART in 2015 for the assessment. This included a pathway to an operating result of breakeven so Council must identify ways to achieve that result. To achieve this it needs to operate more of its activities as a business. As an example, Council has leased Peterson's Quarry near Coraki from the start of the 2015/16 year which has realised a surplus of \$491,972, an improvement of \$265,972 on 2014/15 and is projected to return \$555,189 in 2016/17 a further improvement of \$329,189 on 2014/15.

Local Government infrastructure management has come under close scrutiny in recent years and with the move to the NSW Auditor General having oversight of local council financial management and performance, this focus will only increase. Councils are being forced to improve their asset management to reduce their infrastructure backlogs which requires Councils to make decisions to fund the depreciation of their assets, to fund current upgrades and save for future upgrades.

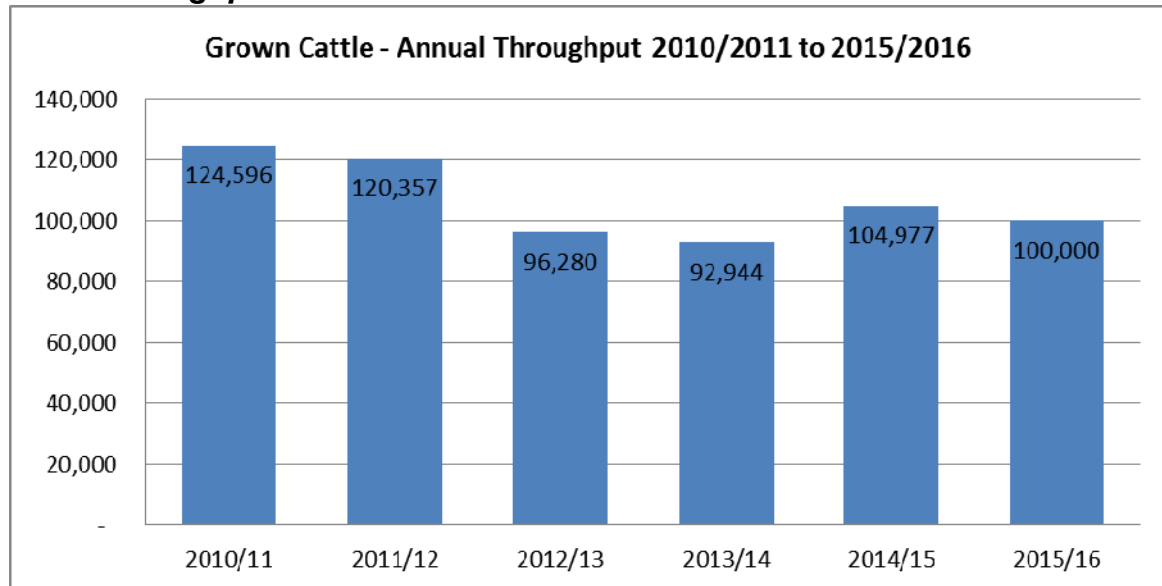
Councils Australia wide need additional revenues and the user pays principle is being implemented by all levels of Government in many areas.

Council made the decision to apply for a Special Variation to increase rates over five years which commenced in the 2014/15 financial year. The decision was a key determining factor in Richmond Valley Council being assessed as a 'Fit' Council under the Fit for the Future reforms. Ninety seven special variation applications have been submitted to IPART by councils across NSW in the last five years, highlighting that increases to rates are also an essential part of moving a council towards a more financially sustainable position.

Without this foresight Richmond Valley Council may well have been forced into a merger with a neighbouring council and be in the position of merging, as has happened to 42 other councils across NSW on 12 May 2016.

#### **4. Performance of the NRLX**

##### ***Cattle throughput***

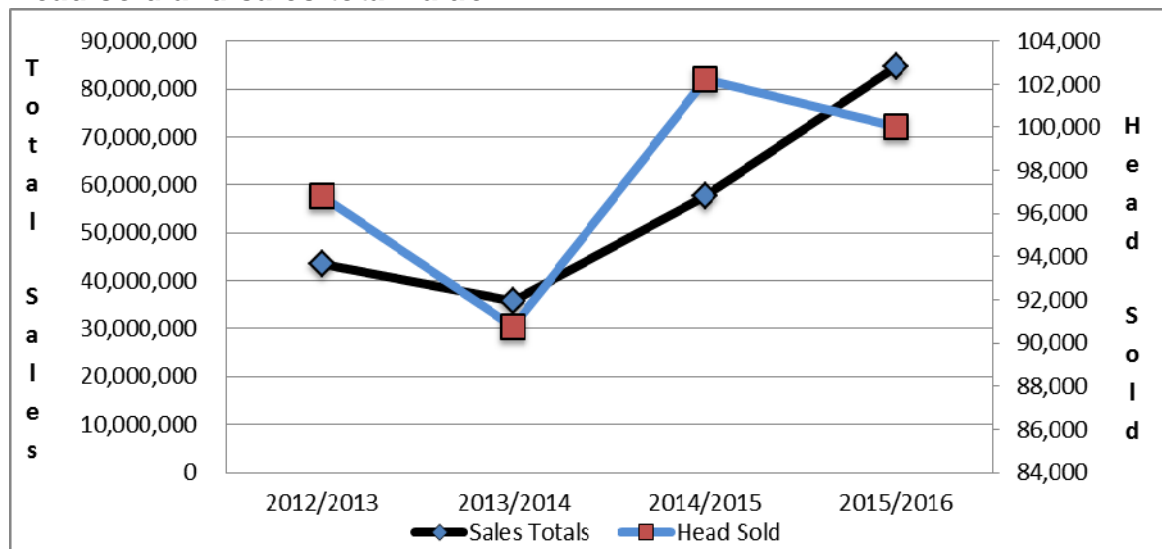


Note: 2015/16 throughput is 82,469 to April 2016. May and June have traditionally seen approximate throughput of 18,000, which informs the projected figure for the year of 100,000.

##### ***Comment***

Throughput has declined since the high of 124,596 in 2010/11, levelling out around the forecast 100,000 this year.

##### ***Head sold and sales total value***

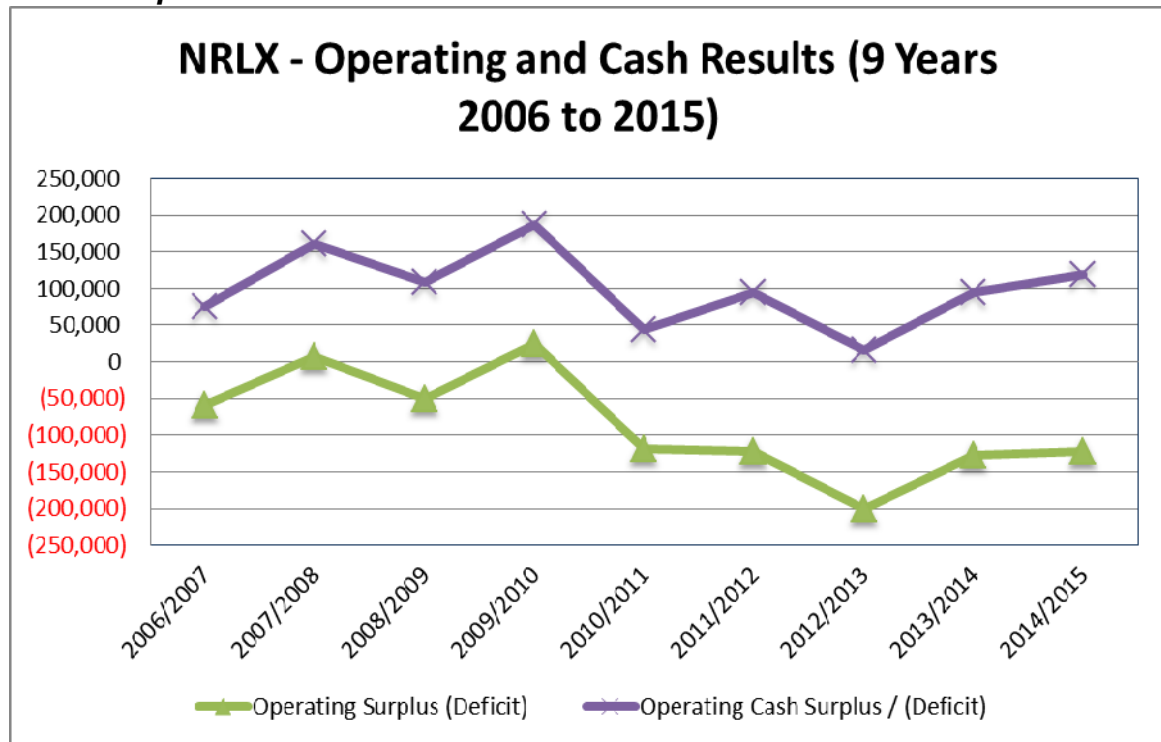


Note: 2015/16 sales are \$71,932,134 to May 2016. Using the current average \$ per head sold for this year of \$847.20 and the projected throughput of 100,000, the total sales are projected to be \$84,720,000.

##### ***Comment***

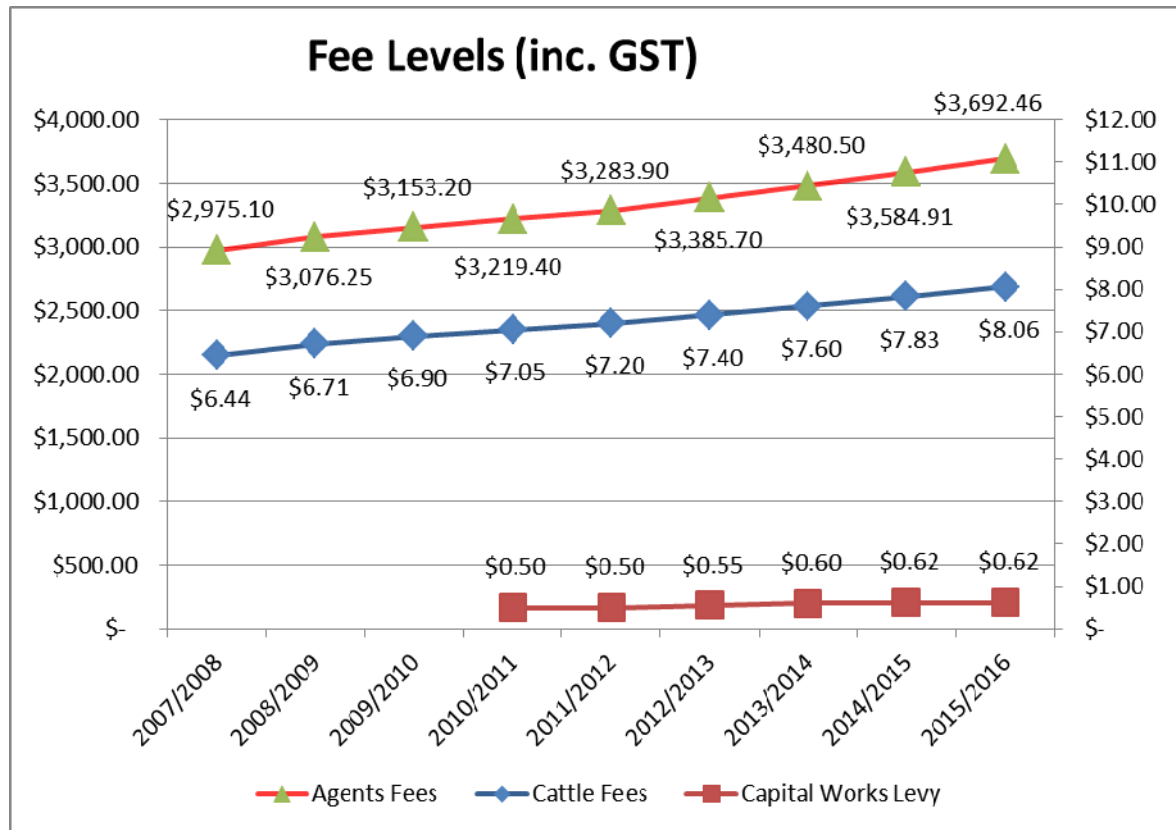
In line with the cyclical nature of the agricultural sector, sales totals fluctuate over time but have been on the rise since 2013/14.



**Financial performance****Comment**

Over the last nine years the NRLX has been operating with a cash surplus ranging from \$15,537 in 2012/13 peaking at \$186,365 in 2009/10 and an operating result ranging from a surplus of \$24,548 through to a deficit of \$201,302 in 2012/13.

The difference between the cash result and the operating result is depreciation. Where there is a cash surplus that surplus goes into the Saleyards Reserve Fund – it does not go into Council's General Fund. The current facility was re-valued at 30 June 2015 to have a replacement value of \$11.9 million and a written down asset value of \$6.6 million. Based on this the annual depreciation amount is in the range of \$150,000-200,000 each year. The Accounting standards that all local councils in NSW have to comply with set out how depreciation is to be determined and Council must comply with these requirements. If depreciation of the facility is funded over time Council's Saleyards Reserve Fund will increase each year to enable future capital upgrades of the facility to be funded. However, the facility has been operating in deficit which is why the Saleyards reserve is forecast to have \$334,695 (at March 2016 quarterly review) at the end of the 2015/16 year.

**Revenue – fee levels****Comment**

Vendor throughput fees, agents fees and the capital works levy have generally increased by CPI over the period since 2007/08.

**Council Expenditures to manage the NRLX**

NRLX Income and Expenditure	Budget 2015/16	Commentary
<b>Income</b>		
Fees & Rent	948,726	Major items are cattle fees, capital works contribution levy and agents fees. Cattle fees budget was based on 110,000 throughput, therefore forecast to be under budget by \$78,900.
Interest on Investment	58,500	Interest on investment of \$3 million loan that has been drawn down to fund upgrade.
Local Infrastructure Renewal Scheme subsidy	84,600	NSW Government rebate on interest on \$3 million loan.
<b>Expenses</b>		
Salaries and On Costs	303,789	Four employees' salaries inclusive of leave, super, and workers compensation entitlements. Also includes other council employees such as maintenance and parks and gardens crews.
Materials and Contracts	51,800	

<b>NRLX Income and Expenditure</b>	<b>Budget 2015/16</b>	<b>Commentary</b>
Interest on Loans	111,900	Interest on the \$3 million loan that has been drawn down to fund upgrade.
Depreciation	153,351	Depreciation needs to be funded by the NRLX operations to build cash reserves for future renewal of the asset at the conclusion of its life. This amount represents the value of the assets consumed this year. Determined in line with the NSW Local Government Code of Accounting Practice.
SRA Lease Agreement	5,125	
Electricity Charges	32,000	
Telephone Charges	7,100	
Insurance Charges	8,825	
Advertising Costs	11,993	
Printing and Stationery	513	
Licence Fees	6,458	Environment Protection Authority licence
Subscriptions	5,740	Accreditation fees
Security Charges	3,500	
Staff Training	2,000	
Software Licences	8,815	NRLX reporting software licence fee
Other General Expenses	0	
Internal Charges	255,351	Includes overheads \$190,000 which are the saleyards share of Richmond Valley Council administration functions like payroll, finance, human resources, IT, customer service and engineering services. These are Council's costs in supporting the operation of the NRLX. Other charges are plant costs (\$38,000), internal rates and charges (\$24,000) and landfill charges (\$2,000).
<b>Net Operating Result</b>	<b>\$123,566</b>	

**Comment**

Council is required to comply with the Local Government Code of Accounting Practice and its financial operations are the subject of external audit every year. A further breakdown and commentary on the expenses has been included in response to questions at the community information session.

Council is required to comply with EPA standards for effluent pond management, there are significant animal welfare and work health and safety responsibilities that Council must comply with under the Prevention of Cruelty to Animals Act and the Work and Health and Safety Act respectively. The current operational model does not enable Council to have the required level of control of these operational responsibilities.

## **5. Options assessment**

Council procured an independent financial review of the procurement options available for the redevelopment of the facility. This work identified the key requirements for the facility for Richmond Valley Council and rated each option against them. This included an assessment of the impact of these options on Council's financial sustainability over a 25 year period. The following table identifies the results on this assessment.

Extend to which model addresses RVC's requirements	Option 1 Do Nothing "As Is"	Option 2 Immediate Sale & Exit of NRLX	Option 3 Sale of NRLX with condition for \$14M Redevelopment	Option 4 \$7M Upgrade - Build, Own & Operate	Option 5 \$14M Redevelopment - Build, Own & Operate	Option 6 \$14M Redevelopment - Build, Own & Lease	Option 7 \$14M Redevelopment - Joint Ownership	Option 8 Long Term Lease & \$14M Redevelopment
Control of Service provided	High	Low	Low	High	High	High	Mod	Low
Financial benefits to RVC (NVP, Operating Result)	Low	Low	Low	High	High	High	High	Low
Economic Benefits to RVC community	Low	Low	High	High	High	High	High	High
Animal welfare	Low	Low	High	Mod	High	High	High	High
Workplace Health & Safety	Low	High	High	High	High	High	High	High
Ease of project delivery	High	Mod	Mod	Mod	Mod	Low	Low	Mod
Capacity to Finance Investment risk	High	High	High	Mod	Low	Low	Low	High
minimisation (e.g. market disruption)	Low	High	High	Mod	Low	Low	Low	High

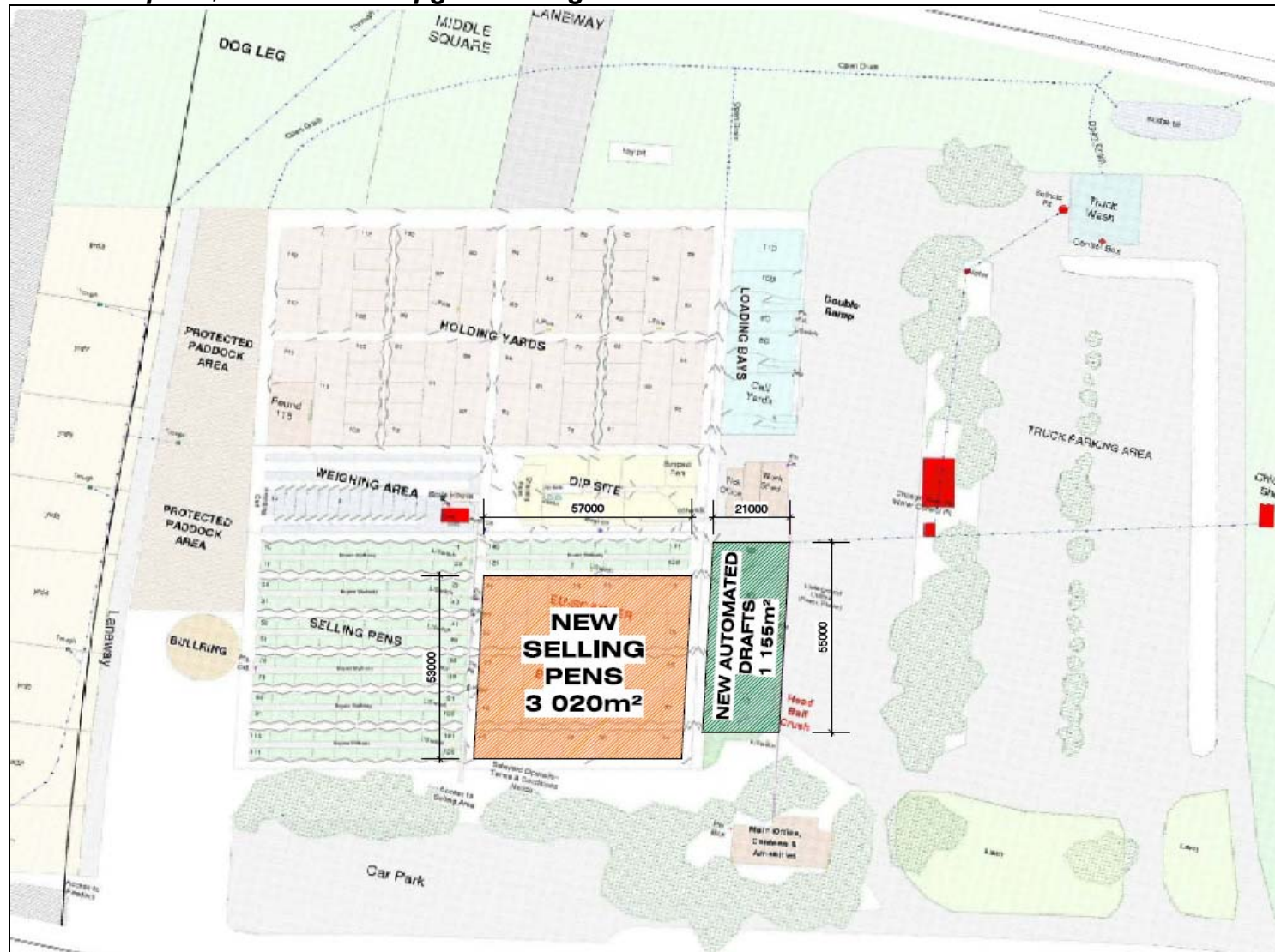
The result of the assessment identified that a \$7 million build, own and operate was the optimal option for Council. A \$14 million build, own, operate upgrade also provides a positive outcome for Council over the longer term but comes with significantly higher borrowings and therefore increased investment risk.

## **6. Proposed upgrade**

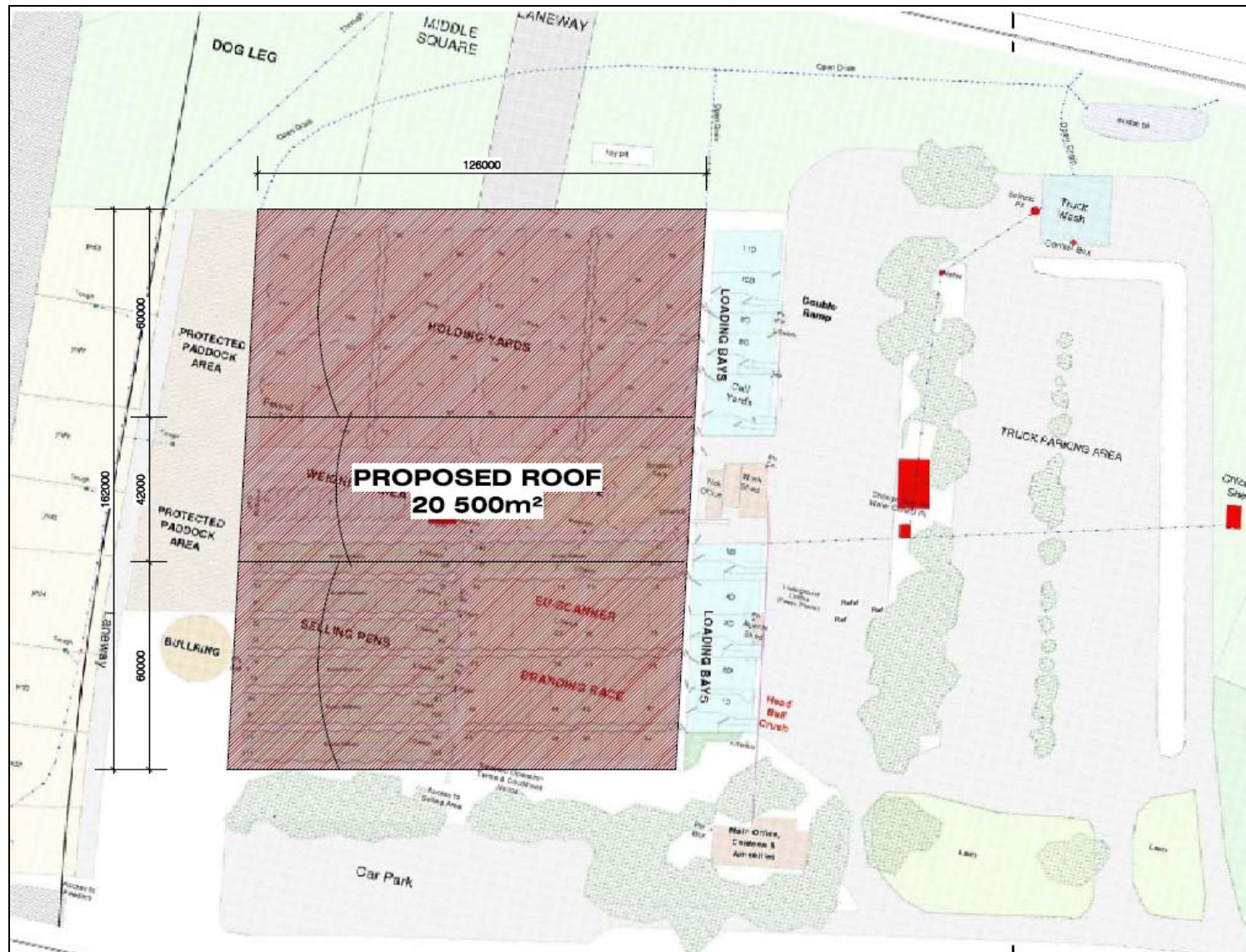
A Strategic Review for the upgrade of the NRLX was completed by Huefner and Associates in May 2012, which included significant consultation with key stakeholders and users of the NRLX. The report provided options to upgrade the facility and to build a new facility adjacent to the existing facility.

The report recommended building a new facility, which would include roofing and soft floors in pens, as there would be efficiencies in starting with a green field site and it would allow operations to continue at the current facility while it was built. It included the opportunity to re-use some of the infrastructure from the current facility where it was in a suitable condition. The upgrade options were estimated to cost from \$14 - \$18 million depending on level of automation and included full roofing, increased selling pens and soft floors.

Given that the Huefner report is now four years old it will be necessary to re-visit the design for the upgrade and align it with available funds. It will be important that the upgrade considers how to include the use of the latest technology in the design and operation of the facility as well as setting it up to resist the threat of on-line selling and have the flexibility to accept other complementary uses.

**Huefner report \$14-18 million upgrade design**





## **7. Future funding model**

It is clear from the financial performance of the NRLX that Council requires additional funding to improve the operating result for the business and to fund the required upgrades and operational improvements in the short term.

The optimal option is to invest \$7 million in upgrading the facility. This may limit the extent of the upgrade and further work will be done by Council to explore whether further funds can be invested and identify opportunities for grant funding.

Council was successful in receiving a \$3.5 million Federal Government grant under the National Stronger Regions Fund which has a requirement that it be matched by Council. Council was successful in receiving a \$3 million loan under the NSW Government's Local Infrastructure Renewal Scheme which provides a rebate on the interest on the loan equivalent to 3% therefore the effective interest rate on this loan is 0.92% and has to be paid back over 10 years.

Council's Saleyards Reserve Fund is forecast to have \$334,695 at the end of 2015/16. This is as a result of depreciation on the facility not being fully funded over the years. This is not uncommon in local government in NSW with a number of local government reviews since 2006 identifying unfunded depreciation as the significant factor in why local councils have large infrastructure backlogs. Council needs to address this issue with all of its assets to improve its financial sustainability in line with its Fit for the Future Improvement Proposal.

To fund a \$7 million upgrade, it is proposed that Council borrow a further \$500,000 and retain the \$334,695 in the Saleyards Reserve Fund as a contingency for the upgrade, or other capital works that may arise.

Council has three fees that are available to improve its income from the NRLX business.

### **1. Vendor throughput fee**

Council had proposed to increase the throughput fee to \$9.90 for the 2015/16 year, however did not proceed with this as the redevelopment had not commenced. To contribute to the funding needs for the facility it is proposed that the increase to \$9.90 (incl GST) commence from 1 July 2016. Based on an annual throughput of 100,000 this generates \$990,000 (incl GST), an increase of \$184,000 (incl GST).

### **2. Capital works levy**

Council introduced a capital works levy in 2010/11 of \$0.50 per head to go into the Saleyards reserve to accumulate funds for the impending need for an upgrade of the facility. This has increased by CPI to \$0.62 (incl GST) in the current year. It is proposed to increase the capital works levy from \$0.62 to \$1.10 (incl GST) to contribute to the proposed investment in upgrading the facility and ongoing capital upgrades required to the facility. Based on an annual throughput of 100,000 this will generate \$110,000 (incl GST), an increase of \$48,000 (incl GST).

### 3. Auctioneers/Agents permit fee

The Auctioneers/Agents permit fee in Council's revenue policy has generally increased in line with CPI since at least 2007/08 and is currently \$3,692.46 per annum. It is understood that Auctioneers/Agents charge a commission to vendors of between 4.5-5% of the sale price. Yard fees and cartage costs are also passed on to vendors. Therefore total annual commissions over the last four years, based on the sales totals range of \$35 million - \$84 million, is in the range of \$1,575,000 to \$3,780,000. It is therefore proposed to increase the fee for an Auctioneers/Agents permit to \$10,000 in 2016/17. This would generate \$40,000 (incl GST) based on the current four permit holders at the facility, an increase of \$25,230.

Combined these proposed increases will generate an additional \$257,230 annually to fund the redevelopment of the Saleyards and improve the financial sustainability of the facility over the longer term.

It will be important that Council conducts a thorough review of the throughput fees, pricing structures and Auctioneers/Agents licence fees and structures across a wide range of similar saleyard facilities in consultation with key stakeholders and report back to Council to inform fee levels and pricing structures for the 2017/18 financial year and ongoing. This review will include identifying opportunities to provide incentives for sellers to increase their throughput at the NRLX and may seek to encourage new Auctioneers/Agents to see the NRLX as saleyard of choice.

In summary it is proposed that for the 2016/17 financial year the fee structure for the key revenue streams for the NRLX be adjusted as follows:

- Vendor throughput fee increased from \$8.06 to \$9.90 (incl GST) per head
- Capital works levy be increased from \$0.62 to \$1.10 (incl GST) per head
- Auctioneers/Agents annual permit fee be increased from \$3,692 to \$10,000 (incl GST)

### **Consultation**

Council held a community information session on Monday, 9 May 2016 to outline the options for the redevelopment and future management of the NRLX. It was attended by at least 250 people who made it clear that they want the NRLX to remain being owned and operated by Richmond Valley Council.

### **Conclusion**

Council has completed a thorough process of exploring the options for the redevelopment and future management of the NRLX and will move forward with planning to redevelop the facility in consultation with appropriate experts and key stakeholders.



**14.2 DRAFT DELIVERY PROGRAM 2013/2017 (REVISED) AND OPERATIONAL PLAN 2016/2017 (INCLUDING DRAFT FINANCIAL ESTIMATES 2016/2020), DRAFT REVENUE POLICY AND DRAFT TEN YEAR LONG TERM FINANCIAL PLAN****Responsible Officer:**

Vaughan Macdonald (General Manager) and Ryan Gaiter (Manager Finance and Procurement)

---

**RECOMMENDATION**

Recommended that:

1. The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft ten year Long Term Financial Plan be considered and any adjustments made be incorporated prior to the mandatory 28 day public exhibition period, in accordance with Section 405 of the Local Government Act 1993, seeking submissions from the community on its content.
2. The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft ten year Long Term Financial Plan be brought back to Council following consideration of any submissions received for final adoption at the 28 June 2016 Ordinary Meeting.

**170516/ 6 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Prior to the above motion being put to the vote questions were raised regarding the budget providing for a further 2% general efficiency saving on salaries and whether the amphitheatre and footbridge on the Casino riverfront would be subject to public consultation. The General Manager advised that it was challenging to maintain the 2% efficiency dividend for this draft budget and if Council continued delivering the programs it wanted to deliver that this matter will require further discussion early in the term of the new Council. He also advised that Council would be consulting with the community on the draft delivery program priorities and the next round of signature projects which also included the amphitheatre and footbridge project.

---

**Executive Summary**

The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020) as presented, reflect Council's commitment to delivering a surplus budget each year. The Delivery Program delivers on the outcomes outlined in the *Richmond Valley Towards 2025 Community Strategic Plan (CSP)* and following the successful special rate

variation application will enable delivery on CSP objectives, putting Council on track to financial sustainability.

As presented, the financial result will deliver a working funds surplus of \$175,940 in 2016/2017 and working funds surplus results in excess of \$300,000 the following three years. The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft ten year Long Term Financial Plan have been prepared to provide the detail on how Council will deliver its commitments to the Richmond Valley Community.

### **Community Strategic Plan Links**

Focus Area 7 Governance and Process - Long Term Goal 7.5 Sound Governance and Legislative Practices (Strategy 7.5.3 Provide financial and management information and reporting on time and with a high degree of accuracy).

### **Budget Implications**

As detailed in the report.

### **Report**

The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft ten year Long Term Financial Plan have been prepared for the 2016/2017 financial year. These documents have been circulated separately for the information of Councillors.

The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 have been prepared in line with Council's current focus areas, being Natural Environment, Local Economy, Community and Culture, Recreation and Open Space, Rural and Urban Development, Transport and Infrastructure and Governance and Process. The Delivery Program lists the activities and desired outcomes for each program area during the four year Delivery Program period. The Operational Plan outlines the actions that will be undertaken and the resources required for the 2016/2017 financial year.

The ten year Long Term Financial Plan is part of the Resourcing Strategy and has been updated in line with the Delivery Program and Operational Plan.

The Draft Financial Estimates show a budgeted surplus of \$175,940 and show the following operating expenditure for next financial year for each focus area:

<b>Natural Environment</b>	\$ 6,209,681	11.61%
<b>Local Economy</b>	\$ 2,698,104	5.04%
<b>Community and Culture</b>	\$ 4,618,175	8.63%
<b>Recreation and Open Space</b>	\$ 2,924,483	5.47%
<b>Rural and Urban Development</b>	\$ 2,023,805	3.78%
<b>Transport and Infrastructure</b>	\$ 28,166,782	52.64%
<b>Governance and Process</b>	\$ 6,866,952	12.83%
	<b>\$ 53,507,982</b>	<b>100%</b>

In framing the budget this year, the delivery of a forecast surplus has been considered essential. The Council needs to deliver successive surplus budgets at least over the four year Delivery Program.

The following aspects of the 2016/2017 Estimates should be highlighted:

- General Rates will increase by 5.5% consistent with the approved Special Rate Variation
- Water Rates will increase by 4.9%
- Sewerage Rates will increase by 1.74%
- This year's budget as circulated delivers Council a forecast surplus of \$175,940
- The budget has a further 2% general efficiency saving on salaries factored in, driving efficiency across our operations.

Given the increases in non-controllable costs, a number of one-off events and the absence of any significant new income items, a surplus budget has been a challenge to achieve. Increasing Water Rates by 4.9% and Sewerage Rates by 1.74% is important in keeping both funds financially sustainable in the long term. Notwithstanding the tightness of the budget there are a number of highlights included in this year's budget:

- Upgrades to the Northern Rivers Livestock Exchange
- Planning and Preparation for Cell 6 at Nammoona Landfill
- Amphitheatre and footbridge on the Casino Riverfront
- \$6.3 million on road and transport infrastructure
- \$1.4 million on sewerage upgrades and renewals
- \$1.2 million on water supply upgrades and renewals
- Further upgrades to Evans Head administration office and library.

The draft budget estimates for the 2016/2017 financial year have been compiled and reviewed by Senior Management to be consistent with recent discussions with Councillors on priorities. The budget estimates are detailed as follows:

Item	Estimated 2016/2017
Operating Revenue	51,901,778
Operating Expenditure	53,507,982
<b>Operating Result - Surplus/(Deficit)</b>	<b>(1,606,204)</b>
Add: Capital Revenue	5,721,210
<b>Operating Result including Capital Grants and Contributions</b>	<b>4,115,006</b>
Add: Non-Cash Expenses	12,747,045
Add: Non-Operating Funds Employed	4,737,300
Subtract: Funds Deployed for Non-Operating Purposes	21,699,336
<b>Cash Surplus/(Deficit)</b>	<b>(99,985)</b>
Restricted Funds - Increase/(Decrease)	(275,925)
<b>Working Funds - Increase/(Decrease)</b>	<b>175,940</b>

**Consultation**

Council must advertise a Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020) and give public notice indicating that submissions may be made to Council at any time during the 28 day public exhibition period. The community will be notified in line with Council's Community Engagement Strategy.

**Conclusion**

The Draft Delivery Program 2013/2017 (revised) and Operational Plan 2016/2017 (including Draft Financial Estimates 2016/2020), Draft Revenue Policy and Draft ten year Long Term Financial Plan have been circulated separately for the information of Councillors. The financial estimates as presented will deliver a working funds surplus for the 2016/2017 year of \$175,940 and a surplus in excess of \$300,000 for the final year of the four year Delivery Program.

**14.3 QUARTERLY BUDGET REVIEW OF RICHMOND VALLEY COUNCIL AS AT 31 MARCH 2016****Responsible Officer:**

Ryan Gaiter (Manager Finance and Procurement)

---

**RECOMMENDATION**

Recommended that Council adopt the Quarterly Budget Review Statement as at 31 March 2016 and approve the variations thereto.

The Manager Finance and Procurement provided a presentation to the meeting on the 31 March 2016 Budget Review Statement.

**170516/ 7 RESOLVED (Cr Simpson/Cr Mustow)**

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

**Executive Summary**

A detailed Quarterly Budget Review Statement for the quarter ended 31 March 2016 has been circulated separately to each Councillor.

Council continues to be in a positive position in regards to the projected budget surplus of \$243,943 at year end, which remains unchanged from the previous quarter. Council's estimated operating result from continuing operations has decreased to \$2,827,118. This is a decrease from \$4,230,306 in the previous

quarter. There has been a decrease in the required funding from reserves of \$4,241,780 for the 2015/2016 financial year; the projected amount required from reserves is \$1,568,522. This decrease is mainly due to the deferral of the upgrade of the Northern Rivers Livestock Exchange.

Income from continuing operations has increased by \$93,299 to \$56,743,598. Expenditure from continuing operations has increased by \$1,496,487 to \$53,916,480. This increase is mainly due to budget adjustments made in regards to an increase in depreciation for transport and infrastructure assets.

The budgeted capital works program as at 31 March 2016 is \$18,804,368. This is a decrease of \$4,383,794 from the previous quarter. This is mainly due to a reduction of \$3,014,398 for the Northern Rivers Livestock Exchange capital upgrade. Details of this and other changes are shown on page 6 of the Quarterly Budget Review Statement.

### Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

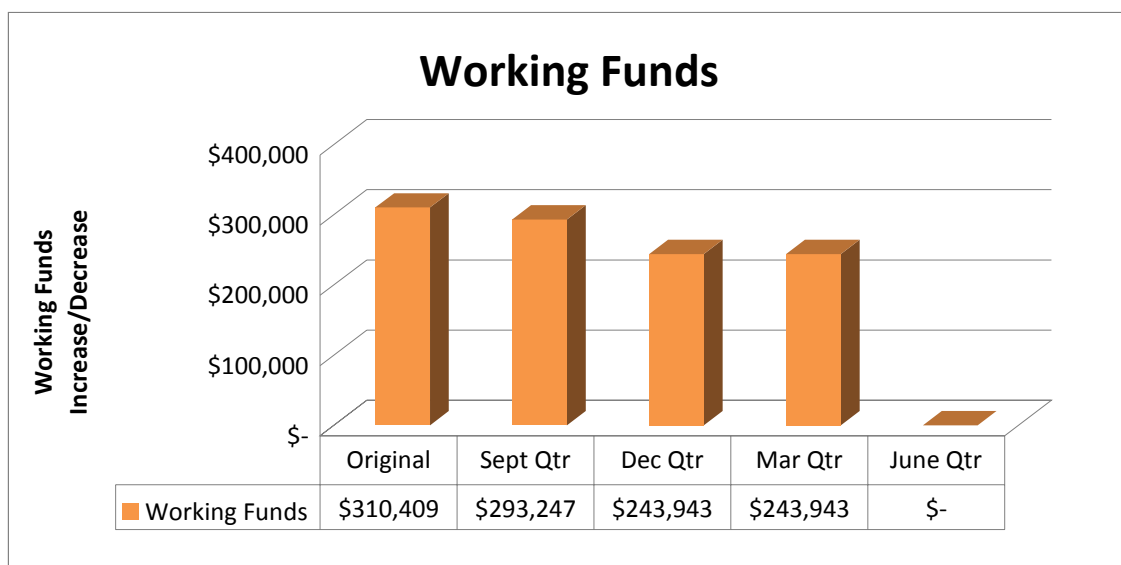
### Budget Implications

As detailed in the report.

### Report

The Budget Review for the third quarter of the 2015/2016 financial year has seen the estimated working funds (unrestricted cash) unchanged from the Revised Budget surplus of \$243,943 as at 31 December 2015. Budget savings will continue to be sought to remain on target for a budget surplus of \$300,000 by year end.

The following graph shows the movement from the original working funds position.

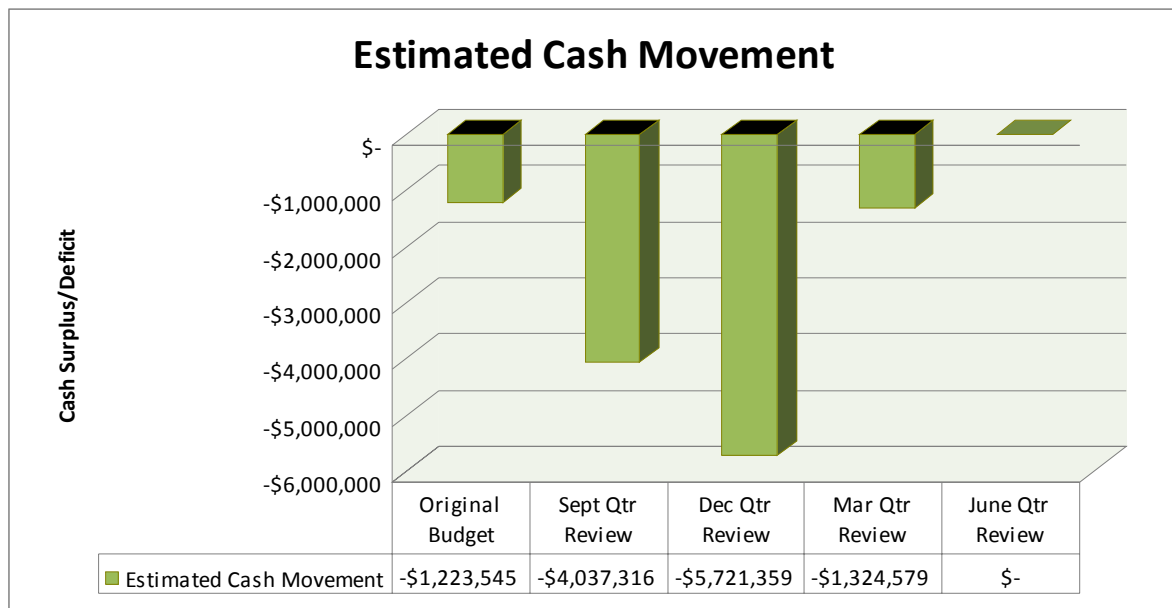


In overall cash terms the estimated deficit has decreased from \$5,566,359 to a cash deficit of \$1,324,579. The main reason for the decrease in the cash deficit is the deferral of the upgrade to the Northern Rivers Livestock Exchange to next financial year. This project will be started next financial year and completed the following year.

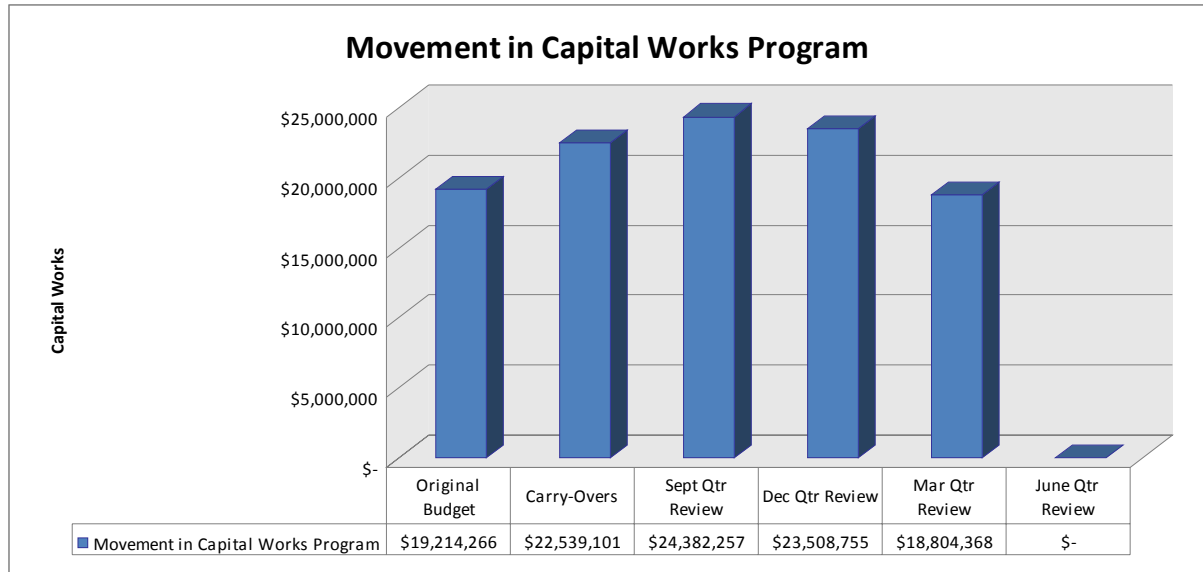
Council's Capital Works Program has decreased by \$4,383,794 to \$18,804,368. Actual expenditure as at 31 March 2016 is \$11,261,497, which represents 59.9% of the capital works budget. (Note: this excludes committed orders.)

The major decrease in the capital works budget is a reduction of \$3,014,398 for the Northern Rivers Livestock Exchange capital upgrade. The deferral of these works is due to Council seeking public consultation on the future of the Northern Rivers Livestock Exchange. Other reductions in capital works budgets include \$492,604 in works relating to relocation of the Evans Head tennis courts and \$347,075 in the Waste Management program for the construction of Cell 5 at Nammoona Landfill, which is recommended not to proceed. A more detailed breakdown can be seen on page 6 of Council's Quarterly Budget Review Statement as well as in the Budget Variation Explanations on pages 9-10.

The following graph shows the movement in cash from the original budget position.



The following graph tracks the movement in Council's Capital Works budget for 2015/2016.



The revised estimates for Council are summarised in the table below with detailed explanations contained in the attachment to the Business Paper.

2015/2016 Budget Review Statement as at 31 March 2016	Current Budget	Recommended Changes for Council Resolution	Projected Year End Result 2015/2016
Income from Continuing Operations	56,650,299	93,299	<b>56,743,598</b>
Expenses from Continued Operations	52,419,993	1,496,487	<b>53,916,480</b>
<b>Operating Result from Continuing Operations</b>	<b>4,230,306</b>	<b>(1,403,188)</b>	<b>2,827,118</b>
Add: Non-Cash Expenses	12,020,297	1,261,174	<b>13,281,471</b>
Add: Non-Operating Funds Employed	2,997,800	0	<b>2,997,800</b>
Subtract: Funds Deployed for Non-Operating Purposes	24,814,762	(4,383,794)	<b>20,430,968</b>
Add: Movements in Balance Sheet	0	0	<b>0</b>
<b>Estimated Funding Result - Surplus/(Deficit)</b>	<b>(5,566,359)</b>	<b>4,241,780</b>	<b>(1,324,579)</b>
Restricted Funds – Increase/(Decrease)	(5,810,302)	4,241,780	<b>(1,568,522)</b>
<b>Working Funds – Increase/(Decrease)</b>	<b>243,943</b>	<b>0</b>	<b>243,943</b>

Pages 9-10 of the attached Budget Review Statement contain the budget variation explanations. A summary of the main contributing factors within each Focus Area is as follows:

#### Natural Environment

- Waste Management – \$347,075 in works has been removed for the construction of Cell 5 at Nammoona Landfill.

### Local Economy

- Saleyards – \$3,014,389 of capital works budget adjusted for the upgrade of the Northern Rivers Livestock Exchange (NRLX) which has been deferred.

### Community and Culture

- \$29,280 saving in the budget for the mobile library.
- \$94,000 capital grants received for works at the Regional Fire Control Centre.

### Recreation and Open Space

- \$492,604 removed for relocation of Evans Head tennis courts; works to be done next financial year.

### Rural and Urban Development

- No Changes.

### Transport and Infrastructure

- \$1,225,480 depreciation adjustment made due to ruling from the Australian Accounting Standards Board.
- Sewerage Services - \$382,264 removed from Sewerage Services capital works program.
- Water Supplies – \$228,512 removed from Water Supplies capital works program.

### Governance and Process

- No Changes.

### **Conclusion**

As at the end of the third quarter, Council continues to be on target to deliver a budget surplus which is projected to be \$243,943 at year end.

Council's projected cash deficit has decreased to \$1,324,579 mainly as a result of deferring the upgrade of the Northern Rivers Livestock Exchange.

Council's capital works program is 59.9% of budget as at 31 March 2016. This will continue to be monitored and reported to Council as the year progresses.

Note: A copy of the adopted Quarterly Budget Review Statement as at 31 March 2016 was attached to the archived Minutes of this Meeting.



**14.4 MONTHLY BUDGET ADJUSTMENTS - APRIL 2016****Responsible Officer:**

Ryan Gaiter (Manager Finance and Procurement)

**RECOMMENDATION**

Recommended that Council approve the budget adjustments for the month of April and note the revised budget position as at 30 April 2016.

**170516/ 8 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

**Executive Summary**

In between Quarterly Budget Reviews, circumstances arise which require adjustments to Council's budget. This can include the need to remove projects, reallocate funds between projects or the addition of new projects. This can be due to a number of factors including unforeseen delays caused from planning requirements, tendering and procurement processes, along with other factors including unplanned maintenance, weather events or Council being successful with new grant funding.

A monthly budget adjustment report is considered to be prudent financial management. It gives a more timely and accurate reflection of Council's budget position as circumstances change and provides management with additional tools to monitor and track the delivery of projects.

At the April 2016 Ordinary Meeting Council resolved to approve the budget adjustments for the month of March and note the revised budget position as at 31 March 2016.

A summary of the proposed adjustments for April 2016 is shown below:

<b>Budget Adjustments March 2016</b>	<b>Proposed Budget Adjustment</b>
Operating Expenditure	(40,000)
Capital Expenditure	40,000
<b>Net Effect on Budget Result</b>	<b>0</b>

**Community Strategic Plan Links**

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

## Budget Implications

As detailed in the report.

## Report

The proposed budget adjustments for April 2016 and effect on the projected budget results for the 2015/2016 financial year are summarised in the table below:

<b>Budget Adjustments March 2016</b>	<b>Revised Budget 31-Mar-16</b>	<b>Recommended Changes for Council Resolution</b>	<b>Projected Year End Result 2015/2016</b>
Income from Continuing Operations	56,650,299	0	56,650,299
Expenses from Continued Operations	52,419,993	(40,000)	52,379,993
<b>Operating Result from Continuing Operations</b>	<b>4,230,306</b>	<b>40,000</b>	<b>4,270,306</b>
Add: Non-Cash Expenses	12,020,297	0	12,020,297
Add: Non-Operating Funds Employed	2,997,800	0	2,997,800
Less: Capital Expenditure	23,188,162	40,000	23,228,162
Less: Loan Repayments	1,626,600	0	1,626,600
<b>Estimated Funding Result - Surplus/(Deficit)</b>	<b>(5,566,359)</b>	<b>0</b>	<b>(5,566,359)</b>
Restricted Funds – Increase/(Decrease)	(5,810,302)	0	(5,810,302)
<b>Working Funds – Increase/(Decrease)</b>	<b>243,943</b>	<b>0</b>	<b>243,943</b>

A summary of the proposed budget adjustments within each Focus Area is shown below:

<b>Focus Area</b>	<b>Focus Activity</b>	<b>Proposed Budget Adjustment</b>
<b>Operating Expenditure</b>		
Environment	Waste Management	0
Community & Culture	Social Planning	0
Transport and Infrastructure	Sewerage Services	(40,000)
<b>Total Operating Expenditure</b>		<b>(40,000)</b>
<b>Capital Expenditure</b>		
Transport and Infrastructure	Sewerage Services	40,000
<b>Total Capital Expenditure</b>		<b>40,000</b>
<b>Net Effect on Budget Result</b>		<b>0</b>

A detailed breakdown of the proposed budget adjustments is included as an attachment to this report.

## Conclusion

The report details the proposed budget adjustments for the month of April 2016. There is no impact on the projected budget surplus of \$243,943 for the 2015/2016 financial year.

## Budget Adjustments April 2016

Focus Activity	Project Description	Reason for Adjustment	Current Budget	Proposed Adjustment	Proposed Budget
<b>Operating Expenditure</b>					
Waste Management	Impounding Expenses	Allocate funding for Nammoonna operators time spent on impounding activities	0	7,800	7,800
Waste Management	Waste Other Expenses	Allocate funding for Nammoonna operators time spent on impounding activities	155,800	(7,800)	148,000
Waste Management	Nammoona Waste Levy	Allocate funding for covering at Bora Ridge during closure in lead up to final capping	1,180,000	(10,000)	1,170,000
Waste Management	Bora Operations - Materials	Allocate funding for covering at Bora Ridge during closure in lead up to final capping	0	10,000	10,000
Social Planning	Sports and Education	Transfer funds to community projects	1,025	(1,025)	0
Social Planning	Public Transport	Transfer funds to community projects	1,000	(1,000)	0
Social Planning	Aged and Disability	Transfer funds to community projects	803	(600)	203
Social Planning	Community Projects	Transfer funds to community projects	2,171	2,625	4,796
Sewerage Services	Sewer Mains M & R	Transfer funds to urgent sewer main repair in Johnston Street	77,178	(40,000)	37,178
<b>Total Operating Expenditure</b>			<b>1,417,977</b>	<b>(40,000)</b>	<b>1,377,977</b>
<b>Capital Grants &amp; Contributions</b>					
Nil					
<b>Total Capital Grants &amp; Contributions</b>			<b>0</b>	<b>0</b>	<b>0</b>
<b>Capital Expenditure</b>					
Sewerage Services	Sewer Main Repair - Johnston Street	Transfer funds to urgent sewer main repair in Johnston Street	0	50,000	50,000
Sewerage Services	Capital Works - Sewer Main Repairs	Transfer funds to urgent sewer main repair in Johnston Street	18,912	(10,000)	8,912
<b>Total Capital Expenditure</b>			<b>18,912</b>	<b>40,000</b>	<b>58,912</b>
<b>Transfers to/from Reserves</b>					
Nil					0
<b>Total Transfers to/from Reserves</b>			<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Budget Movements</b>			<b>(1,436,889)</b>	<b>0</b>	<b>(1,436,889)</b>

**14.5 FINANCIAL ANALYSIS REPORT - APRIL 2016****Responsible Officer:**Ryan Gaiter (Manager Finance and Procurement)

---

**RECOMMENDATION**

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of April 2016.

**170516/ 9 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

**Executive Summary**

The Financial Analysis Report gives an overview of Council's performance in regard to investment returns and investments made and also reports the balance of Council's Investment Portfolio as at the end of the reported month. This overview is both a legislative requirement and essential in keeping Council up to date on the monthly performance of Council's investments.

Council made four new term deposits for the period. Five term deposits matured within the period.

Emphasis continues to be placed on investing in accordance with Council's Investment Policy.

Council's cash and term deposit investment portfolio has maturity dates ranging from same day up to 181 days; deposits are made taking into account cash flow requirements and the most beneficial investment rates available at the time of making any investment.

Council has maintained its investments with NSW Treasury Corporation during this period. The Hourglass Cash Facility Trust has \$8,000,000 invested in it and the Hourglass Strategic Cash Facility Trust has \$8,000,000 invested in it. As of 30 April 2016 the Hourglass Cash Facility Trust is valued at \$8,117,550.06 and the Hourglass Strategic Cash Facility Trust is valued at \$8,116,381.88.

Council's total Investment Portfolio at fair value as at 30 April 2016 was \$31,255,921.22 against a face value of \$31,021,989.28. Council also has \$713,903.14 in General Bank Accounts and \$120,994.55 in Trust Funds as at 30 April 2016.

Council drew down a new loan borrowed from NSW Treasury Corporation for \$1,240,000.00 during the month of April 2016. This loan relates to Council's Special Rate Variation program for 2015/16 and will be repaid over 10 years at an interest rate of 3.16%.

---

## Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

## Budget Implications

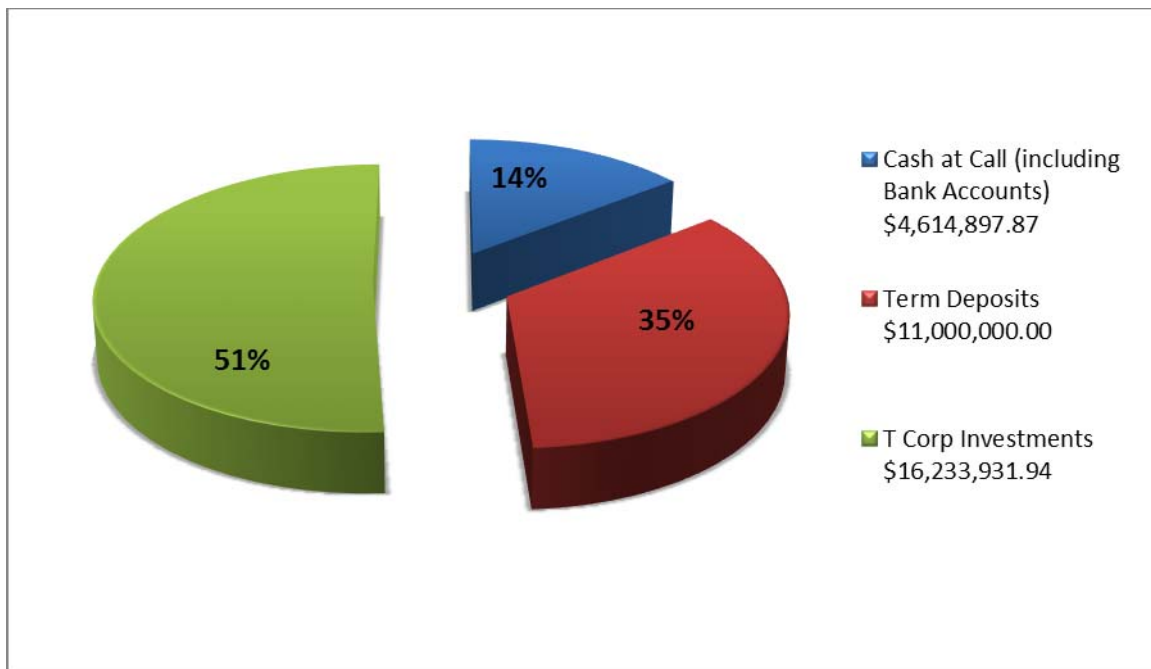
Year to date Council has earned \$402,701.05 in interest and \$241,031.94 in fair value gains for total revenue of \$643,732.99 against a budget of \$868,000.00 which equates to 74.16%.

## Report

The Financial Analysis Report aims to disclose information regarding Council's investment portfolio.

This report includes the provision of fair value for all Council's investments. Council receives indicative market valuations on these investments monthly (where available) and this can be compared to the face value or original cost of the investment when purchased (where available). The notion of fair value is to comply with Australian Accounting Standard AASB 139. The market valuations of fair value valuations are an indication only of what a particular investment is worth at a point in time and will vary from month to month depending upon market conditions. The fair value of Council's Investment Portfolio as at 30 April 2016 was \$31,255,921.22 against a face value of \$31,021,989.28.

The following graph shows a breakup of Council's investment portfolio as at 30 April 2016:



The Reserve Bank of Australia (RBA) left the cash rate unchanged at its April 2016 meeting, so the cash rate in Australia was 2.00% per annum at April 2016 month end.

Council has a term deposit portfolio of \$11,000,000 or 35.19% of the total portfolio composition. In terms of investment yields, interest rates available for investments during the period have increased from the previous report; the average yield of the deposits increased from 3.03% to 3.06%. The short dated deposit and cash position of the portfolio provides excellent liquidity to Council allowing flexibility to take advantage of higher interest bearing investments as the opportunities arise. Council has invested \$16,000,000 with NSW Treasury Corporation.

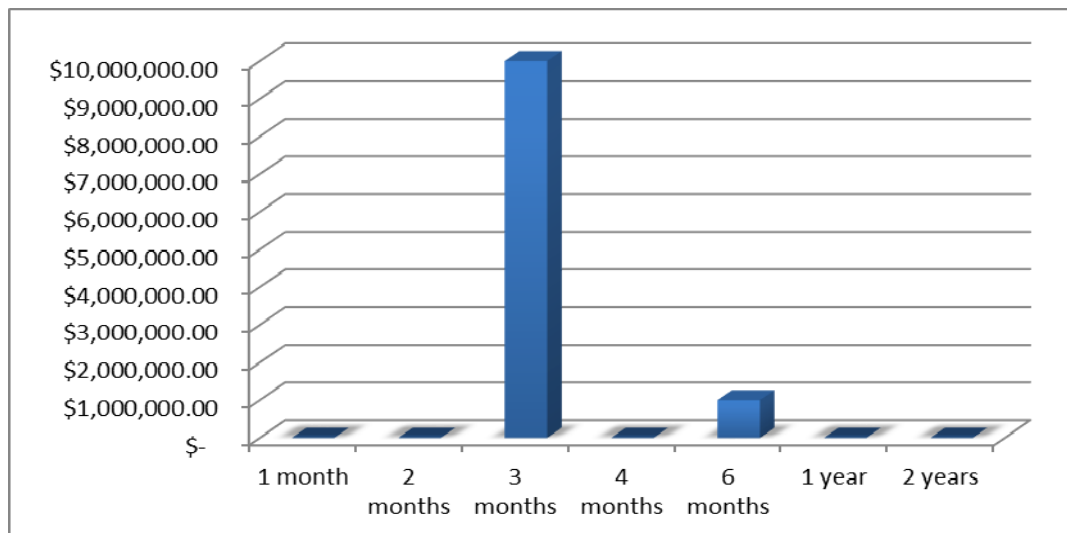
Council made four new term deposits during the month of April 2016.

Financial Institution	Investment Amounts	Maturity Date	Investment Rate per annum	Days Invested
Bank of QLD	\$1,000,000.00	04/10/2016	3.15%	181
Members Equity Bank	\$1,000,000.00	18/07/2016	3.09%	91
ANZ Ltd	\$1,000,000.00	27/07/2016	3.10%	90
Auswide Bank	\$1,000,000.00	27/07/2016	3.10%	90

Total term deposit maturities during the month ending 30 April 2016 included returning principal (in full) and interest, are shown in the following table.

Financial Institution	Investment Amount	Maturity Date	Investment Rate per annum	Interest Received
Westpac	\$1,000,000.00	07/04/2016	3.03%	\$9,961.64
Members Equity Bank	\$1,000,000.00	11/04/2016	2.98%	\$7,429.59
Bankwest	\$1,000,000.00	18/04/2016	3.00%	\$7,479.45
National Australia Bank	\$1,000,000.00	22/04/2016	3.07%	\$7,990.42
ANZ Ltd	\$1,000,000.00	28/04/2016	3.05%	\$8,356.16

The following graph shows Council's term deposit maturities as at 30 April 2016.



## Conclusion

Council is continually looking for ways to increase its investment performance. Consistent with Council's Investment Policy a significant portion of the investment portfolio is now invested with New South Wales Treasury Corporation in the Hourglass Cash Facility Trust and Hourglass Strategic Cash Facility Trust with the aim of receiving higher returns.

RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AT 30 APRIL 2016														
Investment Name	Investment Source	Investment Type	Rating	Investment Date	Maturity Date	Interest Basis	Interest Frequency	Current Interest Rate for Month	Original Investment Value	Current Investment Fair Value	Fair Valuation Date	% of Total Portfolio	Capital Guarantee Maturity	
<u>Cash at Call</u>														
CBA Business Online Saver	Commonwealth Bank	At Call	A1+/AA	At Call	Variable		Monthly	0.21%	N/A	4,021,989.28	30/04/2016	12.87%	No	
Total Cash at Call										4,021,989.28		12.87%		
<u>Term Deposits</u>														
Term Deposit	Newcastle Permanent	Term Deposit	A2/BBB+	11/02/2016	11/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Westpac	Term Deposit	A1+/AA-	29/02/2016	30/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Newcastle Permanent	Term Deposit	A1+/AA-	29/02/2016	30/05/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Auswide	Term Deposit	A2/BBB	7/03/2016	6/06/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	ANZ Ltd	Term Deposit	A1+/AA-	9/03/2016	7/06/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	National Australia Bank	Term Deposit	A1+/AA-	21/03/2016	20/06/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Beyond Bank	Term Deposit	A2/BBB+	21/03/2016	29/06/2016	Fixed for Term	Maturity	0.25%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Bank of QLD	Term Deposit	A2/BBB	6/04/2016	4/10/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Members Equity Bank	Term Deposit	A2/BBB	18/04/2016	18/07/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	ANZ Ltd	Term Deposit	A1+/AA-	28/04/2016	27/07/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Term Deposit	Auswide Bank	Term Deposit	A2/BBB	28/04/2016	27/07/2016	Fixed for Term	Maturity	0.26%	N/A	1,000,000.00	30/04/2016	3.20%	Part	
Total Term Deposits										11,000,000.00		35.19%		
<u>Fixed Interest Securities</u>														
Total Fixed Interest Securities										0.00	0.00			
<u>NSW Treasury Corporation Hourglass Investments</u>														
Cash Facility Trust	NSW Treasury Corporation	Trust	Various	N/A			Monthly		8,000,000.00	8,117,550.06	30/04/2016	25.97%		
Strategic Cash Facility Trust	NSW Treasury Corporation	Trust	Various	N/A			Monthly		8,000,000.00	8,116,381.88	30/04/2016	25.97%		
Total Fixed Interest Securities										16,000,000.00	16,233,931.94		51.94%	
Total Investment Portfolio at Face Value									31,021,989.28					
Total Investment Portfolio at Fair Value										31,255,921.22				
<u>Bank Accounts</u>														
Account Name		Balance \$												
		30-Apr-16												
General Fund Bank Account		580,659.19												
Trust Fund Bank Account		120,994.55												
NAB Cheque Account		-20.00												
Evans Head Memorial Areodrome Fund		12,269.40												
Total		713,903.14												
Overall Average Interest Rate for month - Portfolio									0.25%					
Total Bank Account Portfolio										713,903.14				
Total Portfolio										31,969,824.36				

**14.6 MAYORAL ALLOWANCE/COUNCILLOR FEES 2016/2017****Responsible Officer:**

Ryan Gaiter (Manager Finance and Procurement)

**RECOMMENDATION**

Recommended that:

1. Council set the Mayoral Allowance for the 2016/2017 financial year effective from 1 July 2016 at \$24,630.00 per annum or \$2,052.50 per month, being the maximum remuneration allowable for a Rural Council.
2. Council set the Councillor Fee for the 2016/2017 financial year effective from 1 July 2016 at \$11,290.00 per annum or \$940.83 per month, being the maximum remuneration allowable for a Rural Council.
3. Council set the total remuneration for the Mayor for the 2016/2017 financial year at \$35,920.00 per annum or \$2,993.33 per month, being the maximum remuneration allowable for a Rural Council.

**170516/ 10 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

**Executive Summary**

Each financial year, the Local Government Remuneration Tribunal determines the minimum and maximum remuneration payable to Mayors and Councillors for carrying out their duties. The determination by the Local Government Remuneration Tribunal is pursuant to Section 241 of the Local Government Act 1993.

Council has received notification by way of publication in the NSW Government Gazette No. 26 dated 8 April 2016, that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase by 2.5% for the 2016/2017 financial year.

Richmond Valley Council is categorised a Rural Council by the Local Government Remuneration Tribunal. The minimum and maximum fees set by the tribunal for the 2016/2017 financial year for Rural Councils are as follows:

	<b>Minimum Fee</b>	<b>Maximum Fee</b>
Councillor Annual Fee	\$8,540.00	\$11,290.00
Mayoral Additional Annual Fee	\$9,080.00	\$24,630.00



## Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

## Budget Implications

The 2016/2017 draft budget includes a 1.5% increase on the 2015/2016 budget, this equates to \$24,033.00 for the Mayoral Allowance and \$11,756.28 for each Councillor Fee. Accordingly, minor changes to the budget will be required if the recommended fees are adopted

## Report

Council has received notification by way of publication in the NSW Government Gazette No. 26 dated 8 April 2016, that the Local Government Remuneration Tribunal has determined that the Mayoral and Councillor Fees are to increase by 2.5% for the 2016/2017 financial year. In making its determination, the Local Government Remuneration Tribunal considered the following:

- Submissions and comments made by Associations and individual Councils
- Key Economic Indicators
- Categorisation
- Workload
- Training and Development
- Attracting high quality candidates to nominate for election to local government.

A review of the categorisations of Councils for determining the remuneration has been completed for the 2016/2017 financial year. In this regard, Richmond Valley Council has been determined as a Rural Council.

The remuneration band set for 2016/2017 for a Rural Council by the Local Government Remuneration Tribunal is as follows:

	<b>2016/2017 Minimum Annual Fee</b>	<b>2016/2017 Maximum Annual Fee</b>
Councillor Annual Fee	\$8,540.00	\$11,290.00
Mayoral Additional Annual Fee	\$9,080.00	\$24,630.00

As an example, if Council accepts the maximum remuneration for a Rural Council, the remuneration for 2016/2017 will be as follows:

	<b>2016/2017 Annual Fee</b>	<b>2016/2017 Monthly Fee</b>
Councillor Annual Fee	\$11,290.00	\$940.83
Mayoral Additional Annual Fee	\$24,630.00	\$2,052.50

Note: Total remuneration for the Mayor is the Mayoral Allowance plus the Councillor Fee, i.e. for 2016/2017, assuming the maximum is set, the amount would be \$35,920.00 per annum or \$2,993.33 per month.

## **Conclusion**

The determination of fees for Councillors and Mayors by the Local Government Remuneration Tribunal has been announced as indicated in this report. Historically, Council has set its remuneration at the maximum allowable for the Rural category as set by the Local Government Remuneration Tribunal. The exception to this was the 2010/2011 year when Council resolved to not increase the Mayoral Allowance or Councillor Fees for the financial year.

On this basis, it is recommended that Council set the Mayoral Allowance/Councillor Fee at the maximum level, however it is up to Council to determine the appropriate range of remuneration for the Mayor and Councillors provided it is within the minimum/maximum range for a Rural Council as set by the Local Government Remuneration Tribunal.

## **14.7 COMMUNITY FINANCIAL ASSISTANCE PROGRAM**

### **Responsible Officer:**

Vaughan Macdonald (General Manager)

---

## **RECOMMENDATION**

Recommended that Council approve the proposed allocation of the Section 356 Community Financial Assistance Program, as recommended in this report, in accordance with Council's Community Financial Assistance Program Policy.

### **170516/ 11 RESOLVED** (Cr Mustow/Cr Morrissey)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

## **Executive Summary**

Council allocates an amount of financial assistance each year for requests from individuals, groups and organisations seeking financial assistance. Council's Policy 1.2 Community Financial Assistance Program provides for two rounds of funding allocations each year. The policy also sets out the method of determining allocations in accordance with the strategies, eligibility and selection criteria outlined in the policy.

Council has allocated \$50,000 in the 2015/16 budget for financial assistance funding. The policy provides for two equal funding rounds of \$25,000. There is currently \$32,579 worth of funding available. The second round of funding was advertised in March 2016 and Council received 17 applications.

All of the applications received have been reviewed in accordance with the policy. All 17 applications fit the eligibility requirements and selection criteria. Fourteen of these were able to be partially or fully funded.

Tables summarising the applications received and the proposed allocations are provided in this report.

### Community Strategic Plan Links

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

### Budget Implications

Council has allocated \$50,000 in the 2015/16 budget for financial assistance. The total amount of current funds available is \$32,579. The policy provides for two rounds of funding in the budget period. The proposed allocation of \$32,579 is within budgetary constraints.

### Report

Organisation	Requested allocation	Proposed Use	Proposed allocation	Comments
Bentley Community Preschool	\$1,200	Purchase a mower, whipper snipper and a 3 x 3 shed to store the equipment.	\$1,200	
Casino & District Orchid Society	\$584.95	Wireless PA system	\$584.95	
Casino Lions Junior AFL Club	\$5,000	*Pie warmer *Fridge *Urn *New equipment - balls, portable goal posts, white board, coaches boards, drink bottles, whistles *Club merchandise- hoodies, training jerseys, club shirts, hats, beanies	\$1,500	Partial funding to be used for purchase of pie warmer, urn & fridge/freezer. Not to be used to purchase club merchandise.
Casino Mini Railway & Museum	\$1,500	Structural repairs to toilet block.	\$1,500	Extensive repairs to museum building required - Council investigating. Repairs to toilets are a separate issue.
Casino Playgroup	\$1,500	Purchase new fridge.	\$1,170	Partial funding, only require \$1,170 as per revised quote.
Casino Returned Servicemen's Memorial Club	\$1,600	Purchase eight sets of communal lawn bowls for use by community members.	\$1,600	
Ellangowan Public Hall	\$1,975	Repairs to hall	\$1,975	

Organisation	Requested allocation	Proposed Use	Proposed allocation	Comments
Northern Rivers Dirty Wheels Mountain Bike Club	\$3,440	Purchase bollards, trail sign panels and materials to be installed at each of the mountain biking trail heads.	\$3,440	Pending permit approval.
Northern Rivers Water Ski Club Inc.	\$3,024	Purchase two 6m x 3m quick shades.	\$3,024	Shades are heavy-duty, reinforced materials. Club open to other organisations borrowing shades for other community events.
Quota International of Casino Inc.	\$1,200	Laptop and printer along with associated IT items.	\$1,200	
Rotary Club of Casino	\$8,000	Purchase materials for backdrops, side curtains, lighting and sound equipment	\$5,785.05	Partial funding. Following conditions apply: Need to provide quotes and receive approval from Events team at Council on items to be purchased. Items to be available for use of all Civic Hall users.
UCA UnitingCare Casino Transport Team (UCCTT)	\$5,000	\$2,000 for trivia prizes, \$3,000 for medical transport	\$3,000	Partial funding for medical transport, not to be used for trivia prizes.
Volunteer Marine Rescue	\$5,600	Vessel lift upgrade	\$5,600	
WIRES Northern Rivers	\$1,000	Multi-purpose intensive care unit for wildlife	\$1,000	
<b>Total proposed allocation</b>			<b>\$32,579</b>	

The following table summarises the applications which did meet the selection criteria but were not funded.

Organisation	Requested allocation	Proposed Use	Comments
Evans Head Bombers Rugby League Football Club	\$5,000	Replace current scoreboard with electronic scoreboard	Current scoreboard estimated at less than 5 years old. Concerns about maintenance of electronic scoreboard.
St Vincent de Paul Society NSW Lismore	\$5,000	Emergency relief to families and individuals in the Lismore region.	Not for Richmond Valley LGA.
Northern Rivers Drag Racing	\$2,000	PA system	Unsure about not-for-profit status.

**Consultation**

The call for applications for Section 356 Community Financial Assistance Program was advertised for a period of 28 days during March 2016 in the Richmond River Express Examiner, also on Council's website and Facebook page.

**Conclusion**

All 17 applications received have been processed in accordance with Council policy. Applicants were made aware that there are limited funds available and that the applications would be processed in strict accordance with the Policy criteria. Of the 17 eligible applications, 14 have been partially or fully funded.

**14.8 TENDER RVC325.16 - CONSTRUCTION OF CELL 5 NAMMOONA LANDFILL****Responsible Officer:**

Ryan Gaiter (Manager Finance and Procurement)

---

**RECOMMENDATION**

Recommended that:

1. Council resolve that construction of Cell No 5 Nammoona Landfill is economically unviable and should not proceed.
2. Council resolve to not accept any tender response for the construction of Cell No 5 Nammoona Landfill due to all tenders received being priced well above the estimated costs for the project.

**170516/ 12 RESOLVED (Cr Mustow/Cr Morrissey)**

That:

1. Council resolve that construction of Cell No 5 Nammoona Landfill is economically unviable and should not proceed.
2. Council resolve to not accept any tender response for the construction of Cell No 5 Nammoona Landfill due to all tenders received being priced well above the estimated costs for the project.
3. Council investigate alternative options at its Nammoona Landfill site that are economically viable and consider alternatives to meet the needs of its waste management business while the investigation and planning is in progress.

FOR VOTE - All Council members voted unanimously.

## **Executive Summary**

Richmond Valley Council called for tenders for the construction of Cell No 5 Nammoona Landfill.

Waste Cell No 4 at Nammoona Landfill is nearing the end of its life (airspace is being depleted). With the recruitment of a Waste Overseer better operational practices have been enacted on the site and this has resulted in a longer lifespan for the cell, however the planning for Cell No 5 started some time ago and reached a stage where construction for the cell needed to be procured. The project was to involve the construction of a new waste cell adjacent to Cell No 4 as well as the decommissioning of the existing leachate dam and the construction of a new leachate dam. A leachate pumping control system to manage leachate on the site between Cell No 4, Cell No 5 and the dam was also included in the scope of works.

Submissions from four tenderers were received, with a total of six individual tenders received (one tenderer submitted one conforming tender and two non-conforming tenders). An initial analysis of the tenders revealed that only three of the six tenders conformed with the requirements of the tender. All tender prices were significantly above Council's allocated budget (\$800,000.00) and as Cell No 5 has a small life span (approximately 3.25 years) the analysis concluded it would be unviable (on the basis of cost per tonne of waste landfilled) to continue with the construction of the cell.

Under the Local Government (General) Regulation 2005 clause 178(3) of the Regulation, Council has six options when it decides to either accept none of the submitted tenders or receives no tenders. The options are:

- Postpone or cancel the proposal for the contract.
- Invite (in accordance with Clause 167, 168 or 169), fresh tenders based on the same or different details.
- Invite (in accordance with Clause 168), fresh applications from persons interested in tendering for the proposed contract.
- Invite (in accordance with Clause 169), fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract.
- Enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender.
- Carry out the requirements of the proposed contract itself.

Where the Council resolves to enter into negotiations the resolution must state the Council's reason for declining to invite fresh tenders or applications and the reason for determining to enter into negotiations with the person or persons that Council chooses.

## Community Strategic Plan Links

Focus Area 1 Natural Environment - Long Term Goal 1.3 Environmental Protection (Strategy 1.3.2 Provide services and programs which protect and enhance our natural and built environment).

## Budget Implications

Council's initial estimate for this project was \$800,000.00, which was to be included in the Draft 2016/17 budget. The lowest conforming tender price was \$1,335,556.32 (excl GST) resulting in a funding gap of \$535,556.32 (excl GST). The higher than expected construction cost results in a high cost per tonne of waste deposited into the landfill resulting in the project being economically unviable. The project has now been removed from the Draft 2016/2017 budget.

## Report

Tenders were called and were due to close on Monday, 21 March 2016, however as a result of enquiries and further work that was deemed necessary by Council officers the tender process was paused. The tender process re-started on Thursday, 31 March 2016 and closed at 2.00pm on 15 April 2016. The following tenders were received:

Tenderer	ABN	Tendered Amount (excl GST)	Assessed Tender Amount (\$)	Total Score Out of 40
Rugendyke & Bashforth Contracting Pty Ltd	87 166 323 995	\$1,241,556.31	Not assessed	N/A
Perry O'Brien Engineering Pty Ltd	39 077 375 207	\$1,253,341.00	Not assessed	N/A
Smith Plant Pty Ltd (Conforming Tender)	64 001 668 695	\$1,321,939.00	Not assessed	N/A
Smith Plant Pty Ltd (Non-conforming Tender 1)	64 001 668 695	\$1,272,400.00	Not assessed	N/A
Smith Plant Pty Ltd (Non-conforming Tender 2)	64 001 668 695	\$1,223,078.70	Not assessed	N/A
Ertech Pty Ltd	46 094 416 887	\$1,405,893.00	Not assessed	N/A

Tenders were called under the provisions of the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and the requirements of the Richmond Valley Council Purchasing Policy.

Council's Manager Infrastructure Services, Coordinator Waste and Resource Recovery and Overseer Waste Management have been involved in the development of specifications and the assessment criteria.

Richmond Valley Council's Purchasing Policy references the *Local Government Act Section 55* which requires Council to tender any contract with an estimated expenditure of more than \$150,000.

The estimated revenue on this contract will exceed the tenderable limit.

***Tender Analysis*****1. Pre-Evaluation Actions**

Council decided to call tenders using the open tendering method, in accordance with Clause 167 of the *Local Government (General) Regulation 2005*.

A Tender Evaluation Plan consistent with the Regulation and the Conditions of Tendering in the Request for Tender documents was prepared and endorsed by the Tender Evaluation Committee prior to close of tenders.

**2. Initial Evaluation**

All tenders were received prior to the nominated closing date and time.

The initial evaluation identified that all tender prices received exceeded Council's estimated project cost.

**3. Evaluation of Non-Price Criteria**

No evaluation was required following the initial analysis.

**Consultation**

No consultation was required throughout the tender process.

**Conclusion**

It is proposed that Council not accept any tender response due to all tenders received being priced well above the estimated project cost and, as a result, the project is economically unviable and should not proceed.

**14.9 ADOPTION OF COMPANION ANIMALS MANAGEMENT PLAN****Responsible Officer:**

Andrew Hanna (Manager Environment and Regulatory Services)

---

**RECOMMENDATION**

Recommended that Council adopt the Companion Animals Management Plan - May 2016.

**170516/ 13 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.



## **Executive Summary**

A draft Companion Animals Management Plan was presented to Council at its Ordinary Meeting on 17 November 2015. The draft Plan updated an existing Companion Animals Management Plan that was adopted by Council in 2004.

At its Ordinary Meeting on 17 November 2015, Council endorsed the draft Plan to be placed on public exhibition. There were no submissions received during the exhibition period and the draft Plan is now presented to Council for adoption.

Minor amendments have been made to the Action Plan to reflect recent changes to staffing within the Environment and Regulatory Services section and amendments made to action due dates. The Action Plan has also had a strategy added about accessing grant funds.

## **Community Strategic Plan Links**

Focus Area 3 Community and Culture – Long Term Goal 3.3 Community Health and Wellbeing and Social Inclusion and Focus Area 4 Recreation and Open Space - Long Term Goal 4.3 Manage Public Lands and Resources for the Community Benefit.

## **Budget Implications**

The strategies identified in the Action Plan are all funded through Council's Regulatory Control budget.

A grant application has been submitted under the Office of Local Government Responsible Pet Ownership Grants Program to partly fund a Companion Animal Compliance project. If successful, the grant funding of \$8,500 will subsidise the total project cost of \$19,300. The remaining project costs of \$10,800 will be funded by a \$2,000 in kind contribution from local Aboriginal Land Councils and Corporations and a Council contribution of \$8,800.

## **Report**

Council's current Companion Animal Management Plan was adopted in 2004 and was prepared in accordance with the New South Wales Office of Local Government Guidelines.

The 2004 Plan has been reviewed and a draft Plan prepared and placed on public exhibition for a period of one month in accordance with Council's resolution of 17 November 2015.

Development of a Companion Animals Management Plan provides a means for Council to fulfil its responsibilities under the *Companion Animals Act 1998* (the Act) and sets out Council's objectives and priorities for the management of companion animals, together with an action plan which monitors performance.

Responsibilities for implementation and compliance with the Act in the Richmond Valley Local Government Area (LGA) is within Council's Environment and

Regulatory Services Team's Portfolio and forms a critical and major component of the day to day operational activities of Rangers.

Our community's expectation is that Council provides a quality service regarding the control of companion animals.

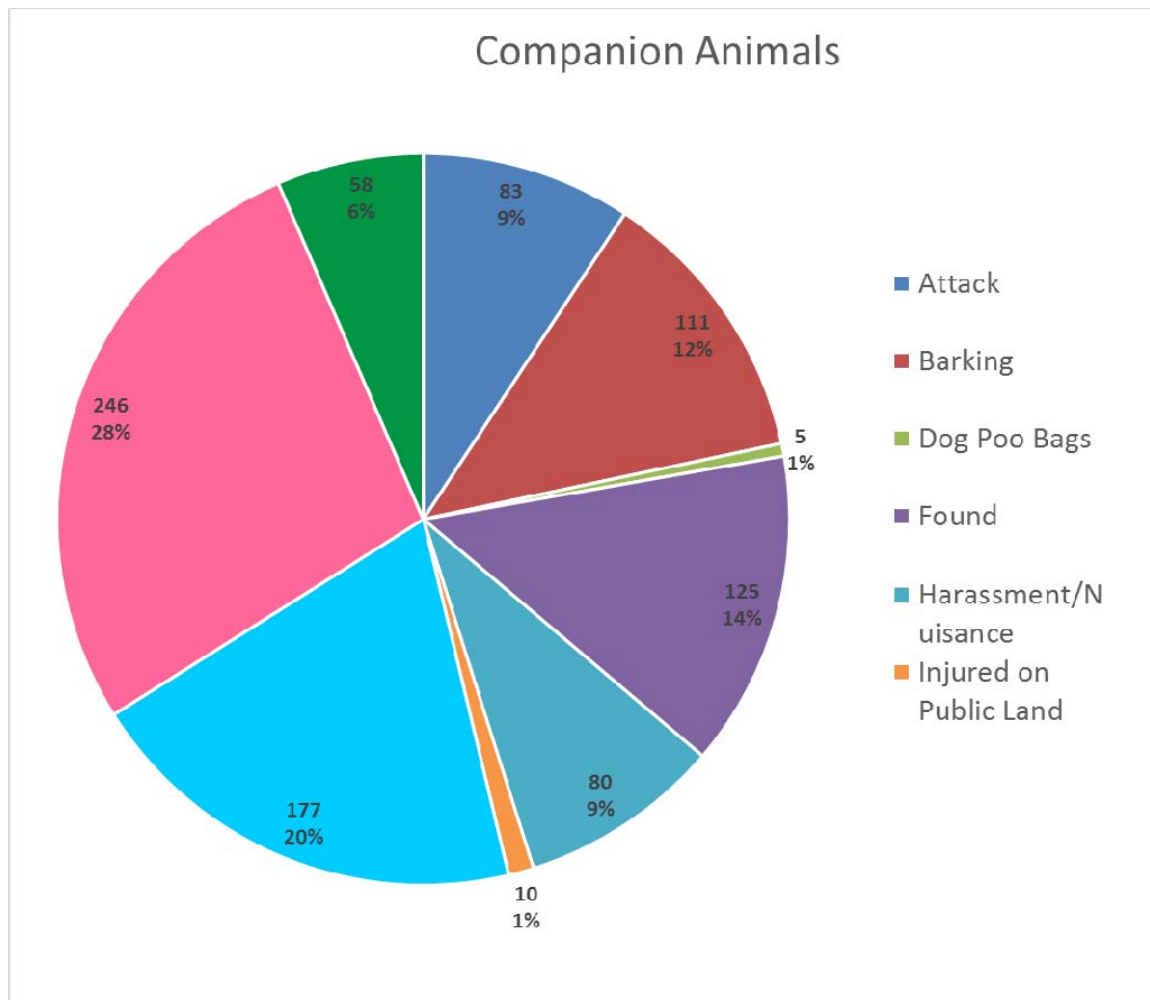
There are currently 9,611 dogs and 1,430 cats registered and/or micro-chipped in Council's LGA. This is a total of 11,041 companion animals. Rangers estimate approximately 20% of dogs and as many as 60% of cats are not micro-chipped and registered so the number of dogs and cats in our LGA is likely to be much higher. It is estimated that there may be as many as 11,500 dogs alone to manage.

Often residents expect both an immediate response and resolution to a companion animal issue. It is not always possible to provide this level of service due to resources and the legislative process. For some problems such as barking, there can be a lengthy and detailed process rarely providing an immediate resolution.

Council's Environment and Regulatory Services section receive the highest number of enquiries/complaints to Council. In 2014/2015, Rangers received 1,352 requests/complaints which all required investigation and/or actioning, details of which are set out in the below table.

Regulation		
Primary Group	Category	No.
Camping	Illegal	13
Companion Animals	Attack	74
	Barking	120
	Request for Poo Bags	3
	Found	165
	Harassment	97
	Injured on Public Land	17
	Lost	218
	Nuisance/Roaming	198
	Stray Animals	65
	Miscellaneous	9
Overgrown Block		74
Parking		23
Illegal dumping of rubbish		72
Shopping Trolleys		1
Straying Stock		134
Abandoned Vehicles		64
Roadside Vending		5
<b>TOTAL</b>		<b>1,352</b>

In the 12 months from April 2015 to April 2016 a total of 895 complaints and enquiries were received by Council in relation to dogs alone. Of these, 83 were related to dog attacks. Refer to the graph below for further details.



Draft “*Animal Welfare Standards and Guidelines for Cats and Dogs in Council Pounds and Animal Shelters*” were produced by Industry and Investment NSW in 2014. Although not finalised yet, the emphasis and change is inevitable and requires greater consideration of housing needs and care for animals at Council's pound.

The community also has an expectation that stray and abandoned companion animals in Council's care are well cared for and are re-housed where possible and that areas exist to take dogs for exercise off-leash. Rangers and customer service staff go to considerable lengths to re-house dogs and cats in its care. Council staff have developed close working relationships with a number of animal welfare organisations and staff are highly pro-active in trying to re-house animals.

The review has brought the Companion Animals Management Plan up to date with respect to legislative changes made to the Act and any infrastructure/facility improvements or changes related to companion animals. The document has been streamlined to be more succinct and reader friendly and the action plan made relevant for the upcoming three year period.

Accessing grant funds to assist with implementing strategies outlined in the Action Plan requires an increased focus for staff. Educating the community about requirements and providing incentives to owners of companion animals to get their pets micro-chipped, registered and desexed will reduce issues such as the number of roaming dogs and cats, number impounded and dog attacks.

Obtaining grant funding to assist with infrastructure needs, such as improvements to the impound facility, is a focus of Council's Environment and Regulatory Services section. The pound was constructed approximately 15 years ago and although small improvements and maintenance works have been carried out over the years, strict compliance with the draft *“Animal Welfare Standards and Guidelines for Cats and Dogs in Council Pounds and Animal Shelters”* will not be achieved. Short, medium and long-term shelter needs will be addressed in the near future.

A grant application has recently been submitted to the Office of Local Government under the Responsible Pet Ownership Grants Program. If successful, the grant will contribute to funding a Companion Animal Compliance project for education, subsidised de-sexing and micro-chipping costs for lower socio-economic people in our LGA. Partnerships have been formed with local Aboriginal Land Councils and Corporations as part of the project. The total project cost is \$19,300 with \$8,500 of grant funding requested. The remaining funding comes from Council and partner in-kind contribution and an actual monetary contribution from Council.

### **Consultation**

The Draft Plan was placed on public exhibition for a period of one month from 28 February 2016 to 28 March 2016. No submissions were received during this period and no amendments have been made to the draft Plan presented to Council in November 2015 apart from some minor changes to the Action Plan reflecting changes to internal staffing and more reasonable timeframes to action items.

### **Conclusion**

Council's 2004 Companion Animals Management Plan has been reviewed and updated and placed on public exhibition for a period of one month. No submissions were received from the community in response to the draft Plan being exhibited

The revised Plan recognises both the social benefits of companion animals and the problems caused by poorly controlled animals and sets out an action plan to deliver a balanced and common sense approach to companion animal management and helps achieve a harmonious co-existence between pet owners and the broader community.



Richmond  
Valley  
Council



## Companion Animals Management Plan

Adopted 17 May 2016

---

## Table of Contents

OBJECTIVES .....	3
BACKGROUND AND SCOPE .....	3
POLICY .....	4
1 – Companion Animals .....	4
Animal management in the Richmond Valley .....	4
Identification and registration .....	5
Impounding .....	5
Dangerous, menacing and restricted breeds .....	6
2 – Community Issues .....	6
Pet ownership and community conflict .....	6
Community education .....	6
Animal shelter (impound facility) .....	7
Off leash exercise areas .....	8
Places where dogs are prohibited .....	8
Places where cats are prohibited .....	9
3 – Environmental Issues .....	9
Noise pollution – barking dogs and cat noise .....	9
Faeces management .....	10
Impacts on wildlife and biodiversity .....	10
ACTION PLAN .....	11
1 – Administration, Control and Review .....	11
2 – Community Education .....	11
3 – Facilities .....	12
4 – Regulatory Control and Services .....	13
5 – Grant Funding .....	14



## OBJECTIVES

- To promote responsible companion animal ownership through support, education and regulation and to encourage voluntary compliance of the Companion Animals Act (CAA) by companion animal owners.
- To provide an efficient and effective service to the community in relation to companion animal matters.
- To maintain best practice care and animal shelter facilities.
- To assist pet owners to enjoy their pets by providing facilities and services.
- To ensure the activities of owners and their pets do not adversely affect the rest of the community or the environment.

## BACKGROUND AND SCOPE

Companion animals provide an important function in our Community. They create many social benefits and are positive in terms of companionship and human health. The benefits to the young, elderly and people living on their own are well documented.

There are also some sectors of the community which do not share the enthusiasm for companion animals and therefore companion animals may be a cause of conflict between neighbours and throughout the broader community. People's right not to be affected by the activities of companion animals must also be protected.

Good companion animal management is a valid community service. Poorly controlled dogs and cats have the potential to cause problems including a risk to public safety and traffic, predation on livestock, intrusive and aggressive behaviour, scavenging and noise nuisance.

The Companion Animals Act provides Council with the legal authority for the control and management of dogs and cats. In recent years this legislation has been strengthened in relation to dog attack incidents and the ownership of restricted and dangerous dogs.

There is also increasing recognition that enforcement approaches will not on their own, result in lasting changes in human behaviour. They need to be supplemented by a range of other tools that focus on passive and voluntary approaches to achieving responsible pet ownership.

This management plan provides a balanced and common sense approach to companion animal management in the Richmond Valley and helps achieve a harmonious co-existence between pet owners and the broader community.

The plan is confined to management of domestic dogs and cats.

## POLICY

Council will provide a quality service to the community in relation to companion animal control. The community expects this to ensure companion animals do not create a nuisance or health, safety and environmental issues. It also ensures that opportunities are provided for owners and their pets to enjoy their local area.

This plan includes all relevant issues prescribed under legislation as well as the generally understood notion of socially responsible pet ownership. It is limited to the management of domestic dogs and cats.

### 1 – Companion Animals

#### Animal management in the Richmond Valley

Council employs two fulltime Rangers providing a service between 7.00am and 4.00pm on normal working days. An emergency after hour's response service for serious issues such as dog attacks or straying stock on busy roads is provided at all times outside normal working hours.

A number of services are provided by Council to manage companion animals:

- providing advice to the public
- investigating issues about dogs and cats (attacks, barking dogs, roaming, defecating etc)
- educating people about requirements, animal care etc
- patrolling residential areas and public places such as parks, reserves and beaches
- impounding roaming animals
- management of the animal shelter (pound)
- re-housing stray and abandoned dogs and cats
- running free micro-chipping community events
- issuing fines and instigating legal action
- enforcement and inspection of restricted and dangerous dog enclosures
- off leash exercise areas
- access to dog and cat traps through a controlled process.

The number of requests and enquiries related to companion animals has steadily increased in recent years and this trend continues with population growth. In general Rangers receive approximately 800 – 1,000 requests a year registered into Council's customer request system. Enquiries are also received via written correspondence and more informal avenues such as out in the field or doing patrols.

Staffing levels need to be monitored to ensure that the efficient and effective management of companion animals can be maintained.



### Identification and registration

The Companion Animals Act requires the compulsory identification and registration of companion animals.

It is a requirement that companion animals must be microchipped from 12 weeks of age however cats owned before 1 July 1999 can be identified by either a microchip or collar and tag. Animals must be registered from 6 months of age (cats owned before 1 July 1999 are exempt).

Registrations are entered into a State wide register with a once only payment for the life of the animal. The State register serves an important role to assist in returning lost pets, identifying offending animals, and as a way of communicating with pet owners.

There are currently 9,611 dogs and 1,430 cats registered and / or micro-chipped in Councils LGA. This is a total of 11,041 companion animals. Rangers estimate that approximately 20% of dogs and as many as 60% of cats are not micro-chipped and registered so the number of dogs and cats in our LGA is likely to be much higher. We estimate that there may be as many as 11,500 dogs to manage.

### Impounding

Council responds to complaints and actively patrols for animals straying in public places. When an animal is seized, the following actions are followed:

1. The animal is checked for external identification, and
2. The animal is scanned for permanent identification (microchip), and
3. The contact details are accessed from the State Companion Animal Register, and
4. Contact with the owner is attempted, and
5. The animal is returned to the owner's address if they are in residence, or
6. The animal is transported to the animal shelter, in accordance with the legislation and standard operating procedures.

The Companion Animals Act outlines the procedure for dealing with seized or surrendered animals. Seized animals may be sold or destroyed after 14 days if the animal is identified and registered or after 7 days if there is no identification on the animal.

Council prioritises the re-housing of animals that are abandoned, roaming, or surrendered. Our rangers have established strong links with animal care establishments to find new homes for the animals that come into our care. Council has a well-publicised webpage and Facebook page where we actively seek good homes for these animals.

It is a pro-active program which has come about due to the support it receives from our community and the significant effort put in by our Rangers. Many fantastic outcomes for the dogs and cats are achieved.

To achieve this Rangers are required to dedicate significant time to liaise with animal welfare and re-housing groups and with the community.

### **Dangerous, menacing and restricted breeds**

Council can declare dogs kept in its local government area to be a dangerous or menacing dog.

Part 5 of the Companion Animals Act specifies the requirements for owners of a declared dangerous or menacing dog. Requirements include desexing, muzzling them in public and confining them in a childproof enclosure (dangerous only).

Restricted Dogs (s55-58) are required to comply with similar requirements to the owners of dangerous dogs. The Act defines restricted dogs as:

- American pit bull terrier or pit bull terrier
- Japanese Tosa
- Dogo Argentino (Argentinian fighting dogs)
- Fila Brasileiro (Brazilian fighting dogs)
- Any dog declared by Council to be a restricted dog.

## **2 – Community Issues**

### **Pet ownership and community conflict**

The health and social benefits of owning pets are now well understood and have been documented in numerous studies. Companion animals can be especially important to the young, elderly, people with mental illness and people living on their own. Recent studies also show that dog owners tend to be more active than people who don't own a dog due to the need to walk their pet.

There are also people in the community who may not share this enthusiasm for companion animals.

The right for people to not be affected by the activities of companion animals needs to be considered along with the needs of providing opportunities for owners and their pets.

Conflict between people and companion animals does occur, particularly when there is close proximity to neighbouring dwellings. The type of issues raised by the community shows that the issues can be widespread.

### **Community education**

Education plays an important role in achieving good companion animal management in the community. A regulatory approach is necessary but on its own is inherently inefficient because of its focus on means rather than ends and because it consumes significant resources in maintaining an enforcement presence.

It is therefore imperative that Council has regard, initiates, and adopts approaches that take advantage of the individual strengths of both the regulatory and educative means.

Council has changed its focus in recent years and Rangers now actively pursue an educative approach. This is very important as Rangers are in the front line and deal directly with the public providing the opportunity to inform and educate.

Voluntary compliance of requirements generated through education will just about always provide more meaningful, lasting changes in behaviour however it can change behaviour slowly and can also be expensive. Serious and urgent matters or repeat offenders are likely to require a regulatory approach.

Council has developed effective communication platforms using social media to get the message out along with the more traditional methods.

It is important that use of this platform is maximised to get the message out to the public about companion animals and requirements. It is also considered valuable to promote positive messages including Council's rehousing program and stories of animals successfully being rehoused and other local animal stories.

#### **Animal shelter (impound facility)**

Council's animal shelter was constructed in 2004 and contains eleven dog pens and a cattery located under the same roof in a separate area. It is located at Dargaville Drive, Nammoona within the grounds of Council's Casino landfill.

The shelter is open to the public seven days a week between the hours 8.00am to 4.00pm.

Council operates the shelter having a high regard for animal health and wellbeing. Rangers regularly assess the dogs and cats in our care and arrange veterinary care or other assistance as necessary.

The service includes:

- A dedicated re-homing program involving a significant amount of liaising between Rangers, animal care and welfare groups and the community
- The vaccination and desexing of all animals re-homed and discounted micro-chipping and desexing service
- A website for people to view lost and impounded animals
- Potential owner interviews and animal meet and greet service for re-homing
- Educational services
- Sustenance, shelter and veterinarian care to all impounded animals along with daily walks and/or release into dog runs
- A service to temporarily hold animals in Evans Head for transfer to the Casino shelter.

Council has been committed to improving the facility with recent upgrades and modifications including:

- Additional dog runs
- An area for cats to go outdoors and sun themselves
- New dog beds
- A recycled water cooling system for the shelters roof.



### Off leash exercise areas

Council can declare a public place to be a dog off leash area. Off leash areas provide a benefit to dogs and their owners and are generally popular and well received.

Currently there are ten dog exercise/off leash areas throughout the Local Government Area as follows:

- Queen Elizabeth Park Oval No.1 from outer fence to riverbank, Casino
- McDonald Park, adjacent to river at western end of Fergusson Street, Casino
- Vacant land off East Street, Warren Park, Casino
- Fenced area within turning circle off Centre Street, Crawford Square, South Casino
- Unfenced area east of Fishermans Co-op, South Evans Head
- 1.3km of Airforce Beach, Evans Head from Terrace Street 4WD access, north to designated signage
- The unformed road reserve known as Parkes Street, between Grenfell and Adams Streets, Coraki
- Public Recreation Reserve adjacent to the Richmond River, Coraki running from the bridge south
- The Pony Club area adjacent to Woodburn Oval
- The Rappville Oval

Council invests regularly to provide additional off leash areas and to provide improvements such as fencing, drinking stations, doggy poo stations etc at off leash areas.

### Places where dogs are prohibited

Companion animals are prohibited from some public places (s14, s14A and s30 of the Act):

- Within 10 metres of a children's play area
- Recreation and public bathing areas where dogs are declared to be prohibited
- School grounds, child care centres and community event areas
- Shopping areas where dogs are prohibited
- Wildlife protection areas
- Food preparation/consumption areas (meaning any public place, or part of a public place, that is within 10 metres of any apparatus provided in that public place or part, for the preparation of food for human consumption or for the consumption of food).

NOTE: Dogs are not prohibited in outdoor dining areas in certain circumstances (s14A of the Act) provided the dog is under the effective control of some competent person and is restrained by means of an adequate chain, cord or leash that is attached to the dog, and the person does not feed the dog or permit the dog to be fed, and that the dog is kept on the ground.

### Places where cats are prohibited

Under the Companion Animals Act, cats are prohibited in the following public places:

- Food preparation or consumption areas; and
- Wildlife protection areas (unless it is a public thoroughfare such as a road, footpath or pathway).

A wildlife protection area is a public place that has been declared by Council for the protection of wildlife. The Council is requesting cat owners to ensure that their pets are kept out of these areas at all times.

Other options for protection of wildlife vulnerable to attacks by cats include:

- Education to encourage people to keep their cats indoors, particularly during the night to prevent cats from roaming,
- Cat proof fences and enclosures, and
- Use of housing designs to help owners to responsibly confine their cats.

## 3 – Environmental Issues

### Noise pollution – barking dogs and cat noise

While all dogs bark, it is those that bark excessively that require management. Barking dogs account for approximately 12% of complaints about companion animals received by the Council.

Barking dogs are a significant community problem and can result in loss of neighbourhood amenity, anxiety, sleep disruption and aggression. However, an animal barking may be due to: territorial behaviour, boredom, separation anxiety, illness, visual stimuli/distraction or teasing.

Barking dog incidents are often difficult to resolve and consume extensive resources. It is the responsibility of the animal owner to control their animal inclusive of barking issues.

Where Council receive ongoing complaints about a barking dog the animal may be declared a nuisance and on the spot fines apply. Usage of a diary system regarding excessive barking may be effective in determining if a legitimate complaint exists, pinpoints the times of excessive barking, assists in providing solutions and builds a case if legal action is initiated.

Those affected by barking may also utilise a Noise Abatement Order under the *Protection of the Environment Operations Act 1997*.

The noise of cats fighting in the middle of the night is reported less frequently than dogs but is still a cause of noise pollution.

### **Faeces management**

Companion animal faeces are a significant environmental and public health issue. The pollution of urban yards, footpaths, parks, reserves and beaches by animal faeces and the resulting pollution of waterways by stormwater run-off, are of environmental concern.

Organisms such as parasites, protozoa and bacteria can be transferred to people and animals via faecal matter and contaminated stormwater. There is also the potential for infection to be passed to humans.

Roundworm is a primary health concern, as this organism resides in the small intestine of dogs, and its eggs are passed to the outside environment in the faeces. The eggs may remain infective in the soil for a number of years. While humans do not develop adult roundworm, the migration of the larvae through tissue and organs can cause disease. Young children, active sports players, and people confined to hand-activated wheelchairs have the greatest risks of exposure.

Canine parvovirus is a highly contagious viral disease that can produce a life-threatening illness in dogs. Although not transferred to humans it is an important environmental health issue and can live in the environment including inanimate objects such as shoes, food bowls, carpet and clothes.

Council provides appropriate rubbish bins for animal faeces at the prescribed exercise areas and the provision of 'poo-bag' dispensers is restricted due to costs. There may be opportunities for future poo bag dispensers to be paid for and sponsored by local organisations.

The failure of animal owners to properly dispose of their animal faeces is an offence and on the spot fines may be issued.

### **Impacts on wildlife and biodiversity**

Richmond Valley Council is renowned for its natural environment boasting beautiful beaches at Evans Head, estuary and marine ecosystems and large areas of National Park and State Forest to the west which all support an array of wildlife.

Various species of threatened and endangered flora and fauna have been identified. Notable bird examples being: Pied Oystercatcher and Little Tern located in coastal areas. It is vital that animal management strategies be implemented to assist with protection of these and other species.



## ACTION PLAN

### 1 – Administration, Control and Review

Strategy	Activity	Responsibility	Timeframe	Measure
1. To provide an effective management and review process for the Management Plan	1.1 Review current Management Plan at completion and report to Council	Manager Environment and Regulatory Services (MERS)	May 2018	Plan reviewed and reported to Council
	1.2 Draft and adopt Management Plan ongoing.	(MERS)	June 2018	Plan drafted and adopted by Council
2. Report regularly on the status of companion animals	2.1 Prepare bi-annual and annual reports including data on registrations, impounding, dangerous/menacing declarations and achievement of performance indicators	(MERS)	2015 - 2018	Reports submitted as required
3. Maximise cost effectiveness of companion animal management	3.1 Seek grant opportunities and sponsorship for programs eg. Education programs and discounted microchipping & desexing	(MERS)	Ongoing	Level of assistance obtained

### 2 – Community Education

Strategy	Activity	Responsibility	Timeframe	Measure
4. Provide education to the broader community	4.1 Develop and distribute education material which provides information regards; <ul style="list-style-type: none"> <li>responsibilities under Act</li> <li>registration requirements desexing</li> <li>use of off leash areas consequences of roaming uncontrolled dogs</li> </ul>	Rangers & (MERS)	Ongoing	<ul style="list-style-type: none"> <li>% of registration &amp; microchipping</li> <li>% of dogs and cats desexed</li> <li>Number of warnings notices to comply and on the spot fines</li> </ul>
	4.2 Distribute education packages via pet shops, local vet centres, dog groups, council facilities	Rangers	Ongoing	<ul style="list-style-type: none"> <li>No. of brochures distributed</li> </ul>
5. Use councils electronic communication platform (Facebook, website, rich message software and mobile messaging) to communicate and educate	5.1 Liaise with councils Communications and media staff to develop strategies for use of E platform	Rangers & Communications staff	July 2016	<ul style="list-style-type: none"> <li>Strategy developed that allows effective use of E Platform</li> </ul>
	5.2 Post articles, messages and information on E platform	Rangers & communications staff	Ongoing	<ul style="list-style-type: none"> <li>No. of times messages and information posted</li> <li>Feedback received on Facebook and website and phone texts</li> </ul>

Strategy	Activity	Responsibility	Timeframe	Measure
6. Update and provide signage in public places to advise owners of requirements and use of space	6.1 Review adequacy of existing signs. List in order of priority for replacing	Rangers & Assets	September 2016 & annually thereafter.	• Review completed
	6.2 Design & install new up to date signs in designated public places	Rangers & Assets	As required	• New signage installed subject to funding
	6.3 Ensure signs are maintained on Council reserves, off leash areas, beaches	Rangers	Ongoing	• 3 monthly inspections undertaken

### 3 – Facilities

Strategy	Activity	Responsibility	Timeframe	Measure
7. Provide suitable animal holding facilities that comply with relevant legislation & guidelines that are cost effective and efficient.	7.1 Assess status of impounding facility and holding facility and provide needs analysis (short – medium term and long term)	(MERS) & Rangers	November 2016	Report prepared and submitted to Management Team for consideration
	7.2 Identify upgrade needs for Councils Management Plan and annual budget as per needs analysis (7.1).	(MERS) & Rangers	February annually	Upgrades considered in Council budget process
	7.3 Prepare a procedure/protocol for staff to follow at pound detailing daily activities & requirements	(MERS)	January 2016	Procedure completed
	7.4 Ensure pound facilities are kept clean and well maintained	Rangers	Ongoing	Inspections indicate compliance
8. Prioritise the re-housing of animals in the pound	8.1 Continue to support a network and improve links with registered associations to rehouse animals	(MERS), Rangers & Customer Service Staff	Ongoing	• Links with registered associations strong. • % of animals rehoused
	8.2 Promote animals that are in the pound available for adoption/rehousing	Rangers, Customer Service & Communications staff	Ongoing	• No. of animals promoted.
9. Provide access to public open space for dogs both leashed & unleashed for exercise, socialise with other animals and with their owners	9.1 Provide and maintain the 10 off-leash areas (OLA) to comply with legislative requirements	Rangers & Coordinator Parks and Open Spaces	Ongoing	• Off leash areas provided and maintained
	9.2 Undertake an annual review of OLAs	Rangers	Annually	• Review completed



Strategy	Activity	Responsibility	Timeframe	Measure
	9.3 Consider as part of any new urban releases and residential developments the appropriate recreational areas compatible to meet the needs of companion animal owners	Environmental Health officers and Coordinator Development Assessment	As required	<ul style="list-style-type: none"> <li>No. of and amount of area provided for use by companion animals</li> </ul>

#### 4 – Regulatory Control and Services

Strategy	Activity	Responsibility	Timeframe	Measure
10. Provide a system that maximises the number of identified and registered dogs/cats.	10.1 Establish an effective system to help capture dogs and cats in the LGA that are not registered at 6 months of age.	(MERS) & Rangers	Ongoing	High % of registrations
	10.2 Maintain follow-up procedures to capture dogs and cats entering the LGA have had appropriate details entered on the NSW registry.	(MERS), Rangers & Customer Service	Ongoing	Changes recorded on the register
11. Maintain noise control provisions for reducing the impacts associated with barking dogs	11.1 Maintain complaint procedures for handling the control of barking dogs.	Rangers & Customer Service	Ongoing	High % of complaints resolved
	11.2 Distribution of information including suggestions for resolving problem and Community Justice Centre details.	Rangers & Customer Service	Ongoing	Information distributed
12. Implement Dangerous Dog / Restricted Breeds Provisions	12.1 Implement Dangerous Dog provisions of the Companion Animals Management Act.	Rangers and (MERS)	Annually	<ul style="list-style-type: none"> <li>Provisions implemented within 72 hours of complaint</li> <li>Quarterly review completed as part of Management Plan</li> <li>Annual inspection undertaken</li> <li>Register updated bi-annually</li> </ul>

Strategy	Activity	Responsibility	Timeframe	Measure
13. Provide a regulatory framework and competently trained officers and adequate resources to implement the statutory requirements of the Companion Animals Act and Regulation 1998 and the objectives of the Companion Animals Management Plan that is fair and enforceable.	13.1 Provide sufficient full-time rangers / recurrent funding for employment	(MERS)	Annually	Current activity level being met
	13.2 Review staff resources and funding sources for Ranger services to provide an acceptable level of service to meet increased demands and projected population growth.	(MERS)	Annually	Annual review completed as part of Management Plan and budget estimates
	13.3 Undertake scheduled patrols of public places and implement Council policies and legislative requirements.	Rangers	Daily	No. of daily patrols undertaken

#### 5 – Grant Funding

Strategy	Activity	Responsibility	Timeframe	Measure
14. Be proactive in accessing grants available related to Companion Animals Management.	14.1 Identify grant programs available. 14.2 Apply for grants where capacity and needs are identified.	(MERS), Rangers and Grants Officer	Ongoing	No. of grant applications submitted.

**14.10 DA2016/0022 EVANS HEAD WORKERS' CAMP DEVELOPMENT APPLICATION - RESPONSE TO ALLEGATIONS****Responsible Officer:**Angela Jones (Director Infrastructure and Environment)

---

**RECOMMENDATION**

Recommended that Council note the responses to the issues and allegations raised by Dr Richard Gates during Public Access at the Ordinary Council Meeting on 19 April 2016.

**170516/ 14 RESOLVED** (Cr Morrissey/Cr Humphrys)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

---

**Executive Summary**

At the Ordinary Meeting of Council held 19 April 2016, Dr Richard Gates addressed Council during public access on a number of issues related to Development Application No 2016/0022. DA2016/0022 sought approval for the establishment of a caravan park for the purpose of temporary workers' accommodation, car parking and associated works in Evans Head. DA2016/0022 was approved under delegated authority by the Development Assessment Panel on 24 March 2016.

The information contained in this report has been provided to Council as requested by Cr Mustow at the Ordinary Meeting held on 19 April 2016, in response to the allegations made by Dr Gates in relation to the subject Development Application.

**Community Strategic Plan Links**

Focus Area 5 Rural and Urban Development - Long Term Goal 5.1 Land use Development should be appropriate for the retention of a country atmosphere and village lifestyle.

**Budget Implications**

Nil.

**Report**

At the Ordinary Meeting of Council held 19 April 2016, Dr Richard Gates addressed Council during public access on a number of issues related to Development Application No 2016/0022. DA2016/0022 sought approval for the

---

establishment of a caravan park for the purpose of temporary workers' accommodation, car parking and associated works in Evans Head. DA2016/0022 was approved under delegated authority by the Development Assessment Panel on 24 March 2016. During Dr Gates' public access address a number of allegations were made, details of which are set out below with responses.

**1. The development is prohibited and is not a caravan park.**

The development application sought approval for a caravan park which is permissible in the RU1 Zone. The proposal meets the definition of a caravan park under the LEP 2012 and is able to satisfy the Local Government Regulations for Caravan Parks.

*caravan park* means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

*moveable dwelling* means:

- a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
- b) a manufactured home, or
- c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.

**2. The DA did not go to Council Meeting. Why?**

It did not trigger any of the criteria under the Development Assessment Panel Policy. Two or more Councillors did not "call it in" and no variations to planning standards were sought by the applicant. The Development Assessment Panel (DAP) has delegated authority to determine applications of this nature.

**3. What information did the Councillors get to decide whether to call it up?**

The General Manager emailed Councillors on 19 February 2016 advising the outcome and number of submissions resulting from the exhibition period for both the Evans Head and Woodburn workers camp DAs. At this time, Councillors were also provided a copy of the Policy which relates to the terms and process of determining applications by DAP or Council.

**4. Why were the DAP meeting minutes changed?**

They were changed at the request of the proponent as they were incorrect after Roads and Maritime Services (RMS) advice to the proponent. The change had no bearing on staff assessment or DAP determination.

**5. Removal of the 10 caravan park sites from the original plans. Does this relate to the Asset Protection Zones?**

Yes, the Rural Fire Service assessed the application as a lower risk with the removal of the 10 caravan sites. The development has been granted a bush fire safety authority in accordance with Section 100B of the Rural Fires Act 1997 and conditions have been placed on the consent.

**6. Restriction on title to vehicular access. Why was it not mentioned in the SEE?**

Unknown why it was not mentioned in the SEE but it was identified prior to lodgement by the planning consultant and identified in the submissions and addressed in the assessment.

**7. The DA is illegal as there is a covenant which restricts access to the site.**

Within the Conveyancing Act 1919, Section 88E enables a public authority (Council) to require a restriction to be created upon private land which is enforceable by and benefits the Council:

*Section 88E(2) – “A prescribed authority may, in accordance with this section, impose restrictions on the use of or impose public positive covenants on any land not vested in the authority, so that the restriction or public positive covenant is enforceable by the authority whether or not the benefit of the restriction or public positive covenant is annexed to other land.”*

The existing restriction was created under this legislation. Section 88E also allows for the release of the restriction by the authority that required the restriction to be created. As the restriction was placed on the title as a result of a subdivision approved by Council, Council has the ability to release the restriction.

Section 88E(7) – “A restriction or public positive covenant imposed pursuant to this section may be released or varied:

- a. where the land affected by the restriction or public positive covenant is under the provisions of the Real Property Act 1900—by a memorandum of release or a memorandum of variation, as the case may require, in the form approved under that Act and recorded in the Register kept under that Act, or
- b. where the land so affected is not under the provisions of that Act—by a deed of release or a deed of variation, as the case may require, registered under Division 1 of Part 23, executed by the prescribed authority entitled to enforce the restriction or public positive covenant and, in the case of a variation of a restriction or public positive covenant, bearing the written consent of each person against whom, at the time the memorandum is recorded, or the deed registered, the restriction or public positive covenant is enforceable.

The caravan park consent requires the original subdivision that created the current site be modified to remove this restriction for this lot. This will be done in accordance with section 88E(7) of the Conveyancing Act 1919. Therefore there is no legal impediment in regard to the existing restriction on use as in accordance with the consent requirements and the relevant legislation it will be removed prior to commencement of the development.

**8. Australian Noise Exposure Forecast (ANEF) – the incorrect noise exposure forecast was used.**

The comment made relates to work currently being undertaken as part of the development application for the proposed Airpark development at the Aerodrome. Draft noise exposure contours have been prepared as part of the development application process and have been provided to Council. However in subsequent discussions with the Airpark proponent they have identified that changes are required to the draft noise exposure contours prior to final lodgement. As such the document is still subject to change and not the relevant document for the assessment of a current development application.

The current adopted ANEF for the aerodrome was utilised for the assessment. As the adopted ANEF this is the correct document to be used for assessing noise impacts associated with the operations of the aerodrome. Prior to adoption the current ANEF was reviewed and endorsed by Airservices Australia, the relevant body for endorsement of an ANEF, and also independently reviewed by a third party consultant engaged by the Heritage Office.

It is worth noting that if the current draft noise exposure contours were utilised for the assessment of the development application the proposed development would still be permissible.

**Conclusion**

The information contained in this report responds to the allegations which were made by Dr Gates during his public address at the Ordinary Meeting of Council held 19 April 2016 in relation to Development Application No 2016/0022.

---

**15 MATTERS FOR INFORMATION**

---

**RECOMMENDATION**

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

**170516/ 15 RESOLVED** (Cr Morrissey/Cr Hayes)

That the above recommendation be adopted.

FOR VOTE - All Council members voted unanimously.

Prior to the above motion being put to the vote, the General Manager responded to a query from Cr Mustow regarding Casino Library membership and confirmed that its membership against population of Casino was 74% however some members of Casino Library did come from Kyogle with some members also from the outer areas of Casino however the figure was impressive and highlighted the importance of the library. In response to a question from the Mayor as to whether mobile library membership was connected to those figures, the General Manager advised that the mobile library figure was separate as there were separate mobile library memberships. Cr Simpson, having used the Casino Library during the afternoon, also commented on how busy the library was and the large number of people who were using the facility.

---

## **15.1 DISCLOSURE OF INTEREST - APPOINTMENT OF DESIGNATED PERSONS**

### **Responsible Officer:**

Deborah McLean (Manager Governance and Risk)

---

### **Report**

Section 449(1) of the *Local Government Act 1993 (The Act)* provides that a councillor or designated person must complete and lodge with the General Manager, within three months after becoming a councillor or designated person, a return in the form prescribed by the *Local Government (General) Regulation 2005*.

The following is a newly appointed designated person position of Council:

- Compliance Officer

The disclosure for the above designated person position has been received. The disclosure is tabled for the information of Council and will be made available on request to any member of the public at Council's Casino Administration Office.

This report provides information to Council regarding the appointment of designated persons and fulfils Council's obligations under Section 449 of *The Act*.

### **Community Strategic Plan Links**

Focus Area 7 Governance and Process - Long term Goal 7.5 Sound Governance and Legislative Practices.

**15.2 GRANT APPLICATION INFORMATION - APRIL 2016****Responsible Officer:**

Ryan Gaiter (Manager Finance and Procurement)

**Report**

This report provides information on grant applications that were unsuccessful, grant applications submitted and grants that have been approved and/or received for the month of April 2016.

Council wasn't notified as being unsuccessful with any grant applications during the month of March 2016. Council applied for two grants during the period which will require \$8,800.00 of Council funding towards projects costing \$103,300.00 in total, if successful. One grant project was approved and Council received funding for three grants during the reporting period totalling \$483,865.00.

***Grant Applications Submitted***

Project ID	10207
Funding Body	Department of Primary Industries (Lands)
Funding Name	2016-17 Public Reserves Management Fund Program
Government Level	State
Project Name	Casino Showground Canteen Upgrade
Project Value (excl GST)	\$84,000.00
Grant Amount (excl GST)	\$84,000.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	7 April 2016
Comment (if required)	N/A

Project ID	10209
Funding Body	Office of Local Government
Funding Name	Responsible Pet Ownership Grants Program (Year3)
Government Level	State
Project Name	Companion Animal Compliance Catch-ups: Casino and Coraki
Project Value (excl GST)	\$19,300.00
Grant Amount (excl GST)	\$ 8,500.00
Council/Other (excl GST)	\$10,800.00
Date Application Submitted	29 April 2016
Comment (if required)	\$2,000.00 in kind contribution from local Aboriginal Land Councils and Corporations to be made along with Council contribution of \$8,800.00.



***Grants that have been approved and/or received***

<b>Project ID</b>	<b>10199</b>
Funding Body	NSW Roads and Maritime Services
Funding Name	Natural Disaster Funding
Government Level	State
Project Name	Flood Event of April-May 2015/Restoration Works
Project Value (excl GST)	\$1,606,655.00
Grant Amount (excl GST)	\$1,577,655.00
Council/Other (excl GST)	\$ 29,000.00
Date Application Submitted	17 August 2015
Comment (if required)	N/A
Date Approved/Received	\$198,000.00 received 11 April 2016
Total Funds Received To Date	\$747,000.00

<b>Project ID</b>	<b>10200</b>
Funding Body	State Library NSW
Funding Name	Public Library Infrastructure Grants 2015/16
Government Level	State
Project Name	Casino Library Re-Design
Project Value (excl GST)	\$186,870.00
Grant Amount (excl GST)	\$177,230.00
Council/Other (excl GST)	\$ 9,640.00
Date Application Submitted	28 October 2015
Comment (if required)	N/A
Date Approved/Received	\$177,230.00 received 20 April 2016
Total Funds Received To Date	\$177,230.00 (funding complete)

<b>Project ID</b>	<b>10201</b>
Funding Body	State Library NSW
Funding Name	Public Library Infrastructure Grants 2015/16
Government Level	State
Project Name	RFID Implementation - RUCRL
Project Value (excl GST)	\$151,210.00
Grant Amount (excl GST)	\$108,635.00
Council/Other (excl GST)	\$ 42,575.00
Date Application Submitted	28 October 2015
Comment (if required)	N/A
Date Approved/Received	\$108,635.00 received 20 April 2016
Total Funds Received To Date	\$108,635.00 (funding complete)

Project ID	10208
Funding Body	NSW Environment Protection Authority
Funding Name	Better Waste and Recycling Fund
Government Level	State
Project Name	Recycling Education Officer
Project Value (excl GST)	\$90,302.00
Grant Amount (excl GST)	\$90,302.00
Council/Other (excl GST)	\$ 0.00
Date Application Submitted	N/A – allocation of funds
Comment (if required)	N/A
Date Approved/Received	Approved 19 April 2016
Total Funds Received To Date	\$0.00

### Community Strategic Plan Links

Focus Area 7 Governance and Process – Long term Goal 7.1 Generate Revenue to Fund the Operations of Council.

### Budget Implications

All Council funding required regarding the grants in this report has been included in the Richmond Valley Council budget.

## 15.3 RICHMOND-UPPER CLARENCE REGIONAL LIBRARY GRANT PROJECTS

### Responsible Officer:

Gary Ellem (Manager Regional Library)

### Report

#### *Mobile Library*

The Richmond-Upper Clarence Regional Library's new mobile library was officially launched on Thursday, 7 April 2016 by Member for Lismore, the Hon Thomas George, and State Librarian and Chief Executive, Dr Alex Byrne. This followed a soft launch at Bonalbo on Monday, 15 February 2016 by Mayor Ernie Bennett and Kyogle Mayor Danielle Mulholland. This was also the first day of operation of the new mobile Library.

The mobile library was built by Brimarco in Ballarat and replaces the original mobile library that had been in service since 2003. The wonderful and colourful artwork on the mobile library was by Signarama Casino. The mobile library was funded by a \$200,000 Library Development Grant, \$80,000 from the Regional Library Future Asset Replacement Fund and the balance from the sale of the old mobile library and the Regional Library Reserve. The total cost of the mobile library was \$450,385 (excl GST).

The mobile library has 19 scheduled stops, travels 750kms a week and covers 6,640 square kilometres. Whiporie will be included in the schedule as of July 2016.

The mobile library has 3,500 items on board, as well as two free public internet PCs and free WiFi. The mobile library is 12 metres in length and has wheelchair access. There are currently 1,622 registered members of the mobile library.

### ***Evans Head Library Refurbishment***

The Evans Head Library was refurbished in February 2016 with new shelving, furniture and carpet. This was funded by a 2014/15 Public Library Infrastructure Grant of \$34,615 (excl GST). Although the Evans Head Library is limited by available space the new design has provided a new look library and is already experiencing higher levels of usage.

Forty new members have joined the library since the refurbishment, taking the total membership of Evans Head Library to 2,239 and there has been a 12.8% increase in loans. Free internet and WiFi continue to be very popular and continue to increase in usage. The Evans Head Library experiences very high usage during school holidays.

### ***Grants***

The Regional Library Manager submitted two successful Public Library Infrastructure Grants on behalf of Richmond Valley Council. The first was an individual council application for \$177,230 for a Casino Library Re-design (Internal Fit Out) and a regional application for \$108,635 for the Implementation of Radio Frequency Identification (RFID) technology.

Both projects will commence in the new financial year.

#### **1. Casino Library Internal Fit Out**

The Casino Library was built in 1978 and renovated in 2011 with Library Grant funding and Federal Community Infrastructure Program funding. A large majority of the shelving and furniture are the original fittings. This project will redesign the Casino Library, creating a modern layout and provide a much-valued public space for the community.

This new library – “community living room style” will provide space to engage the community with events, workshops, a place to meet, to communicate, to read and write and have a community benefit of:

- Accessible collection
- Enhance current WiFi facility
- Better experience for young families
- Support private tutoring
- Increase community programs

While regional library membership is 52% of the population, the Casino Library has an impressive 74% and it is anticipated that membership and usage will increase with the newly designed library.

## 2. RFID

RFID (Radio Frequency Identification) will provide an exciting opportunity for the Regional Library as it will enhance the circulation service by increasing the speed of issuing loans and improve the accuracy of returns. Self-check stations will enable customers to check library items out themselves. RFID will also improve security and reduce loss of stock and dramatically reduce the time spent on library functions such as stocktakes.

More importantly the time and resources saved by implementing RFID can be allocated to providing a better service to the library customers. In a 2014 library survey the customers indicated they want more events/programs and adult education sessions. This project will provide the staff with the time and resources to meet these requests.

The library is making a concerted effort to engage the community by offering a wide variety of programs. Membership of the library continues to grow each year as do the expectations of the library service including providing an effective circulation service. RFID and the self-check stations will give customers choices in the level of engagement with staff and enable them the option of privacy in their item selection.

RFID security gates will be installed at the Casino, Evans Head and Kyogle Libraries.

### **Community Strategic Plan Links**

Focus Area 3 Community and Culture - Long term Goal 3.2 Events, Art and Culture (Strategy 3.2.2 Ensure Council libraries meet or exceed the expectations of users and Strategy 3.2.3 Ensure Council's mobile library services are modern and contemporary, provide equal access to residents and meets the needs of library users).

### **Budget Implications**

The new mobile library was funded by a \$200,000 Library Development Grant with the balance of \$250,385 (excl GST) from the Future Asset Replacement Fund, sale of the old mobile library and the Regional Library Reserve.

The Evans Head Library refurbishment was fully funded by grant funding.

## 15.4 UPDATE ON COUNCIL'S SHARK MANAGEMENT STRATEGY

### Responsible Officer:

Angela Jones (Director Infrastructure and Environment)

---

### Report

At Council's Ordinary Meeting of 19 April 2016, Cr Simpson asked the following question:

*“Could the General Manager please provide an update on the progress of the State Government's \$16 million Shark Strategy for the area? Why is it that at this point Evans Head appears to have been left out? What more can be done to try and secure some of this funding and/or trials of shark barriers in our local government area?”*

The information contained in this report addresses the matters raised and outlines measures proposed for the North Coast area.

As a response to a number of shark attacks in the NSW coastal waters, the NSW Government developed a new NSW Shark Management Strategy in 2015 to complement the existing Shark Meshing Bather Protection Program. The key objective of the NSW Shark Management Strategy is to increase protection for bathers from shark interactions while minimising harm to sharks or other animals. This is a scientifically driven, integrated strategy involving several innovative approaches to provide the most effective shark attack mitigation measures at NSW beaches. The NSW Shark Management Strategy will be an investment of more than \$16 million to introduce innovative trials and fund continual projects over five years.

Due to the increase in the number of shark incidences in 2015/16 on the NSW North Coast, the NSW Government's Shark Management Strategy includes a targeted North Coast response. The focused response includes the following measures:

- Trial site for the deployment of two shark barriers, at Lighthouse Beach, Ballina and at Seven Mile Beach, Lennox Head.
- Five beaches on the North Coast will have VR4G shark listening stations.
- Shark tagging
- Targeted aerial surveillance.
- A range of SharkSmart material specifically designed for the North Coast including posters, brochures and radio community service announcements were distributed across the region in late 2015.

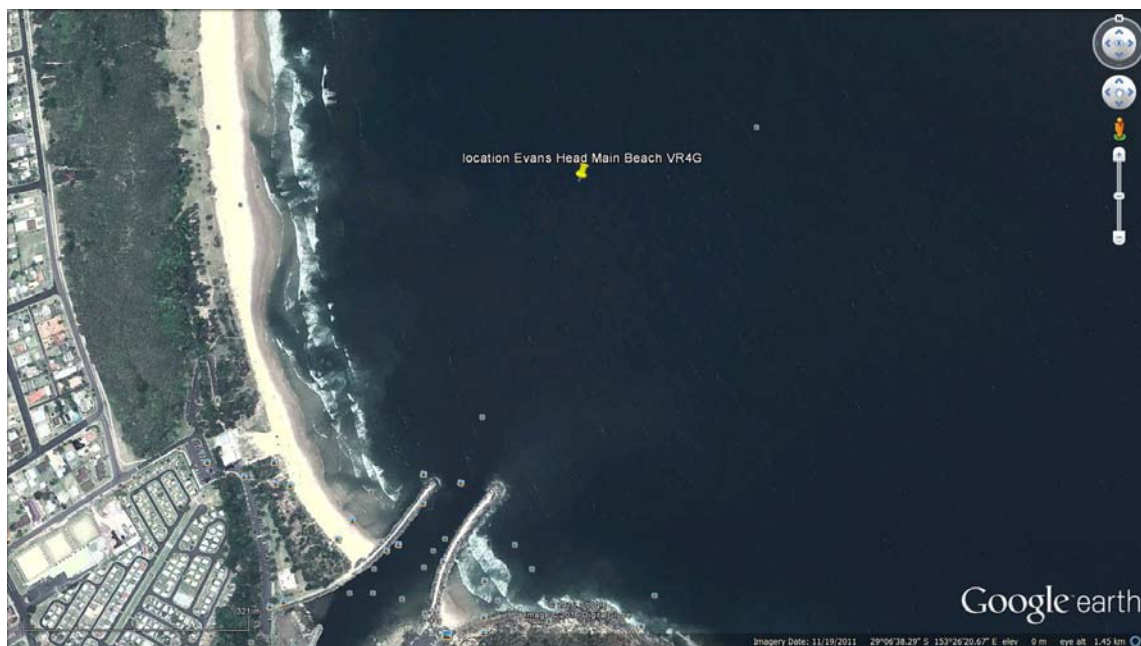
A shark barrier is an eco-friendly physical barrier which either wholly, or in part, separates sharks from water users. They do not aim to capture sharks or other marine life. New technology barriers will be trialled at Lighthouse Beach in Ballina and Lennox Head Beach. These trials will determine the feasibility of

deploying such devices in NSW, where the beach environment can be particularly dynamic. Until the completion of the three year trial period, Department of Primary Industries (DPI) has advised no additional barriers will be considered.

Up until the end of the Easter school holiday period, the targeted aerial surveillance program extended from Point Danger to Evans Head. A recent review of this program has resulted in a reduced service which does not extend south of Ballina. The contract to provide aerial surveillance was recently awarded to Rotorwing Helicopters for a period of one year.

Council officers have raised concerns with the DPI regarding the exclusion of the Richmond Valley coastline, particular the beaches at Evans Head, from the aerial surveillance program. Following discussions with senior DPI Fisheries officers, their opinion is the most suitable method of surveillance for Richmond Valley's coastline is the use of drones (unmanned aerial vehicle – UAV). Trials of UAVs are currently underway with Evans Head expected to be a trial location within the coming months.

On 6 May 2016, a VR4G listening station was deployed off Main Beach, Evans Head. The acoustic receivers are mounted on customised yellow buoys. The buoys are approximately 3.5 metres in length and are fitted with 3.5 metre long steel sub frames. These are receivers that record the presence of tagged animals swimming within a 500 metre radius of the listening station and provide near real-time updates of tagged sharks close to key swimming/surfing locations. Captured information goes straight to a satellite and is then instantly sent to the public and beach authorities via Twitter and the SharkSmart App. This data from the full network of listening stations also provides important insights into the movements of sharks in our waters.



Location of the VR4G listening station deployed off Main Beach, Evans Head.

The opportunity to secure additional funding appears to be limited at this point in time as the DPI have implemented and funded the outcomes of the Strategy. Council officers will continue to work closely with the DPI and attempt to secure any applicable funding which may become available in the future.

Further information can be found on the Department of Primary Industries web site <http://www.dpi.nsw.gov.au/fishing/sharks/shark-management>

### **Community Strategic Plan Links**

Focus Area 1 Natural Environment and Focus Area 4 Recreation and Open Space.

## **15.5 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 APRIL 2016 TO 30 APRIL 2016**

### **Responsible Officer:**

Angela Jones (Director Infrastructure and Environment)

---

### **Report**

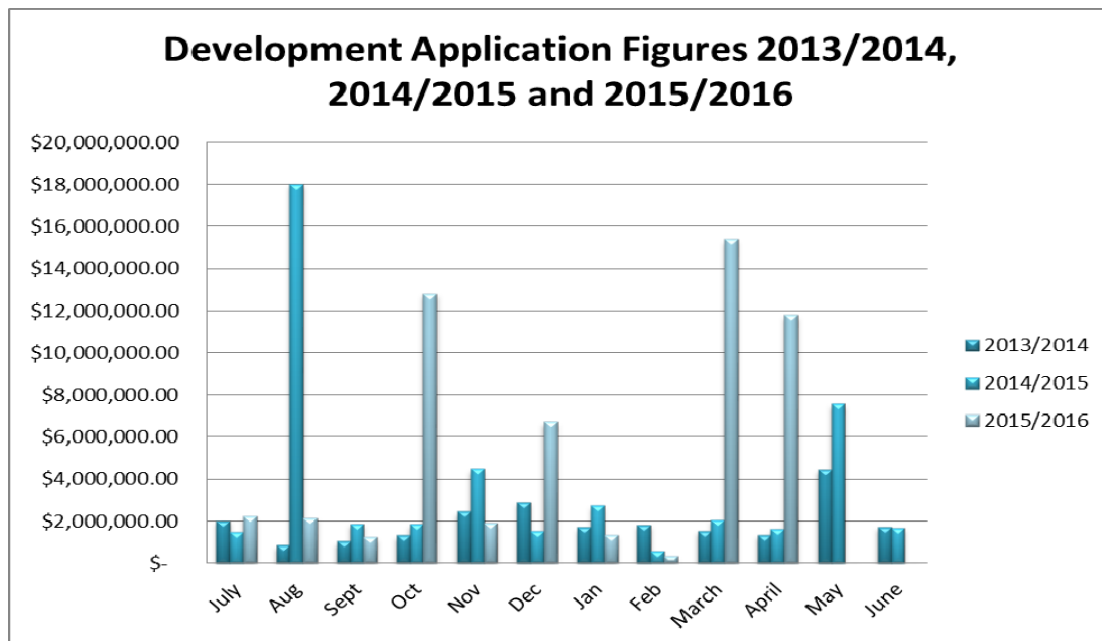
This report provides a summary of development activity on a monthly basis. All Development Applications determined in the month are outlined in this report, including Section 96 approvals, applications that are refused and withdrawn, and applications with no development value such as subdivisions.

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.

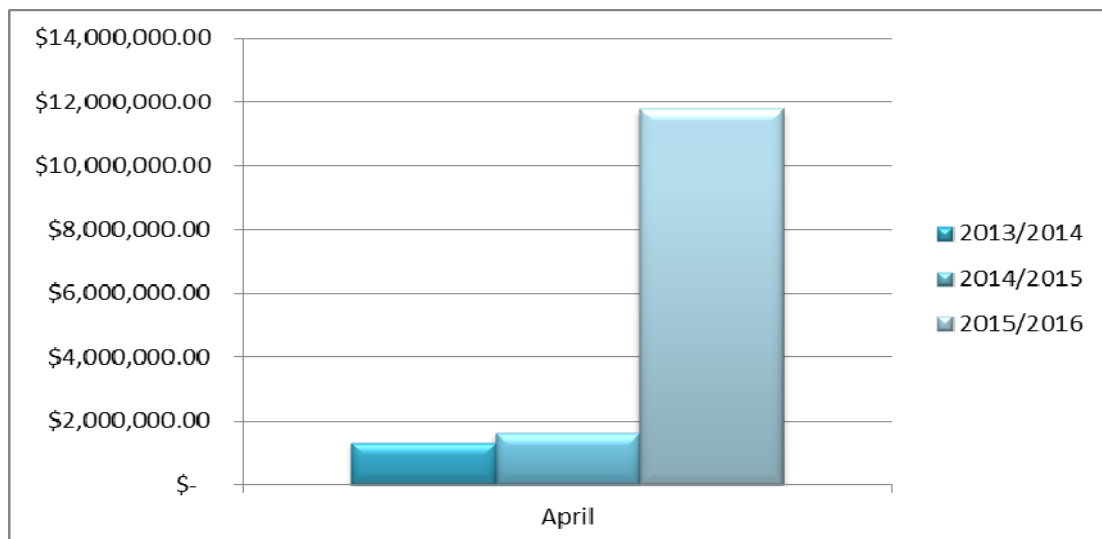
The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 April 2016 to 30 April 2016 was 19, with a total value of \$11,779,212.00. This includes the \$10.6 million Woodburn Workers' Village determination.

To ensure transparency, any Development Applications which council officers are aware of that are directly related to Councillors are highlighted on the Summary of Development Applications included below.

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.



The following graphs provide a closer look at the value of Development Consents issued by Council for the reporting month of April.



#### **Activity for the month of April 2016**

General Approvals (excluding Subdivisions, Section 96s)	17
Section 96	2
Subdivision	0
Refused	0
Withdrawn	0
Complying Development (Private Certifier Approved)	0
<b>TOTAL</b>	<b>19</b>

#### **Community Strategic Plan Links**

Focus Area 5 Rural and Urban Developments – Long term Goal 5.1 Land use Development should be appropriate for the retention of a Country Atmosphere and Village Lifestyle and Long term Goal 5.2 Establish Simpler, Easier Development Processes.



Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 April 2016 to 30 April 2016							
Application ID	Applicant	Owners	Location	Parcel Description	Development	Determination Date	Estimated Cost
DA2016/0087	Civiltech Consulting Engineers	Mr CL Bode Mrs KJ Bode	Pacific Highway, Woodburn	Lot 213 DP 851963	Dwelling	7/04/2016	\$150,000.00
DA2016/0088	LB Thomson	Ms LB Thomson	12 Rileys Hill Road, Broadwater	Lot A DP 355642	Change of Use from Shed to Dwelling & Torrens Title Subdivision	18/04/2016	\$40,000.00
DA2016/0123	Civeo Pty Ltd	Deneti Pty Ltd	4-8 Duke Street, Woodburn	Lot A, B & C DP 355646 Lot 1 DP 125170 & Lots 7-10 Sec 14 DP 759110	Temporary Workers Accommodation Facility	19/04/2016	\$10,600,000.00
DA2016/0131	Hayes Building Consultancy	Mr MR Greentree Mrs KM Greentree	646 Spring Grove Road, Spring Grove	Lot 5 DP 807392	Construction of Dwelling to Create Detached Rural Dual Occupancy	21/04/2016	\$100,000.00
DA2016/0148	Peter Brown Builder	Richmond Valley Council	60 High Street, Casino	Lot 12, 13 & 14 Sec 2 DP 17178	Path with Covered Walkway	28/04/2016	\$15,000.00
DA2016/0149	Exspan Pty Ltd t/as Spanline Home Additions	Mr MC Condon Mrs KM Condon	24 Cedar Street, Evans Head	Lot 2 DP 552042	Insulated Roof Patio & Timber Deck	22/04/2016	\$25,900.00
DA2016/0155	Wayne Lollback Building Co Pty Ltd	Ms KL Hayward	26 Johnston Street, Casino	Lot 14 Sec 1 DP 3781	Shed & Front Boundary Fence	8/04/2016	\$34,700.00
DA2016/0110.01	D Cox SJ Cox	Ms SJ Cox	8-12 Cook Street, Broadwater	Lot 2 Sec 2 DP 879	Relocated Dwelling	1/04/2016	Standard S96 Fee
DA2016/0158	BJ Clark MD Heath SJ Heath	Mr MD Heath Mr BJ Clark Miss SJ Heath	24 Heath Street, Evans Head	Lot 4 Sec 15 DP 758403	Awnings	4/04/2016	\$9,200.00
DA2016/0159	WJ Kent	Mrs WJ Kent	10000 Summerland Way, Casino	Lot 264 DP 755627	Site Fill, Demolition of Existing House and Resited Dwelling with Garage, Verandahs and Ramps	14/04/2016	\$130,000.00
DA2016/0161	Hayes Building Consultancy	Mr RJ Cselka	650 Fogwells Road, Yorklea	Lot 31 DP 882048	Dwelling and plunge pool	7/04/2016	\$300,000.00
DA2016/0164	DW Watson	Mr DW Watson Mrs AL Watson	25 Angus Place, North Casino	Lot 6 DP 1063513	Shed	7/04/2016	\$35,000.00
DA2016/0168	JR Cameron	Mr JR Cameron	50 Haughwood Road, Bora Ridge	Lot 1 DP 1206322	Demolition of dwelling & attached carport	19/04/2016	\$8,000.00
DA2016/0169	LE Hicks KL Hicks	Mrs KL Hicks Mr LE Hicks	9145 Summerland Way, Leeville	Lot 181 DP 859349	Farm Shed	7/04/2016	\$149,000.00
DA2016/0171	MD Hannah	Mr MD Hannah	4 Kalinda Place, Casino	Lot 11 DP 858978	Double Garage	6/04/2016	\$14,512.00
DA2016/0099.01	RI Chandler	Mr RI Chandler	19 Cypress Street, Evans Head	Lot 1 DP 323615	Garage with attached carport	14/04/2016	Standard S96 Fee
DA2016/0175	Ballina Pool Shop	Mr WJ Webster	14 Ash Street, Evans Head	Lot 11 Sec 16 DP 758403	Fibreglass Swimming Pool and Associated Fencing	22/04/2016	\$25,400.00
DA2016/0177	Lismore Drafting Service	Mr IG Drinkwater Mrs JL Drinkwater	53 Cherry Street, Evans Head	Lot 17 DP 727468	Carport	28/04/2016	\$22,500.00
DA2016/0179	Hayes Building Consultancy	Mrs JA Delahunty	48 Woodburn Street, Evans Head	Lot A DP 351033	Change of use from office building to dental surgery including signage	28/04/2016	\$120,000.00

**16 QUESTIONS ON NOTICE**

---

Nil.

**17 QUESTIONS FOR NEXT MEETING (IN WRITING)**

---

**17.1 RESPONSE TO QUESTION ASKED AT THE LAST ORDINARY MEETING**

---

A response to the Question for Next Meeting (in writing) asked at the Ordinary Meeting on 19 April 2016 is as follows:

**Cr Daniel Simpson asked:**

Could the General Manager please provide an update on the progress of the State Government's \$16 million Shark Strategy for the area? Why is it that at this point Evans Head appears to have been left out? What more can be done to try and secure some of this funding and/or trials of shark barriers in our local government area?

**General Manager's response:**

Refer to the report titled "Update on Council's Shark Management Strategy" provided under Agenda Item 15 Matters for Information.

---

No questions were asked for next meeting.

**18 MATTERS REFERRED TO CLOSED COUNCIL**

---

Nil.

**19 RESOLUTIONS OF CLOSED COUNCIL**

---

Nil.

The Meeting closed at 5.46pm.

**CONFIRMED - 28 June 2016**

**CHAIRMAN**

---