

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 19 February 2019

Time: 5.00 pm

**Location: Council Chambers
10 Graham Place, Casino**

**Vaughan Macdonald
General Manager**

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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 PRAYER**3 PUBLIC ACCESS AND QUESTION TIME****4 APOLOGIES**

5 MAYORAL MINUTES

5.1 MAYORAL MINUTE - LGNSW SAVE OUR RECYCLING

Author: Robert Mustow, Mayor

RECOMMENDATION

1. That Council endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of a 100% of the Waste Levy collected each year by the NSW Government in waste minimisation, recycling and resource recovery.
2. That Council make representation to the local State Member(s), Chris Gulaptis MP, in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy in waste minimisation, recycling and resource recovery.
3. That Council write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Michael Daley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, and the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.
4. That Council take a lead role in activating the Local Government NSW Save Our Recycling campaign locally.
5. That Council endorse the distribution and display of the Local Government NSW Save Our Recycling information on Council premises, as well as involvement in any actions arising from the initiative.
6. That Council formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative.

REPORT

I am calling on Councillors to support Local Government NSW in its advocacy to all those contesting the State election to reinvest 100% of the waste levy collected each year into waste management, recycling and resource recovery in NSW.

The *Protection of the Environment Operations Act 1997* (POEO Act) requires certain licensed waste facilities in NSW to pay a contribution to the NSW Government for each tonne of waste received at the facility. Referred to as the 'waste levy', the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery.

The waste levy applies in the regulated area of NSW which comprises the Sydney metropolitan area, the Illawarra and Hunter regions, the central and north coast local government areas to the Queensland border as well as the Blue Mountains, Wingecarribee and Wollondilly local government areas.

In 2016/17, the NSW Government collected \$726 million from local government, community, businesses and industry via the waste levy, but only committed to use \$72 million through its Waste Less Recycle More initiative – or 10% - on waste minimisation and recycling in 2017-18.

Overall the NSW Government's *Waste Less Recycle More* initiative allocates \$801 million over 8 years (2013-2021) to waste and recycling, however the waste levy collected over that same period will be over \$4.62 billion.

At a local government level, just 18% of the \$300 million collected from the local government sector each year is reinvested in recycling and waste management. Since commencement of the Levy in 2009 up until the end of the 2017/2018 financial year Richmond Valley Council has paid \$5,890,000.00 in levy payments and received a total of \$1,539,000.00 in contestable and non-

contestable grants to assist the council with waste management and recycling infrastructure, programs and education.

Regardless of how you look at it, the principle remains the same – very little of the waste levy is currently used to support waste minimisation, recycling and resource recovery. The remainder is returned to NSW Government's consolidated revenue.

The reinvestment of the waste levy to support waste and resource recovery infrastructure, develop markets and innovative solutions, and undertake other initiatives to encourage reuse and recycling also offers wide-ranging benefits to our communities right across NSW. There is the potential for economic growth, new infrastructure, new technology and new jobs, particularly in our regional areas.

It should be noted that the following motion was unanimously endorsed at the Local Government NSW 2018 Conference:

That the NSW Government be called upon to ensure that 100% of the levy arising from Section 88 of the Protection of the Environment Operations Act 1997 be used for waste infrastructure and programs, predominantly by local government and the waste sector, for initiatives such as:

- *Development of regional and region-specific solutions for sustainable waste management (e.g. soft plastic recycling facilities, green waste, waste to energy).*
- *Support innovative solutions to reduce waste and waste transport requirements.*
- *Protect existing and identify new waste management locations.*
- *Local community waste recovery and repair facilities.*
- *Funding a wider range of sustainability initiatives, such as marketing and strategies, that promote and support a circular economy.*

This motion covered motions proposed by Blacktown City Council (Resource recovery locations); Central Coast Council (Waste levy revenues); Cessnock City Council (Recycling crisis - funding support); City of Ryde (Revenue raised by the waste levy); Federation Council (Waste resource); Gwydir Shire Council (Tyre recycling); Hornsby Shire Council (Increase in grant funding for waste levy program); Leeton Shire Council (Increase of waste levy distribution); and Shoalhaven City Council (POEO Levies). Related motions were also submitted by Tweed Shire Council (Recycled products and procurement); Lake Macquarie Council (Support for recycle end markets, reusable, recyclable or compostable packaging); and Orange City Council (Waste management).

As previously noted, this is not a party-political issue: the advocacy initiative calls on all parties and candidates to commit to the 100% hypothecation of the Waste Levy to the purpose for which it is collected.

I am recommending that we support this campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.

ATTACHMENT(S)

Nil

5.2 MAYORAL MINUTE - RICHMOND VALLEY COUNCIL'S FUTURE WATER STRATEGY**Author: Robert Mustow, Mayor****RECOMMENDATION**

A report be provided to Council outlining Richmond Valley Council's strategic plans for water management, both supply and demand and what options are available in the future to support population and economic growth.

REPORT

Richmond Valley is the water authority for the town reticulated water supply for Casino, with Rous County Council supplying water to the Mid Richmond towns and villages of Broadwater, Evans Head, Coraki and Woodburn. Rous County Council also supplies bulk water to Ballina, Byron and Lismore Councils. A regional approach to water management has been adopted previously with a significant majority of the strategic documentation and policy being coordinated and developed by Rous County Council with input of the regions local governments. Richmond Valley has been actively participating in the Regional Water Managers' group for many years and has contributed to a number of regional documents such as the Regional Drought Management Plan which details water restriction levels and the Regional Demand Management Plan. Given the current state of the Casino water supply and the restrictions in place, it is prudent to review our current water strategy for the entire Richmond Valley to ensure it can meet our community's future needs.

ATTACHMENT(S)**Nil**

6 CONFIRMATION OF MINUTES

6.1 MINUTES ORDINARY MEETING HELD ON 18 DECEMBER 2018

Author: Vaughan Macdonald, General Manager

RECOMMENDATION

That Council confirms the Minutes of the meeting held on 18 December 2018.

ATTACHMENT(S)

- 1. Minutes Ordinary Meeting 18 December 2018 (under separate cover)**

6.2 MINUTES EXTRAORDINARY MEETING HELD ON 7 FEBRUARY 2019

Author: Vaughan Macdonald, General Manager

RECOMMENDATION

That Council confirms the Extraordinary Minutes of the meeting held on 7 February 2019.

ATTACHMENT(S)

- 1. Minutes Extraordinary Meeting 7 February 2019 (under separate cover)**

7 MATTERS ARISING OUT OF THE MINUTES

8 DECLARATION OF INTERESTS

(Councillors to specify details of item and nature of interest)

9 PETITIONS

Nil

10 NOTICE OF MOTION

Nil

11 MAYOR'S REPORT**11.1 MAYOR'S ATTENDANCES 1 DECEMBER 2018 - 11 FEBRUARY 2019**

Author: Robert Mustow, Mayor

RECOMMENDATION

That Council receive and note the Mayor's attendance report 11 December 2018 – 11 February 2019.

REPORT**December**

- 11th Casino Public School - year 6 annual academic presentation
- 11th Chris Gulaptis funding announcements – QE2
- 11th Chris Gulaptis – handover of truck to Casino Fire and Rescue
- 11th Chris Gulaptis - Launch of RSM Shopping Centre Solar Shades
- 11th Chris Gulaptis – Christmas drinks
- 12th Celebration McDonalds Pharmacy
- 12th Evans Head Community Christmas Carols
- 13th Casino West Public School Presentation
- 13th Christmas function Richmond Lodge
- 13th RVC Staff Christmas party
- 13th Beef Week Christmas Party
- 14th Resident meeting
- 14th CWA Ladies Christmas Function
- 15th Woodburn Riverside Festival
- 15th Broadwater Bowling Club Christmas function
- 16th Hand-over of RAAF PC3 Orion A9-752
- 17th Chris Gulaptis - Regional Cultural Fund announcement; Civic Hall and Art van Gogh
- 18th Ordinary Meeting
- 19th Rous County council meeting

January

- 11th Speak Up Tour at Casino Showground
- 13th Great Eastern Fly-in Evans Head
- 14th Australia day meeting
- 22nd Library Book Launch
- 26th Australia Day Rappville
- 31st Meetings in Sydney with LGNSW and Solicitors

February

- 1st Supreme Court - Insurance Class Action Hearing
- 4th Meeting with Candidate Patrick Deegan.
- 4th Special Rate Variation Community Meeting – Casino
- 5th Chris Gulaptis funding announcements; Basketball Development program and Youth Opportunities grant
- 5th Primex 100 day media launch
- 5th Community Forum with Patrick Deegan - Tanya Plibersek @ Lismore
- 6th Special Rate Variation Community Meeting – Evans Head
- 7th Extraordinary meeting

- 7th Beef Week 100 days launch
- 8th Meeting with delegates – Pacific Consultants

ATTACHMENT(S)

Nil

12 DELEGATE'S REPORTS**12.1 DELEGATES REPORT SUBMITTED TO THE FEBRUARY 2019 ORDINARY MEETING**

Author: Robert Mustow, Mayor

RECOMMENDATION

That Council receive and note the Delegates' report for the month of December 2018.

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.

Rous County Council

Cr Robert Mustow and Cr Sandra Humphrys have provided the following summary of the main items of business for the Rous County Council meeting held on 19 December 2018.



**Summary of main items of business for
Rous County Council meeting
19 December 2018**

1. Northern Rivers Watershed initiative

Following a Chair's minute to the November 2018 Council meeting, a further report was considered by Council. It was agreed to:

- i). Provide 'in-principle support' of the proposed Northern Rivers Watershed Initiative discussion paper in relation to funding under the NSW Government's Snowy-Hydro Legacy Fund.
- ii). Note that the discussion paper forms the basis of consultation with constituent councils/key stakeholders.
- iii). Note that the finalised discussion paper following consultation will be supplied to the Northern Rivers Joint Organisation for its February 2019 meeting.

A copy of the discussion paper is attached for information.

2. Southern Cross University: Scholarship

Council agreed to continue sponsorship of the Rising Star scholarship program with Southern Cross University (SCU) for a further three years, with preference to be given to a new or continuing female student enrolled in an engineering/science degree.

(Voting against: Crs Mustow/Humphrys).

Over the last three years, scholarships of \$5,000 have been offered annually to students residing in one of the constituent council areas of Ballina, Byron, Lismore or Richmond Valley.

3. St. Helena trunk main upgrade – Early Tender Involvement and tender processes for construction phase

Council resolved that tenders for construction of segment 1 for the St Helena trunk main replacement be invited from:

| | |
|------------------------------|-------------------------------------|
| Ledonne Constructions P/L | Leed Engineering & Construction P/L |
| Mitchell Water Australia P/L | Moody Civil & Pipe P/L |
| O'Leary Infrastructure P/L | TCM Civil P/L, |

subject to receiving satisfactory financial capability assessments.

The project consists of the replacement of the existing 300mm diameter water main from Dorroughby to Binna Burra with a new 600mm diameter water main. The approximate length of this water main is 13km and the total budget estimate is \$21 million. It is expected to construct the pipeline progressively over the next five years.

4. Letting of contract - Nightcap Water Treatment Plant tunnel bulkhead project

It was agreed the contract be let to Tunnelling Solutions Pty Ltd, for the amount of \$2,682,877.93 (including GST), subject to receiving the final financial assessment from Bentley Financial Services Inc. An additional amount of \$1.64M (inclusive of a 20% contingency) be allocated to the project from reserves.

Council meeting summary December 2018

5. Retail Water customer account assistance

In accordance with section 356 (1) of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, Council approved financial assistance in the amount of \$1,507.32.

6. 'Feedback and Complaints Handling' policy

Council adopted its 'Feedback and Complaints Handling' policy as presented.

The policy has been updated to reinforce Council's commitment to being flexible in its receipt of feedback or complaints, by promoting accessibility and raising staff awareness that assumptions should not be made about how people can receive or communicate information. Council's associated procedure is also being updated in accordance with the action.

INFORMATION REPORTS**i). Investments - November 2018**

Total funds invested for November totalled \$34,488,410. This is a decrease of \$507,698 compared to last month's figure, primarily due to loan repayments.

The weighted average return on funds invested for November was 2.67%. This represents an increase of two basis points compared to the October result (2.65%) and is 73 basis points above Council's benchmark (the average 90-day BBSW rate of 1.94%).

Interest earned for November was \$76,615.

Cheque account balance as at 30 November was \$227,050.

Ethical holdings represent 73.5% of the total portfolio. Current holdings in Ethical Financial Institutions equals \$25,350,000.

ii). Water production and usage - November 2018

Daily source usage for November averaged 33.378ML. This is an increase from the October 2018 daily average of 27.987ML.

Rocky Creek Dam as at 30 November 2018 was at 96.98% of full capacity.

iii). Audit, Risk and Improvement Committee: meeting update

Council noted the minutes of the Committee meeting held 26 November 2018.

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

Council meeting summary December 2018

ATTACHMENT(S)

Nil

13 MATTERS DETERMINED WITHOUT DEBATE

Each Councillor is given the opportunity to indicate which items they wish to debate or question. Item numbers identified for debate or questioning will be read to the Meeting.

Following identification of the above items a motion will be moved in regard to the balance of items being determined without debate.

13.1 MATTERS TO BE DETERMINED WITHOUT DEBATE**RECOMMENDATION**

That items identified be determined without debate.

14 GENERAL MANAGER'S REPORTS**14.1 DELIVERY PROGRAM PROGRESS REPORT (JULY 2018 TO DECEMBER 2018)**

Author: Deborah McLean, Manager Governance & Risk

EXECUTIVE SUMMARY

Council adopted the revised 2017/2021 Delivery Program in June 2018. In accordance with the *Local Government Act 1993* the General Manager must ensure that progress reports are provided to the Council reporting on the progress of all principal activities detailed in the Delivery Program at least every six months. This report relates to and provides information about the achievement of the targeted outcomes prescribed in the Delivery Program.

The report is presented in a traffic light indicator format and provides commentary on the progress of all Delivery Program actions and milestones and progress against the Community Strategic Plan (CSP) performance measures for each community objective within the four priority areas of the CSP. The report represents the results at the end of the second quarter of year two of the 2018/2019 financial year.

A dashboard has been provided to summarise Council's overall performance in meeting its four-year targets. The percentage of on schedule and completed traffic lights demonstrates a sound performance for the first 6 months of the second year of the four-year program.

RECOMMENDATION

That Council receive and note the Progress Report (July 2018 to December 2018) on the Delivery Program 2017/2021.

DELIVERY PROGRAM LINKS

Making Council Great

CS1 Leading and Advocating for our Community

CS1.1 Improve decision making by engaging stakeholders and taking community input into account

BUDGET IMPLICATIONS

N/A

REPORT

Figure 1 represents Council's overall performance during the first 6 months of the second year of the Delivery Program 2017/2021 by providing a summary of the completion rate for each activity as reported in the accompanying table. The percentage of Completed and On Schedule items demonstrates that in the first half of year two of the four-year program, Council is making good progress in achieving the outcomes identified in the Delivery Program.

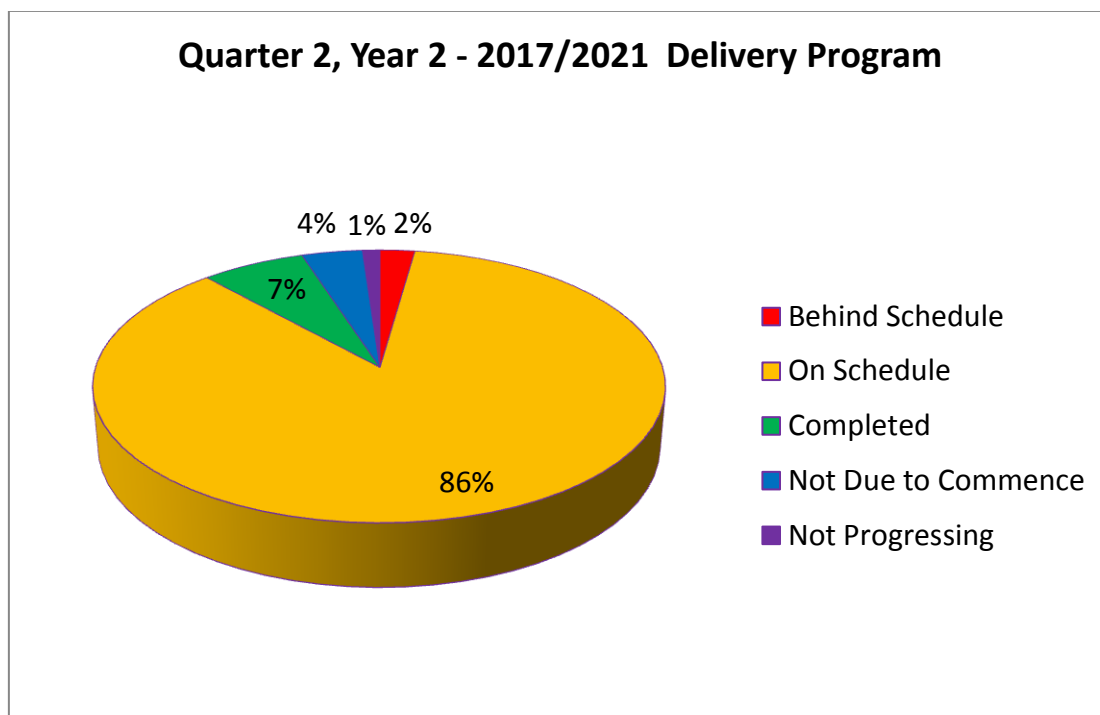


Figure 1: Quarter 2, Year 2 – 2017/2021 Delivery Program

The Delivery Program report is presented in individual tables containing the progress towards completion of all Delivery Program activities and targets against the four priority areas in the Community Strategic Plan.

The status is defined as:

- Green: The action or milestone has been completed.
- Amber: The action or milestone is on schedule and is being actively managed.
- Blue: The action or target is not due to commence in the reporting period.
- Purple: The action is not progressing.
- Red: The action or milestone is behind schedule.

The progress report relates to quarters one and two of the 2018/2019 financial year.

LEGAL

In accordance with *the Local Government Act 1993* the General Manager must ensure that progress reports are provided to Council with respect to the principal activities detailed in Council's Delivery Program, at least every six months. The report represents the period 1 July 2018 to 31 December 2018 which is in accordance with the requirements under the Act.

CONSULTATION

The progress report has been compiled in consultation with management and staff.

CONCLUSION

Council's Integrated Planning and Reporting framework consists of a range of plans and reports, including a four-year Delivery Program. This report provides a progress report to the Council with respect to the principal activities detailed in the Delivery Program in accordance with the provisions of the Local Government Act.

ATTACHMENT(S)

1. **Delivery Program Progress Report (1 July 2018 - 31 December 2018) (under separate cover)**

14.2 CONDUCT OF THE 2020 LOCAL GOVERNMENT ELECTION

Author: Deborah McLean, Manager Governance & Risk

EXECUTIVE SUMMARY

Council is required by the *Local Government Act 1993* (the Act) to resolve the conduct of local government elections. The next local government election will occur on 12 September 2020.

The Act requires that, at least 18 months before the next local government election, Council must resolve that either the General Manager or the NSW Electoral Commissioner (NSWEC) will administer the election. The 18 month cut-off for a council resolution under the Act for the 2020 Local Government Election is 12 March 2019.

On 8 February 2019 the Office of Local Government (OLG) notified Councils that the Government has approved a review by the Independent Pricing and Regulatory Tribunal (IPART) of the costs of conducting local government elections in NSW, and that the review may impact on the administration of the 2020 council elections.

In response to these developments, the NSWEC has advised that Council's will not be required to enter into any formal arrangements regarding the election until after the IPART review.

Prior to these developments in order to consider a fully costed proposal, Council participated in a tender for the Provision of Local Government Election Services for the 2020 and 2024 Local Government Elections. One tender response was received by the Australian Electoral Company (AEC), an independent election services provider

Despite the pending IPART review Council may still resolve for the General Manager to either administer its own election, or resolve that the NSWEC will administer the election. Having considered the pending IPART review, the cost comparisons, and the NSWEC's considerable expertise and experience in conducting elections, this report recommends that Council resolve to engage the NSWEC to conduct the 2020 Local Government Election, and any other elections, polls and constitutional referenda, and enter into arrangements with the NSWEC subject to the outcomes of the IPART review.

RECOMMENDATION

It is resolved that:

1. Council enter into an election arrangement by contract with the NSW Electoral Commissioner pursuant to sections 296AA and 296 of the *Local Government Act 1993*, to administer all elections, including council polls and constitutional referenda of the Council;
2. Authority be delegated to the General Manager to negotiate and execute the contract with the NSW Electoral Commissioner subject to the outcomes of IPART's review into the cost of Local Government Elections.

DELIVERY PROGRAM LINKS

Making Council Great

CS1: Leading and Advocating for our Community

CS1.3: Ensure transparency and accountability in council's operations

BUDGET IMPLICATIONS

NSWEC had indicated that a detailed cost estimate would be provided to Council in mid to late January 2019, however due to the pending IPART review the NSWEC will not be providing estimates at this time. Upon receiving a detailed cost estimate, future year expenditure estimates will be adjusted accordingly. The cost of conducting the 2016 election was \$133,004 (GST exc). For comparison purposes, based on the cost of the 2016 election, Council has budgeted in its forward estimates \$150,000 for the conduct the 2020 Local Government Elections. The tendered price by the AEC is provided as a confidential attachment to this report.

REPORT

Section 296AA of the Act requires that, at least 18 months before the next election, councils must resolve that either the General Manager or the NSW Electoral Commissioner (NSWEC) will administer the election.

The next local government election is 12 September 2020, and the 18 month cut-off for Council's resolution is 12 March 2019.

It is open to councils to engage the NSWEC to conduct elections only or elections, council polls and constitutional referenda. A council may take a poll of electors for information and guidance on any matter.

In June 2018 Council signed a letter of participation with Regional Procurement to enter into a tender process on a fee for service basis for the conduct of the 2020 and 2024 local government elections. A tender was submitted in September 2018 on behalf of 16 Council's across NSW and as a result there was one tender received from AEC, an independent election services provider. If this tender is accepted Council has the option to fully outsource or partially outsource the management of its election.

A copy of the tendered price for Council to fully or partially outsource the 2020 Local Government Election is attached as a confidential attachment to this report. It is confidential on the basis that it includes commercial information of a confidential manner. For comparison purposes, based on the cost of the 2016 election, Council has budgeted in its forward estimates \$150,000 for the NSWEC to conduct the 2020 Local Government Elections.

On 8 February 2019 the Office of Local Government (OLG) notified Councils that the Government has approved a review by IPART of the costs of conducting local government elections in NSW. As the outcome of the IPART review may impact on the administration of the 2020 council elections it is proposed to introduce legislation to extend the deadline for councils to make a decision on the administration of their elections to 1 January 2020. A copy of OLG Circular 19-02 IPART review the costs of conducting local government elections and extension of deadline for councils to make a decision on the administration of their elections is attached as an annexure to this report.

In response to these developments the NSWEC have advised that they will not be providing cost estimates for the 2020 Local Government Elections and that Council's will need to consider the findings before making a decision to engage the NSWEC. Having said that however, Council may still resolve to engage the NSWEC and make any formal arrangements regarding the conduct of the elections after the IPART review has concluded. A copy of the correspondence from the NSWEC in response to the IPART review is included as an attachment to this report.

Based on the comparisons, and because the NSWEC has a great deal of expertise and experience in conducting elections, and has successfully conducted the Richmond Valley Council's past elections, it is recommended that Council resolve to enter into a contract for the NSWEC to administer the 2020 Local Government Election.

It is open to councils to engage the NSWEC to conduct elections only or elections, council polls and constitutional referenda. On the advice of the NSWEC Council will not be required to enter into formal arrangements with the NSWEC until after the IPART review.

Any contract made will be automatically terminated 18 months before the 2024 Local Government Election, or on reasonable notice by either Richmond Valley Council or the NSWEC (section 296(6) and (7) of the Act).

CONSULTATION

Not applicable

CONCLUSION

Administration of an ordinary election is highly complex, requiring transparent and fair processes. The option of Richmond Valley administering its own elections, polls and referenda has been considered and tenders procured. In regards to the costing comparisons between the NSWEC and AEC, Richmond Valley Council has no experience or capacity to administer elections, and the NSWEC has a great deal of expertise and experience in conducting elections, having successfully conducted Council's past elections.

It is recommended that Council resolve to engage the NSWEC to administer its elections, polls and referenda for the September 2020 Local Government Election and enter into formal arrangements with the NSWEC subject to the outcomes of the IPART review

ATTACHMENT(S)

1. **OLG Circular 19-02 IPART review of the cost of conducting local government elections**
2. **Letter from NSWEC - IPART review into Local Government election costs**
3. **Evaluation Report - Commercial In Confidence - Provision of Local Government Election Services - Confidential (under separate cover)**
4. **Regional Procurement Evaluation Matrix - Commercial In Confidence - Provision of Local Government Election Services Tender - Confidential (under separate cover)**



Office of
Local Government

Circular to Councils

| | |
|-----------------------------|---|
| Circular Details | 19-02 / 8 February 2019 / A635365 |
| Previous Circular | <i>18-43 Council decisions on the administration of the September 2020 elections</i> |
| Who should read this | Councillors / General Managers / Council Governance Staff |
| Contact | Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au |
| Action required | Information |

IPART review of the costs of conducting local government elections and extension of the deadline for councils to make a decision on the administration of their elections

What's new or changing?

- The Government has approved a review by the Independent Pricing and Regulatory Tribunal (IPART) of the costs of conducting local government elections in NSW. The matters for consideration under the review's terms of reference are provided in the attachment to this circular.
- The purpose of IPART's review is to ensure a robust methodology for determining costs is applied, in order to minimise the financial burden on councils and ratepayers and to ensure local government elections are conducted efficiently and cost effectively.
- IPART has been requested to report to the Minister for Local Government recommending a costing methodology to be applied in determining the amount the NSW Electoral Commissioner (NSWEC) charges councils to administer their ordinary elections.
- In undertaking its review, IPART is expected to consult with relevant stakeholders including councils.
- IPART is to report to the Minister for Local Government by **30 August 2019**.
- As the outcomes of the IPART review may impact on the administration of the September 2020 council elections, it is proposed to introduce legislation in the first parliamentary sitting period of 2019 following the NSW State Election to amend the *Local Government Act 1993* (the LGA) to extend the deadline for councils to make a decision on the administration of their elections under sections 296AA and 296. This deadline will be extended to **1 January 2020**.

What this will mean for your council

- Under the proposed amendments, councils will have until **1 January 2020** to resolve to make a decision on the administration of their elections and enter into any arrangements with the NSWEC.

Key points

- Under section 296AA of the LGA, councils must, at least 18 months before each ordinary council election, resolve to either enter into an election arrangement with the NSWEC to administer its elections or that elections are to be administered by the council's general manager.

- Under section 296(3)(b), where a council enters into an election arrangement with the NSWEC, the arrangement must be entered into no later than 15 months before the ordinary council elections.
- Under section 296(5), councils can enter into an election arrangement for the NSWEC to administer an ordinary council election less than 15 months before the election if the council has resolved to enter into the election arrangement and the NSWEC is satisfied that there are exceptional circumstances that make it necessary or desirable for the election to be administered by the NSWEC.

Where to go for further information

- Contact OLG's Council Governance Team by telephone on 02 4428 4100 or by email at olg@olg.nsw.gov.au
- Contact the NSW Electoral Commission by telephone on 02 9290 5999.



Tim Hurst
Chief Executive

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3
Attachment

Matters for consideration under IPART's terms of reference

Matters for consideration

IPART is requested to provide a report to the Minister for Local Government recommending a costing methodology to be applied in determining the amount the NSWEC charges councils which use the NSWEC to administer their ordinary elections.

The purpose of the IPART's review is to ensure a robust methodology for determining costs is applied, in order to minimise the financial burden on councils and ratepayers and ensure local government elections are conducted efficiently and cost effectively.

In undertaking the review, IPART is to:

- review the NSWEC's existing methodology for determining the amount to be charged to councils which use the NSWEC to conduct their elections
- consider whether it is appropriate for the amount charged to be limited to the direct and unavoidable costs of conducting the council's election
- have regard to the market for electoral services in which the NSWEC operates
- have regard to any differences in the costs involved in conducting elections in metropolitan and regional areas
- have regard to any other matters it considers relevant.

Consultation

IPART should consult with relevant stakeholders and NSW Government agencies as part of its review. It may also hold public hearings and publicly release a draft report.

Reporting

IPART is to submit its final report to the Minister for Local Government by Friday 30 August 2019.



11 February 2019

Dear General Manager

Cost estimates for the 2020 Local Government Elections

As you may be aware, the NSW Government has announced that the Independent Pricing and Regulatory Tribunal (IPART) is to undertake a review of the costs of conducting local government elections in NSW.

The Government has also announced its intention to amend the *Local Government Act 1993* to extend the timetable for councils who wish to enter into agreements with the NSW Electoral Commission (NSWEC) to conduct their 2020 ordinary elections.

More information about this announcement is contained in the Office of Local Government's Circular to Councils No. 19-02 dated 8 February 2019.

In light of these developments, the NSWEC will not be providing cost estimates to councils for the 2020 ordinary elections at this time.

It would not be practical for the NSWEC to estimate its costs to councils without first having regard to the findings of the IPART review and the Government's response. Similarly, I understand that councils will wish to consider the IPART findings and the Government's response to those findings, before making a final decision to engage the NSWEC.

For those councils who have already resolved, or are currently considering resolving to engage the NSWEC, the formal arrangements regarding the conduct of their elections will need to be finalised after the IPART review has concluded.

Should you wish to discuss this matter please contact Mr Steve Robb, Director Customer Service & Relationship Management NSW Electoral Commission on (02) 9290 5431 or Steve.Robb@elections.nsw.gov.au

Kind Regards

A handwritten signature in black ink that reads 'John Schmidt'. The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

John Schmidt
Electoral Commissioner

15 FINANCIAL REPORTS**15.1 QUARTERLY BUDGET REVIEW STATEMENT FOR THE QUARTER ENDED 31 DECEMBER 2018**

Author: Ryan Gaiter, Chief Financial Officer / Manager Mid-Richmond

EXECUTIVE SUMMARY

This report outlines the proposed adjustments to the 2018/2019 budget for the quarter ended 31 December 2018. These adjustments exclude all previously adopted Monthly Budget Adjustments.

The proposed changes see Council's projected operating surplus from continuing operations for 2018/2019 increase from the revised budget operating surplus as at 30 September 2018 of \$10,199,900 to \$12,373,805. This increase of \$2,173,905 is largely a result of the inclusion of capital grants Council has been successful in applying for. The operating result before capital grants and contributions has improved by \$45,416, to a projected loss of \$4,269,305. There has been an increase in reserve funding of \$941,714, with a revised projected transfer from cash reserves of \$1,010,596. This is primarily due to the removal of \$1,000,000 in loan borrowings within waste fund as a result of deferring the construction of cell 6 at the Nammoona Landfill.

Income from continuing operations has increased by \$2,245,971, with total income now projected to be \$73,665,829. This is largely due to Council being successful with a number of grant funded projects including \$1,150,989 in Round 2 of the Stronger Country Communities Fund for upgrades at six of Council's sports grounds (with an additional \$569,920 to be received in 2019/2020) as well as \$837,500 under the Building Better Regions Fund for the construction of the new Casino Visitor Information Centre, car parking and landscaping at the Casino Drill Hall site and a number of other smaller grant programs. In addition, income from Section 7.12 contributions is anticipated to increase by \$100,000 due to strong development activity year to date.

Expenses from continuing operations have increased by \$72,066 with total operating expenses now projected to be \$61,292,024. This increase is largely due to grant funding of \$41,274 being allocated to assist Council in the implementation of the new *Crown Land Management Act 2016* in developing compliant plans of management, along with an increase in the Coraki Caravan Park operating expenditure budget of \$28,000, funded from an increase in operating income.

Council's capital works program has increased by \$2,098,063, to a projected total of \$33,477,311. This is mainly due to Council being successful with grant funding of \$1,150,989 under Round 2 of the Stronger Country Communities Fund and \$837,500 under the Building Better Regions Fund as mentioned above.

A detailed Quarterly Budget Review Statement for the second quarter of the 2018/2019 year has been circulated separately to each Councillor. These changes are disclosed by Priority Areas on pages 2-8 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-11.

RECOMMENDATION

That Council adopt the Quarterly Budget Review Statement as at 31 December 2018 and approve the recommended variations.

DELIVERY PROGRAM LINKS

Making Council Great

CS2 Great Support

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

BUDGET IMPLICATIONS

As detailed in the report.

REPORT

The budget review for the second quarter of the 2018/2019 financial year has seen Council's operating surplus from continuing operations improve to a projected surplus of \$12,373,805. This is an increase of \$2,173,905 from the revised budget as at 30 September 2018 of \$10,199,900. Council's projected operating result before capital grants and contributions is a loss of \$4,269,305.

Council's estimated budget result (unrestricted cash result) has improved marginally from \$287,564 to a projected surplus of \$305,120.

In overall cash terms, there is an increase in the estimated funding from reserves of \$941,714, with an estimated transfer from reserves of \$1,010,596 for the 2018/2019 financial year. This increase is predominately due to the removal of loan borrowings in waste fund as a result of deferring the construction of cell 6 at the Nammoona Landfill.

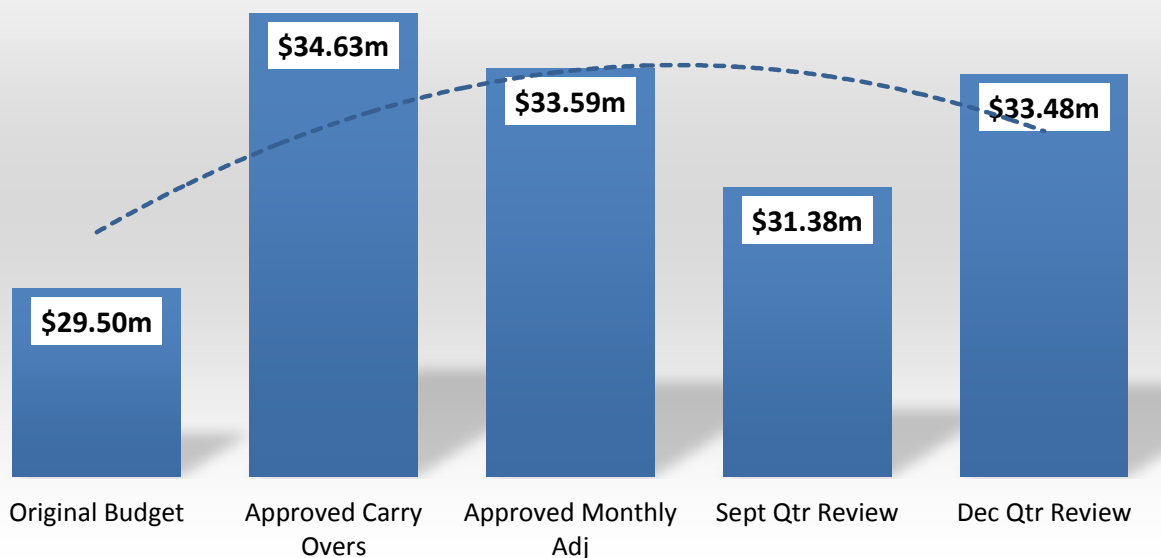
Income from continuing operations has increased by \$2,245,971, with total income now projected to be \$73,665,829. This is mainly due to successful grant funding including \$1,150,989 for six projects under Round 2 of the Stronger Country Communities Fund (with a further \$569,920 to be received in 2019/2020), along with \$837,500 under the Building Better Regions Fund for the construction of the new Casino Visitor Information Centre, car parking and landscaping at the Casino Drill Hall site and a number of smaller grant programs. Section 7.12 contributions are estimated to increase by \$100,000 due to strong development activity in the first two quarters of 2018/2019. All recommended changes for Council resolution of \$2,245,971 are disclosed by Priority Area on pages 4 and 7 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-11.

Expenses from continuing operations have increased by \$72,066 to a projected total of \$61,292,024. This is mainly due to grant funding of \$41,274 being allocated to assist Council in the implementation of the new *Crown Land Management Act 2016* in developing compliant plans of management, along with an increase in the Coraki Caravan Park operating expenditure budget of \$28,000, funded from an increase in operating income. All recommended changes for Council resolution of \$72,066 are disclosed by Priority Area on page 5 of the Quarterly Budget Review Statement and detailed explanations are provided on pages 9-11.

Council's capital works budget has increased by \$2,098,063. The projected capital works program now totals \$33,477,311, with the increases being predominately as a result of successful grant funding. This includes \$1,150,989 under Round 2 of the Stronger Country Communities Fund towards upgrades at six of Council's sports grounds and \$837,500 under the Building Better Regions Fund towards construction of the new Casino Visitor Information Centre, car parking and landscaping. All recommended changes to the Capital Works Program are disclosed by Priority Area on page 6 of Council's Quarterly Budget Review Statement and detailed explanations are provided on pages 9-11.

The following graph tracks the movement in the capital works program for 2018/2019 from the original budget, after the adoption of approved carry over works and other approved monthly adjustments up to the December Quarterly Budget Review.

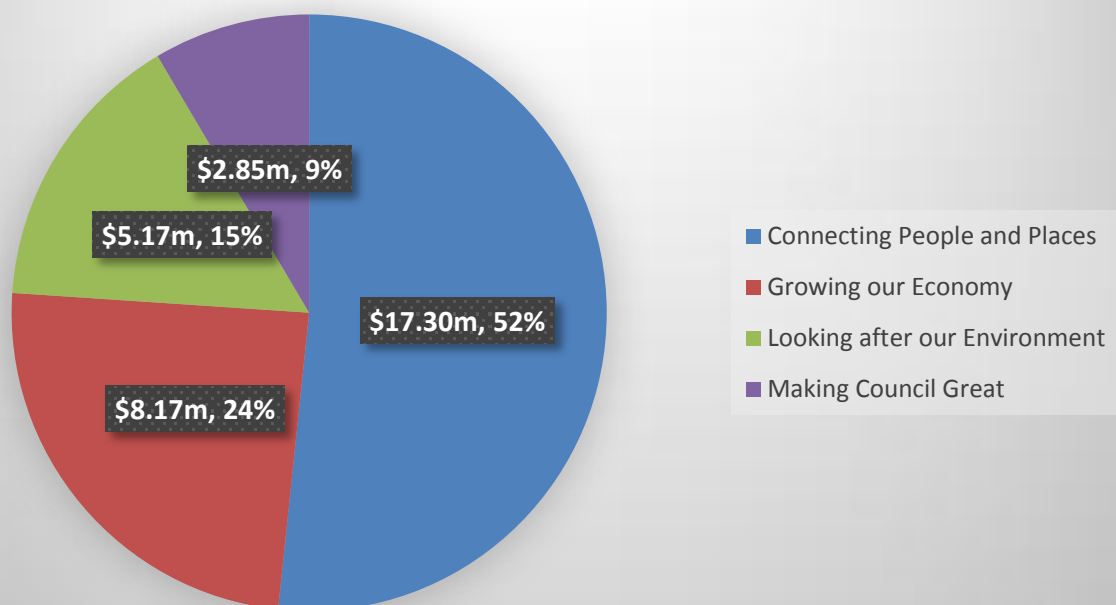
Movement in Capital Works Program 2018/2019



Council has a sizeable capital works program of \$33,477,311 which will need to be closely monitored and further reviewed during the March and June quarters to ensure all projects can be delivered.

The following graph provides a summary of the capital works program by Priority Area:

Capital Works Program by Priority Area 2018/2019



Council's projected budget position and recommended changes for Council resolution are summarised in the table below with detailed explanations contained in the attachment to the Business Paper:

| Quarterly Budget Review Statement for the quarter ended 30 September 2018 | Revised Budget 30-Sep-18 | Recommended Changes for Council Resolution | Projected Year End Result 2018/2019 |
|--|-----------------------------|---|---|
| Income from Continuing Operations | 71,419,858 | 2,245,971 | 73,665,829 |
| Expenses from Continuing Operations | 61,219,958 | 72,066 | 61,292,024 |
| Operating Result from Continuing Operations | 10,199,900 | 2,173,905 | 12,373,805 |
| Operating Result before Capital Income | (4,314,721) | 45,416 | (4,269,305) |
| Add: Non-Cash Expenses | 17,866,929 | 0 | 17,866,929 |
| Add: Non-Operating Funds Employed | 5,900,934 | (1,000,000) | 4,900,934 |
| Less: Capital Expenditure | 31,379,248 | 2,098,063 | 33,477,311 |
| Less: Loan Repayments | 2,369,833 | 0 | 2,369,833 |
| Estimated Funding Result – Surplus/(Deficit) | 218,682 | (924,158) | (705,476) |
| Restricted Funds – Increase/(Decrease) | (68,882) | (941,714) | (1,010,596) |
| Unrestricted Funds – Increase/(Decrease) | 287,564 | 17,556 | 305,120 |

Pages 9 to 11 of the attached Quarterly Budget Review Statement contain the budget variation explanations. A summary of the main contributing factors within each Priority Area is as follows:

Connecting People & Places

- Increase in Sports Grounds, Parks and Facilities capital grants of \$1,988,489 and capital expenditure of \$2,030,528. This is mainly due to successful grant funding including \$1,150,989 in Round 2 of the Stronger Country Communities Fund (with a further \$569,920 to be received in 2019/2020) for upgrades at six of Council's sports grounds, along with \$837,500 under the Building Better Regions Fund towards the construction of the new Casino Visitor Information Centre, car parking and landscaping at the Casino Drill Hall site.

Growing our Economy

- Increase in Section 7.12 contributions of \$100,000 as a result of strong development activity year to date.

Looking after our Environment

- Decrease in loan funds of \$1,000,000 due to the deferral of the construction of cell 6 at the Nammoona Landfill.

Making Council Great

- Increase in operating income of \$101,476. This is mainly due to an increase in Paid Parental Leave received by Council of \$26,089, an increase in Work, Health and Safety Incentive payments of \$31,340 as well as grant funding of \$41,274 to assist with implementing changes to the *Crown Land Management Act 2016*.
- Increase in operating expenditure of \$41,274 in relation to grant funding for implementing changes to the *Crown Land Management Act 2016*.

CONCLUSION

As at the end of the second quarter, Council's operating result from continuing operations is a projected surplus of \$12,373,805, with a projected loss before capital grants and contributions of \$4,269,305. Council's capital works budget has increased to \$33,477,311 and this will need to be closely monitored to ensure all projects can be delivered. Council's estimated budget result (unrestricted cash result) has improved to a projected surplus of \$305,120 and overall, Council's projected financial position at year end remains satisfactory.

ATTACHMENT(S)

1. **Quarterly Budget Review Statement for the quarter ended 31 December 2018 (under separate cover)**

15.2 FINANCIAL ANALYSIS REPORT - DECEMBER 2018 & JANUARY 2019

Author: Ryan Gaiter, Chief Financial Officer / Manager Mid-Richmond

EXECUTIVE SUMMARY

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

The value of Council's Investment Portfolio as at 31 December 2018 and 31 January 2019 including General Bank Accounts and Trust Funds are shown below.

| Month | Investment Portfolio | General Bank Accounts | Trust Funds | Total |
|---------------|----------------------|-----------------------|-------------|--------------|
| December 2018 | \$44,304,145 | \$1,246,922 | \$87,050 | \$45,638,117 |
| January 2019 | \$43,004,957 | \$1,028,812 | \$87,050 | \$44,120,819 |

The average rate of return on Council's investments for December 2018 was 2.48% which is above the 90 Day Bank Bill Index for December of 2.02%.

The average rate of return on Council's investments for January 2019 was 3.48% which is above the 90 Day Bank Bill Index for January of 2.07%.

RECOMMENDATION

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month December 2018 and January 2019.

DELIVERY PROGRAM LINKS

Making Council Great

CS 2 Great Support

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

BUDGET IMPLICATIONS

As at 31 December 2018, Council had earned \$260,387 in interest and \$68,956 in fair value gains for total investment revenue of \$329,343 against a budget of \$810,953 (which equates to 40.61%).

As at 31 January 2019, Council had earned \$284,328 in interest and \$239,769 in fair value gains for total investment revenue of \$524,097 against a budget of \$810,953 (which equates to 64.63%).

REPORT**Reserve Bank of Australia (RBA) Cash Rate Update**

The RBA left the cash rate unchanged at 1.50% per annum at its December 2018 meeting and didn't have a meeting during January 2019.

Rate of Return

The average rate of return on investments decreased in December 2018 to 2.48%, a decrease of 5 basis points from the previous month. This rate of return is 46 basis points above the 90 Day Bank Bill Index of 2.02% which is Council's benchmark.

The average rate of return on investments increased in January 2019 to 3.48%, an increase of 100 basis points from the previous month. This rate of return is 141 basis points above the 90 Day Bank Bill Index of 2.07% which is Council's benchmark.

Council's Investment Portfolio

The value of Council's Investment Portfolio as at 31 December 2018 and January 2019 including General Bank Accounts and Trust Funds are shown below.

| Month | Investment Portfolio | Face Value | General Bank Accounts | Trust Funds |
|---------------|----------------------|--------------|-----------------------|-------------|
| December 2018 | \$44,304,145 | \$43,996,635 | \$1,246,922 | \$87,050 |
| January 2019 | \$43,004,957 | \$42,526,635 | \$1,028,812 | \$87,050 |

The Investment Portfolio balance at 31 December 2018 of \$44,304,145 is made up of Council's Business Online Saver Account (\$3,493,324), Term Deposits (\$26,000,000) and NSW Treasury Corporation Investments (\$14,810,821).

The Investment Portfolio balance at 31 January 2019 of \$43,004,957 is made up of Council's Business Online Saver Account (\$3,023,324), Term Deposits (\$25,000,000) and NSW Treasury Corporation Investments (\$14,981,633).

Council's investment portfolio has maturity dates ranging from same day up to 732 days. Term deposits of \$26,000,000 represented 58.69% of the total portfolio as at 31 December 2018. Council made four new term deposits during the month of December 2018; one with each of MyState Bank Limited, Australian Military Bank, Auswide Bank and Heritage Bank none of which support the fossil fuel industry. These term deposits were chosen as they offered the highest available return after diversification principles were applied. Four term deposits matured during the period.

Term deposits of \$25,000,000 represented 58.13% of the total portfolio as at 31 January 2019. No new term deposits were made in January 2019 and one term deposit matured during the period.

Council had \$14,810,821 in longer term investments being the Cash Facility Trust and Medium Term Growth Fund with NSW Treasury Corporation as at 31 December 2018 and \$14,981,633 in these investments as at 31 January 2019. The investment values as at 31 December 2018 and 31 January 2019 are shown below.

| Month | Cash Facility Trust | Medium Term Growth Trust |
|---------------|---------------------|--------------------------|
| December 2018 | \$6,031,243 | \$8,779,578 |
| January 2019 | \$6,044,377 | \$8,937,256 |

Environmentally Sustainable Investments (ESI's)

The current holdings in ESI's is \$15,000,000 or 34.88% of the total portfolio. The information for the assessment has been sourced from the website www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia.

TCorp and CDO Update

During December 2018 Council's Medium Term Growth Fund investment of \$9,005,029 experienced a fair value loss of (\$44,815) for the month or (\$225,452) year to date. While in January 2019 Council's Medium Term Growth Fund experience a fair value gain of \$157,678 for the month which has reduced the year to date loss to (\$67,773). Hopefully this investment will continue to recover and year to date gains will be achieved in the near future. The historic gains from these investments would warrant persevering through any short-term volatility.

Council received further revenue of \$2,520 from the Lifeplan PM Scheme (a class action by numerous entities that lost funds through Beryl Finance Limited (Esperance) CDO's during the Global Financial Crisis) in December 2018. No further payments are expected from this class action.

CONCLUSION

During the months of December 2018 and January 2019 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy. As at 31 December 2018 Council's investments totalled \$44,304,145 with a further \$1,333,972 held in bank accounts. The average rate of return was 2.48% for the month of December and total investment revenue equals 40.61% of budgeted revenue for the year to 31 December 2018. As at 31 January 2019 Council's investments totalled \$43,004,957 with a further \$1,115,862 held in bank accounts. The average rate of return was 3.48% for the month of January and total investment revenue equals 64.63% of budgeted revenue for the year to 31 January 2019.

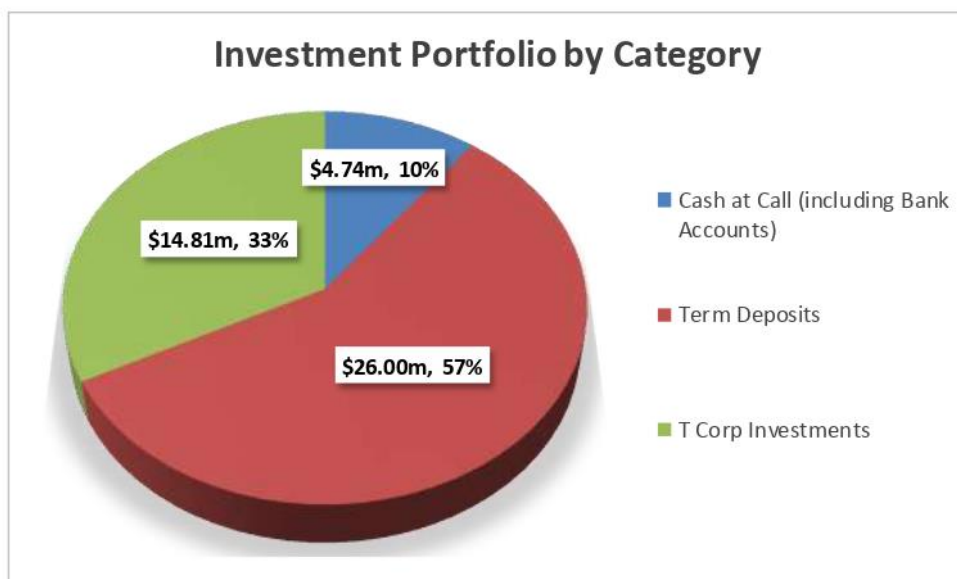
ATTACHMENT(S)**1. Financial Analysis Report Attachments**

Attachment(s)

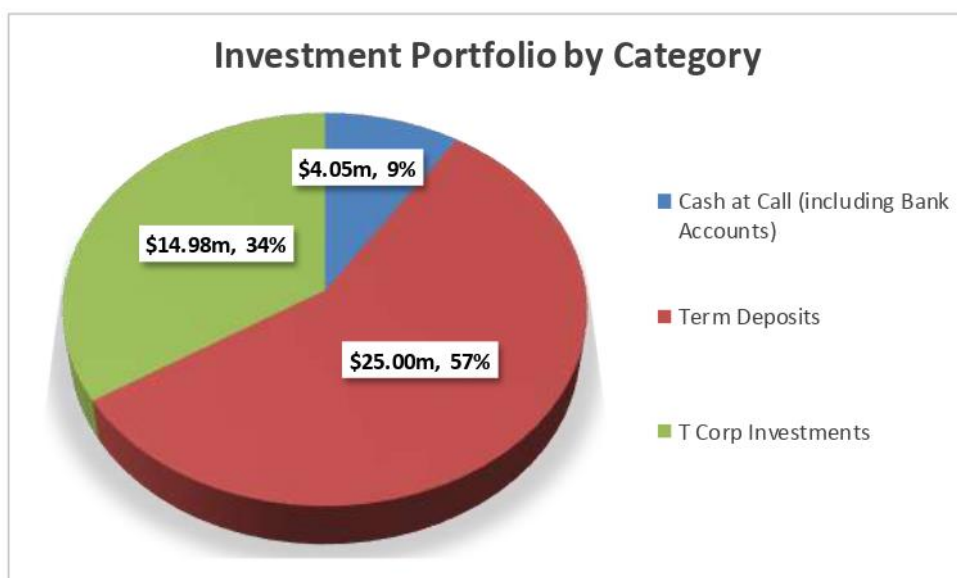
Included below:

1. Supporting Graphs,
2. Investment Portfolio as at 31 December 2018; and
3. Investment Portfolio as at 31 January 2019.

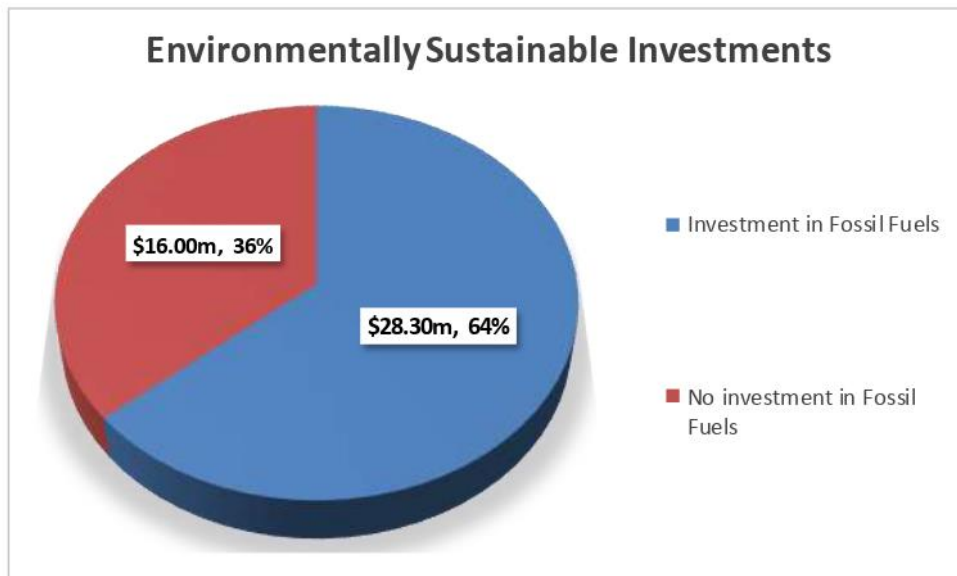
The following graph shows Council's investment portfolio by investment category as at 31 December 2018.



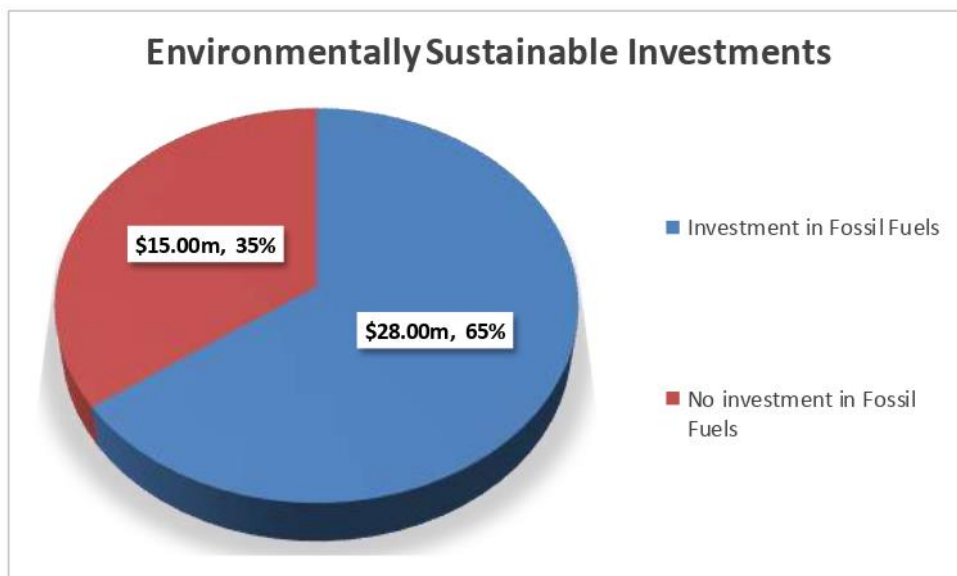
The following graph shows Council's investment portfolio by investment category as at 31 January 2019.



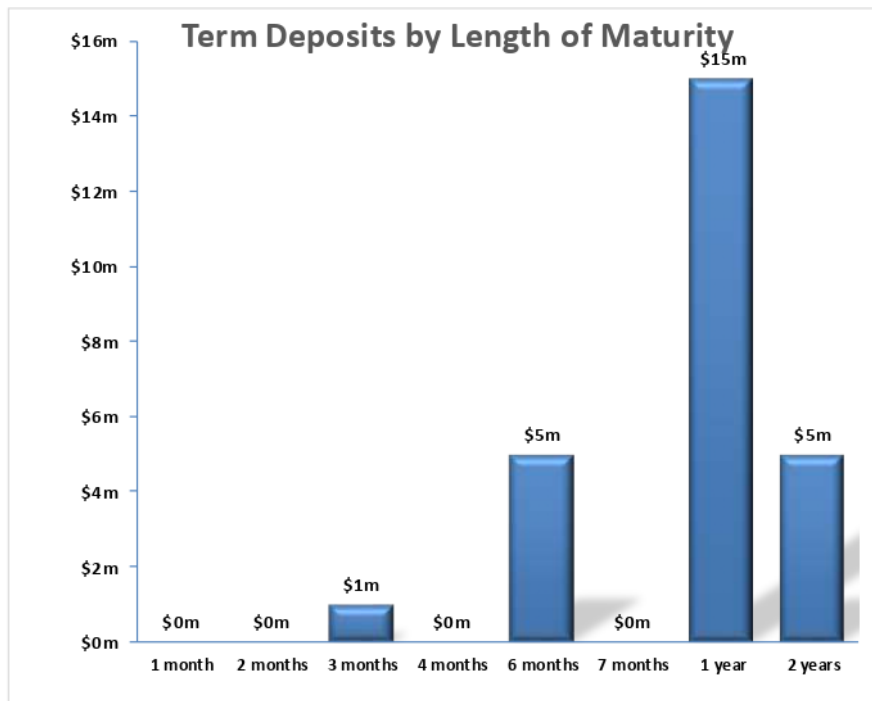
The following graph details Council's Environmentally Sustainable Investments as a percentage of Council's investment portfolio as at 31 December 2018.



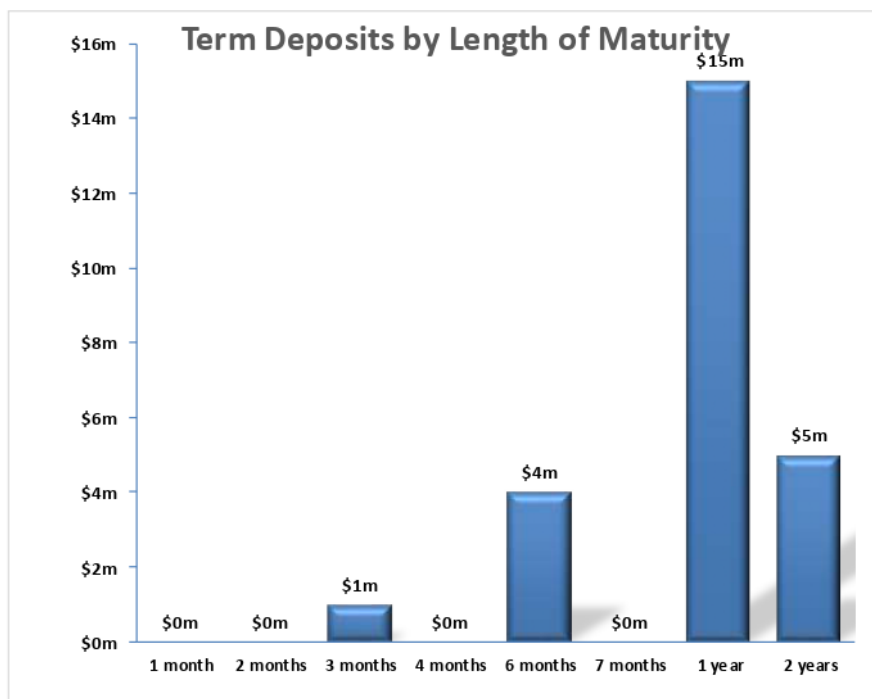
The following graph details Council's Environmentally Sustainable Investments as a percentage of Council's investment portfolio as at 31 January 2019.



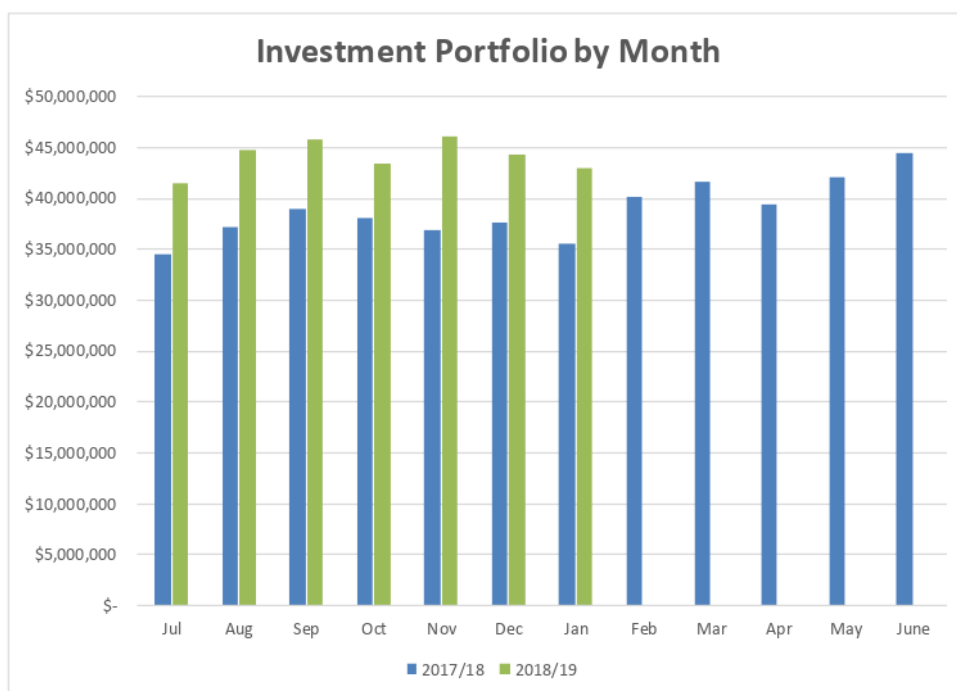
The following graph shows the length of time of Council's term deposit maturities as at 31 December 2018.



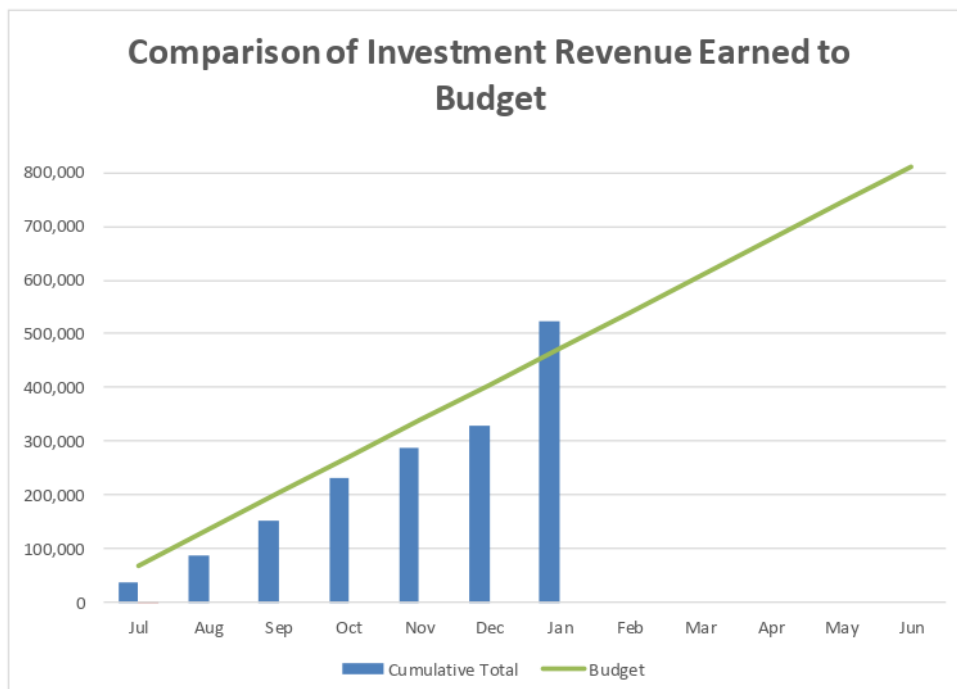
The following graph shows the length of time of Council's term deposit maturities as at 31 January 2019.



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



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



| RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31 DECEMBER 2018 | | | | | | | | | | |
|--|-----------------|------------------|---|-----------------|---------------|----------------|---------------------------|-------------------------------|------------------------------------|----------------------|
| Investment Source | Investment Type | Rating | Environmentally Sustainable Investments | Investment Date | Maturity Date | Rate of Return | Original Investment Value | Current Investment Fair Value | Interest/ Fair Value Gain Received | % of Total Portfolio |
| <u>Cash at Call</u> CBA Business Online Saver Interest on Other Bank Accounts | At Call | A1+/AA | N | At Call | | 1.40% | N/A | 3,493,324 | 4,974,422 | 7.88% |
| | | | | | | Total | | 3,493,324 | 5,396 | 7.88% |
| <u>Term Deposits</u> | | | | | | | | | | |
| Westpac | Term Deposit | A1+/AA- | N | 20/02/2018 | 20/02/2019 | 2.63% | N/A | 1,000,000 | 0 | 2.26% |
| ING Direct | Term Deposit | A2/A- | N | 21/02/2018 | 21/02/2020 | 2.90% | N/A | 1,000,000 | 0 | 2.26% |
| Westpac | Term Deposit | A1+/AA- | N | 1/03/2018 | 1/03/2019 | 2.62% | N/A | 1,000,000 | 0 | 2.26% |
| ING Direct | Term Deposit | A2/A- | N | 1/03/2018 | 2/03/2020 | 2.88% | N/A | 1,000,000 | 0 | 2.26% |
| ING Direct | Term Deposit | A2/A- | N | 5/03/2018 | 5/03/2020 | 2.88% | N/A | 1,000,000 | 0 | 2.26% |
| MyState Bank Limited | Term Deposit | A2/BBB | Y | 6/03/2018 | 6/03/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.26% |
| Bank of QLD | Term Deposit | A2/BBB+ | N | 28/05/2018 | 28/05/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.26% |
| Members Equity Bank | Term Deposit | A2/BBB | Y | 29/05/2018 | 29/05/2019 | 2.80% | N/A | 1,000,000 | 0 | 2.26% |
| AMP Ltd | Term Deposit | A1-A | N | 1/06/2018 | 3/06/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.26% |
| Peoples Choice Credit Union | Term Deposit | A2/BBB | Y | 12/06/2018 | 12/06/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.26% |
| Greater Bank | Term Deposit | A2/BBB | Y | 13/06/2018 | 12/06/2020 | 3.00% | N/A | 1,000,000 | 0 | 2.26% |
| Greater Bank | Term Deposit | A2/BBB | Y | 13/06/2018 | 13/06/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.26% |
| Heritage Bank | Term Deposit | A3/P2 | Y | 28/06/2018 | 9/01/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.26% |
| Heritage Bank | Term Deposit | A3/P2 | Y | 28/06/2018 | 28/06/2019 | 3.10% | N/A | 1,000,000 | 0 | 2.26% |
| AMP Ltd | Term Deposit | A1-A | N | 27/08/2018 | 25/02/2019 | 3.00% | N/A | 1,000,000 | 0 | 2.26% |
| Defence Bank | Term Deposit | A2/BBB | Y | 3/09/2018 | 2/09/2020 | 3.00% | N/A | 1,000,000 | 0 | 2.26% |
| Westpac | Term Deposit | A1+/AA- | N | 3/09/2018 | 3/09/2019 | 2.76% | N/A | 1,000,000 | 0 | 2.26% |
| AMP Ltd | Term Deposit | A1-A | N | 10/09/2018 | 11/03/2019 | 3.00% | N/A | 1,000,000 | 0 | 2.26% |
| Police Credit Union Limited | Term Deposit | Unrated | Y | 9/10/2018 | 9/04/2019 | 2.85% | N/A | 1,000,000 | 0 | 2.26% |
| Bank of Us | Term Deposit | Unrated | Y | 29/11/2018 | 29/11/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.26% |
| Bank of Us | Term Deposit | Unrated | Y | 29/11/2018 | 29/11/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.26% |
| Auswide Bank | Term Deposit | A3/BBB- | Y | 29/11/2018 | 28/05/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.26% |
| MyState Bank Limited | Term Deposit | A2/BBB | Y | 3/12/2018 | 3/12/2019 | 2.85% | N/A | 1,000,000 | 0 | 2.26% |
| Australian Military Bank | Term Deposit | Unrated | Y | 4/12/2018 | 4/12/2019 | 2.99% | N/A | 1,000,000 | 0 | 2.26% |
| Auswide Bank | Term Deposit | A3/BBB- | Y | 12/12/2018 | 12/12/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.26% |
| Heritage Bank | Term Deposit | A3/P2 | Y | 13/12/2018 | 14/03/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.26% |
| AMP Rebate | | | | | | | | | 0 | |
| <u>Matured Term Deposits</u> | | | | | | | | | | |
| Defence Bank | Term Deposit | A2/BBB | | 4/12/2017 | 6/12/2018 | | | | 27,641 | |
| MyState Bank Limited | Term Deposit | A2/BBB | | 1/06/2018 | 3/12/2018 | | | | 14,496 | |
| MyState Bank Limited | Term Deposit | A2/BBB | | 12/06/2018 | 11/12/2018 | | | | 14,439 | |
| Elders Rural Bank | Term Deposit | A2/BBB+ | | 13/06/2018 | 13/12/2018 | | | | 14,139 | |
| | | | | | | Total | | 26,000,000 | 70,715 | 58.69% |
| <u>NSW Treasury Corporation Hourglass Investments</u> | | | | | | | | | | |
| Cash Facility Trust | Trust | | N | Various | N/A | 1.80% | 5,498,282 | 6,031,243 | 9,303 | 13.61% |
| Medium Term Growth Fund | Trust | | N | Various | N/A | -6.12% | 9,005,029 | 8,779,578 | -44,815 | 19.82% |
| Fair Value Gain on Lifeplan PM Scheme | | | | | | | | | 2,520 | |
| | | | | | | Total | 14,503,311 | 14,810,821 | -32,992 | 33.43% |
| <u>Bank Accounts</u> | | | | | | | 43,996,635 | | | |
| Account Name | | | | | | | 44,304,145 | | | |
| Balance \$ 31-Dec-18 | | | | | | | 43,119 | | | |
| General Fund Bank Account | | 1,246,922 | | | | | | | | |
| Trust Fund Bank Account | | 87,050 | | | | | | | | |
| NAB Cheque Account | | 0 | | | | | | | | |
| Evans Head Memorial Aerodrome Fund | | 0 | | | | | | | | |
| Total | | 1,333,972 | | | | | | 1,333,972 | | |
| Total Investment Portfolio at Face Value | | | | | | | 43,996,635 | | | |
| Total Investment Portfolio at Fair Value | | | | | | | 44,304,145 | | | |
| Interest Revenue Received | | | | | | | 43,119 | | | |
| Overall Average Interest Rate | | | | | | | 2.48% | | | |
| Total Bank Account Portfolio | | | | | | | 1,333,972 | | | |
| Total Portfolio | | | | | | | 45,638,117 | | | |

| RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31 JANUARY 2019 | | | | | | | | | | |
|---|-----------------------------|---------|---|-----------------|---------------|----------------|---------------------------|-------------------------------|------------------------------------|----------------------|
| Investment Source | Investment Type | Rating | Environmentally Sustainable Investments | Investment Date | Maturity Date | Rate of Return | Original Investment Value | Current Investment Fair Value | Interest/ Fair Value Gain Received | % of Total Portfolio |
| <u>Cash at Call</u> | | | | | | | | | | |
| CBA Business Online Saver | At Call | A1+/AA | N | At Call | | 1.40% | N/A | 3,023,324 | 6,212 967 | 7.03% |
| Interest on Other Bank Accounts | | | | | | | | | | |
| <u>Term Deposits</u> | | | | | | Total | | 3,023,324 | 7,178 | 7.03% |
| Westpac | Term Deposit | A1+/AA- | N | 20/02/2018 | 20/02/2019 | 2.63% | N/A | 1,000,000 | 0 | 2.33% |
| ING Direct | Term Deposit | A2/A- | N | 21/02/2018 | 21/02/2020 | 2.90% | N/A | 1,000,000 | 0 | 2.33% |
| Westpac | Term Deposit | A1+/AA- | N | 1/03/2018 | 1/03/2019 | 2.62% | N/A | 1,000,000 | 0 | 2.33% |
| ING Direct | Term Deposit | A2/A- | N | 1/03/2018 | 2/03/2020 | 2.88% | N/A | 1,000,000 | 0 | 2.33% |
| ING Direct | Term Deposit | A2/A- | N | 5/03/2018 | 5/03/2020 | 2.88% | N/A | 1,000,000 | 0 | 2.33% |
| MyState Bank Limited | Term Deposit | A2/BBB | Y | 6/03/2018 | 6/03/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.33% |
| Bank of QLD | Term Deposit | A2/BBB+ | N | 28/05/2018 | 28/05/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.33% |
| Members Equity Bank | Term Deposit | A2/BBB | Y | 29/05/2018 | 29/05/2019 | 2.80% | N/A | 1,000,000 | 0 | 2.33% |
| AMP Ltd | Term Deposit | A1-A | N | 1/06/2018 | 3/06/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.33% |
| Peoples Choice Credit Union | Term Deposit | A2/BBB | Y | 12/06/2018 | 12/06/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.33% |
| Greater Bank | Term Deposit | A2/BBB | Y | 13/06/2018 | 12/06/2020 | 3.00% | N/A | 1,000,000 | 0 | 2.33% |
| Greater Bank | Term Deposit | A2/BBB | Y | 13/06/2018 | 13/06/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.33% |
| Heritage Bank | Term Deposit | A3/P2 | Y | 28/06/2018 | 28/06/2019 | 3.10% | N/A | 1,000,000 | 0 | 2.33% |
| AMP Ltd | Term Deposit | A1-A | N | 27/08/2018 | 25/02/2019 | 3.00% | N/A | 1,000,000 | 0 | 2.33% |
| Defence Bank | Term Deposit | A2/BBB | Y | 3/09/2018 | 2/09/2020 | 3.00% | N/A | 1,000,000 | 0 | 2.33% |
| Westpac | Term Deposit | A1+/AA- | N | 3/09/2018 | 3/09/2019 | 2.76% | N/A | 1,000,000 | 0 | 2.33% |
| AMP Ltd | Term Deposit | A1-A | N | 10/09/2018 | 11/03/2019 | 3.00% | N/A | 1,000,000 | 0 | 2.33% |
| Police Credit Union Limited | Term Deposit | Unrated | Y | 9/10/2018 | 9/04/2019 | 2.85% | N/A | 1,000,000 | 0 | 2.33% |
| Bank of Us | Term Deposit | Unrated | Y | 29/11/2018 | 29/11/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.33% |
| Bank of Us | Term Deposit | Unrated | Y | 29/11/2018 | 29/11/2019 | 2.95% | N/A | 1,000,000 | 0 | 2.33% |
| Auswide Bank | Term Deposit | A3/BBB- | Y | 29/11/2018 | 28/05/2019 | 2.75% | N/A | 1,000,000 | 0 | 2.33% |
| MyState Bank Limited | Term Deposit | A2/BBB | Y | 3/12/2018 | 3/12/2019 | 2.85% | N/A | 1,000,000 | 0 | 2.33% |
| Australian Military Bank | Term Deposit | Unrated | Y | 4/12/2018 | 4/12/2019 | 2.99% | N/A | 1,000,000 | 0 | 2.33% |
| Auswide Bank | Term Deposit | A3/BBB- | Y | 12/12/2018 | 12/12/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.33% |
| Heritage Bank | Term Deposit | A3/P2 | Y | 13/12/2018 | 14/03/2019 | 2.90% | N/A | 1,000,000 | 0 | 2.33% |
| <u>Matured Term Deposits</u> | | | | | | Total | | 25,000,000 | 16,763 | 58.13% |
| Heritage Bank | Term Deposit | A3/P2 | | 28/06/2018 | 9/01/2019 | | | | 15,760 | |
| <u>NSW Treasury Corporation Hourglass Investments</u> | | | | | | Total | | 14,503,311 | 14,981,633 | 34.84% |
| Cash Facility Trust | Trust | | N | Various | N/A | 2.64% | 5,498,282 | 6,044,377 | 13,134 | 14.06% |
| Medium Term Growth Fund | Trust | | N | Various | N/A | 21.48% | 9,005,029 | 8,937,256 | 157,678 | 20.78% |
| <u>Bank Accounts</u> | | | | | | Total | 14,503,311 | 14,981,633 | 170,812 | 34.84% |
| <u>Bank Accounts</u> | | | | | | | | | | |
| Account Name | Balance \$ 31-Jan-19 | | | | | | | | | |
| General Fund Bank Account | 1,028,812 | | | | | | | | | |
| Trust Fund Bank Account | 87,050 | | | | | | | | | |
| NAB Cheque Account | 0 | | | | | | | | | |
| Total | 1,115,862 | | | | | | | | | |
| Total Investment Portfolio at Face Value | | | | | | | 42,526,635 | | | |
| Total Investment Portfolio at Fair Value | | | | | | | | 43,004,957 | | |
| Interest Revenue Received | | | | | | | | | 194,754 | |
| Overall Average Interest Rate | | | | | | | 3.48% | | | |
| Total Bank Account Portfolio | | | | | | | | 1,115,862 | | |
| Total Portfolio | | | | | | | | 44,120,819 | | |

15.3 NORTHERN RIVERS LIVESTOCK EXCHANGE STATISTICS AND FINANCIAL PERFORMANCE AS AT 31 DECEMBER 2018

Author: Bradley Willis, NRLX Redevelopment & Operations Manager

EXECUTIVE SUMMARY

This report provides an update on the Northern Rivers Livestock Exchange (NRLX) financial performance as at 31 December 2018, as well as monthly throughput information from 2013/2014 to 2018/2019 YTD.

NRLX throughput is trending in line with the 5 year average for half yearly statistics. No sales were conducted from 14 December 2018 due to construction and relative timing of Christmas and processor closures.

Income from user charges and fees is currently \$492,723 and 37.76% of projected yearly budget. This is however in line with forecast projections based upon throughput with significant increases to throughput traditionally through the third and fourth quarter.

Operating expenditure is \$646,799 as at 31 December 2018 which is 53.69% of budgeted expenditure for the year. Operational expenditure is higher than anticipated due to ongoing construction works from October 2018 resulting in additional usage of the previously completed stage one. This includes higher than normal usage of stage one soft floor area. The stage one soft floor area has required significantly more maintenance and shorter lifespan than anticipated. Ongoing improvements to operational practices and materials used are continuing exploration of avenues as well to repurpose the material at end of life.

The operating result is currently a deficit of \$154,076 against a EOY budgeted surplus of \$100,345.

Current 2018/19 Sales turnover is \$26,492,613 which is a significant reduction on recent years with the prolonged drought being the influencing factor of market pricing.

RECOMMENDATION

That Council note the performance of the Northern Rivers Livestock Exchange as at 31 December 2018.

DELIVERY PROGRAM LINKS

Making Council Great

CS2: Great Support

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

BUDGET IMPLICATIONS

As detailed in the report.

REPORT

This report provides an update on Saleyard throughput as at 31 December 2018 and monthly throughput from 2012/2013 to 2017/2018.

The below graph indicates 92,608 head were processed through sales at the NRLX in 2017/18 compared with 119,463 head for 2016/17. This can be contributed to a record year in 2016/17.

The severe drought through much of NSW and QLD however is affecting prices, with no relief in sight at this stage. Processors continue to use the downturn in prices to attract more direct consignments.

Set out below are recorded figures and graphs for total cattle sold at the NRLX.

| | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | Average |
|--------------|---------------|----------------|----------------|----------------|---------------|--------------|---------|
| July | 8,027 | 9,361 | 10,878 | 11,207 | 8,248 | 7910 | 9,272 |
| August | 5,320 | 5,237 | 8,774 | 9,993 | 4,807 | 6980 | 6,852 |
| September | 4,869 | 7,965 | 8,144 | 6,053 | 5,275 | 5736 | 6,340 |
| October | 5,286 | 6,147 | 4,899 | 6,932 | 3,823 | 5228 | 5,386 |
| November | 5,203 | 5,667 | 6,781 | 10,132 | 9,498 | 8046 | 7,555 |
| December | 4,487 | 2,645 | 3,805 | 4,553 | 5,324 | 4528 | 4,224 |
| January | 4,664 | 9,744 | 6,487 | 6,602 | 5,877 | | 6,675 |
| February | 6,991 | 12,808 | 10,509 | 10,464 | 9,571 | | 10,069 |
| March | 16,084 | 15,866 | 13,572 | 17,302 | 17,321 | | 16,029 |
| April | 12,311 | 9,069 | 8,620 | 11,625 | 7,406 | | 9,806 |
| May | 10,370 | 10,730 | 8,390 | 13,667 | 8,208 | | 10,273 |
| June | 9,332 | 9,738 | 12,807 | 11,042 | 6,652 | | 9,914 |
| TOTAL | 92,944 | 104,977 | 103,666 | 119,572 | 92,010 | 38428 | 102,634 |

YTD Comparatives as set out below detail that throughput is on track to meet the average annual throughput of 102,634:

| | 2013/14 | 2014/15 | 2015/16 | 2016/17 | 2017/18 | 2018/19 | Average |
|-------------|---------|---------|---------|---------|---------|---------|---------|
| July | 8,027 | 9,361 | 10,878 | 11,207 | 8,248 | 7910 | 9,272 |
| August | 5,320 | 5,237 | 8,774 | 9,993 | 4,807 | 6980 | 6,852 |
| September | 4,869 | 7,965 | 8,144 | 6,053 | 5,275 | 5736 | 6,340 |
| October | 5,286 | 6,147 | 4,899 | 6,932 | 3,823 | 5228 | 5,386 |
| November | 5,203 | 5,667 | 6,781 | 10,132 | 9,498 | 8046 | 7,555 |
| December | 4,487 | 2,645 | 3,805 | 4,553 | 5,324 | 4528 | 4,224 |
| Total 31/12 | 33,192 | 37,022 | 43,281 | 48,870 | 36,975 | 38,428 | 39,628 |

MLA Annual Survey:

On 19 December 2018 Meat & Livestock Australia released their annual survey and reporting results for 2017/2018. Included below are comparative numbers as reported by Meat & Livestock Australia and this provides further background information to NRLX's position in the market place and demonstrates current broader market trends.

- MLA reported that there were 174 Operating Saleyards in Australia for 2017/2018
- 107 of these saleyards submitted reporting results to MLA including NRLX
- 91 of the reporting yards process cattle
- 62 of these saleyards operate weekly, 23 fortnightly, 13 monthly and the remaining 9 saleyards only conduct special sales.
- Cattle throughput increased 8.2% in NSW while numbers decreased by 8.5% in Queensland. Nationally cattle throughput remained steady.

New South Wales

Cattle

| Town | Saleyard | 2016–17 | 2017–18 | % of State | % Change |
|-----------------|---|---------|---------|------------|----------|
| Dubbo | Dubbo Regional Livestock Market** | 199,431 | 241,282 | 13.8% | 21.0% |
| Wagga Wagga | Wagga Wagga Livestock Marketing Centre** | 168,725 | 178,357 | 10.2% | 5.7% |
| Carcoar | Central Tablelands Livestock Exchange** | 129,006 | 172,925 | 9.9% | 34.0% |
| Tamworth | Tamworth Regional Livestock Exchange** | 114,895 | 137,745 | 7.9% | 19.9% |
| Gunnedah | Gunnedah Regional Saleyard** | 91,448 | 133,367 | 7.6% | 45.8% |
| Casino | Northern Rivers Livestock Exchange** | 119,572 | 92,010 | 5.3% | -23.1% |
| Inverell | Inverell Regional Livestock Exchange** | 60,078 | 85,091 | 4.9% | 41.6% |
| Yass | South Eastern Livestock Exchange** | 66,062 | 77,709 | 4.4% | 17.6% |
| Scone (Merriwa) | Scone & Upper Regional Saleyards** | 59,119 | 73,085 | 4.2% | 23.6% |
| Forbes | Central West Livestock Exchange** | 59,911 | 70,063 | 4.0% | 16.9% |
| Moss Vale | Southern Regional Livestock Exchange** | 51,359 | 52,501 | 3.0% | 2.2% |
| Armidale | New England Livestock Selling Facility** | 40,120 | 48,951 | 2.8% | 22.0% |
| Singleton | Singleton Regional Livestock Markets** | 43,966 | 44,347 | 2.5% | 0.9% |
| Maitland | Maitland Saleyards | 41,022 | 40,754 | 2.3% | -0.7% |
| Mudgee | Mudgee Regional Saleyards | 25,343 | 35,044 | 2.0% | 38.3% |
| Grafton | Grafton Regional Livestock Selling Centre | 44,579 | 33,180 | 1.9% | -25.6% |
| Kempsey | Kempsey Regional Saleyards | 37,757 | 32,546 | 1.9% | -13.8% |
| Bega Valley | Bega Valley Saleyard / Pambula | 28,182 | 22,363 | 1.3% | -20.6% |
| Lismore | Lismore Saleyards | 20,521 | 20,063 | 1.1% | -2.2% |
| Dunedoo | Dunedoo Saleyards | 19,209 | 19,993 | 1.1% | 4.1% |
| Tenterfield | Tenterfield Livestock Selling Centre | 24,151 | 19,027 | 1.1% | -21.2% |
| Glen Innes | Glen Innes Severn Regional Saleyards | 23,278 | 18,612 | 1.1% | -20.0% |
| Cooma | Cooma Livestock Selling Centre | 21,268 | 17,623 | NA | NA |
| Narrabri | Narrabri Livestock Selling Centre | 15,723 | 16,458 | 0.9% | 4.7% |
| Finley | Finley Livestock Exchange** | 11,851 | 13,367 | 0.8% | 12.8% |

Key points for NRLX from the MLA Survey:

- NRLX has dropped from 4th to 6th for the year recording a 23% reduction in throughput.
- NRLX is one of two saleyards in the top 15 to record a decrease in numbers for 2017/2018. Maitland at number 14 only had 0.7% decrease. Grafton being a neighbouring yard at number 16 had a similar reduction at 25%.
- 12 of the top 15 Saleyards in NSW recorded growth in excess of 15%
- As a state NSW saleyard numbers increased by 8.2%.
- Four of the top ten yards in NSW are privately owned.

There are a number of contributing factors to this reduction:

- Local herd numbers still recovering from 2016/17. The increase of 15.34% from previous years was significant.
- The 2017/2018 throughput of 92,010 was the lowest throughput in the 5 year period.
- significantly lower than 2015/2016 and 2014/2015 reducing further than the 2013/2014 throughput of 92,994
- Consideration must be given to the fact that prices for 2016/17 were at record highs
- Due to record throughput for 2016/17 the replacement timeframe is around 3 years for cows. This also feeds into why Grafton had a similar percentage drop (25%) as well.
- The 2017 Shutdown – Albeit the 2017 shutdown may have been a necessary event there is still residual damage and the effects of this cannot be dismissed as a contributing factor to the significant reduction in throughput.

- The numbers for NSW clearly demonstrate the trend of smaller saleyards becoming smaller and/or obsolete. This trend reinforces council's decision to invest in NRLX as the major Livestock Exchange for northern NSW
- NRLX throughput is completely against the trend of major saleyards in NSW and this is a significant indication that the business and reputation require operational, business and customer service improvements.
- Drought – the prolonged intense drought has been widespread across NSW and is also a contributing factor to higher throughputs across NSW. It would be fair to acknowledge that the Richmond Valley area although strongly drought affected had remained in better condition than other areas of NSW.
- Increased direct sales between processors and producers along with increased sales between producers

Current pricing trends on 1 year.

Figure 3: National cattle herd

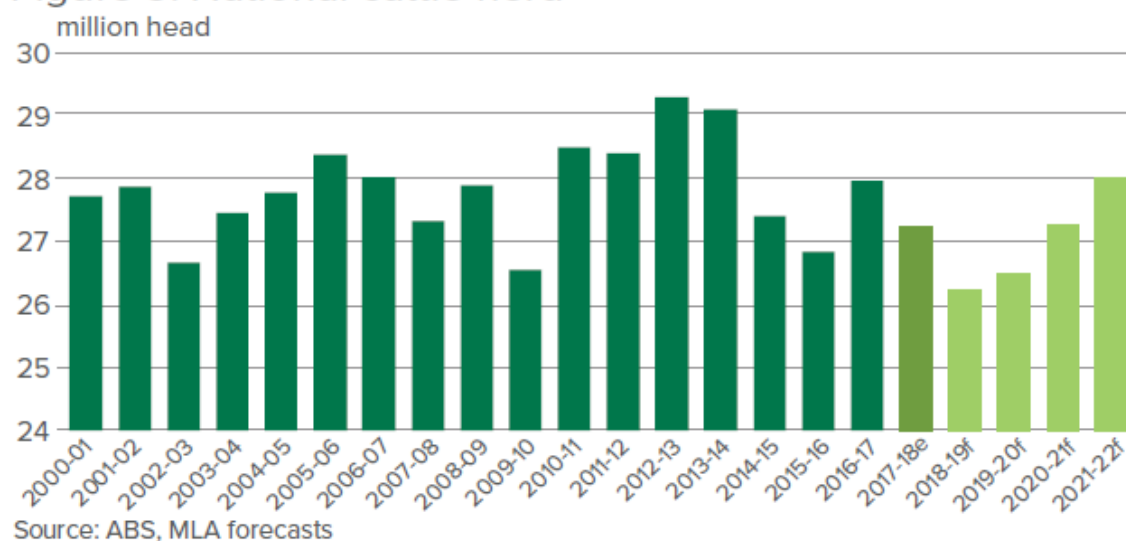


Figure 9: National beef and veal production

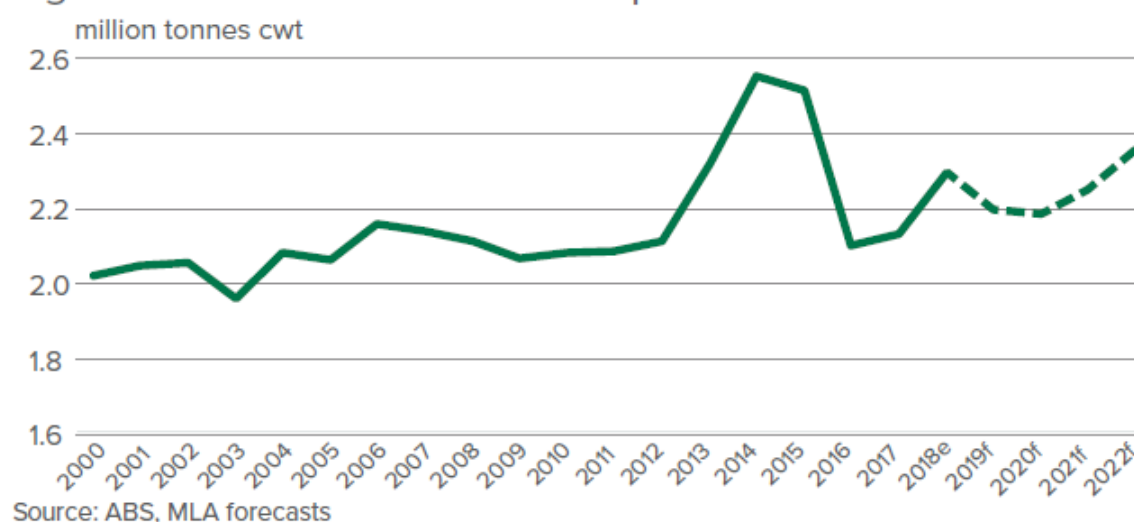
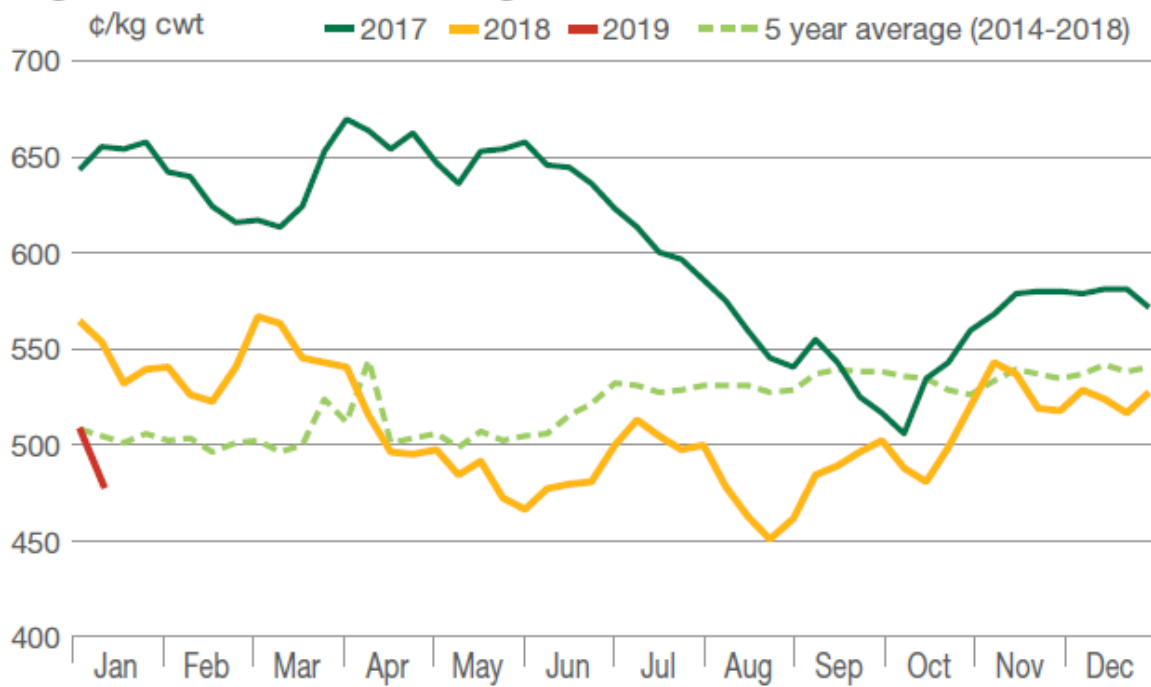
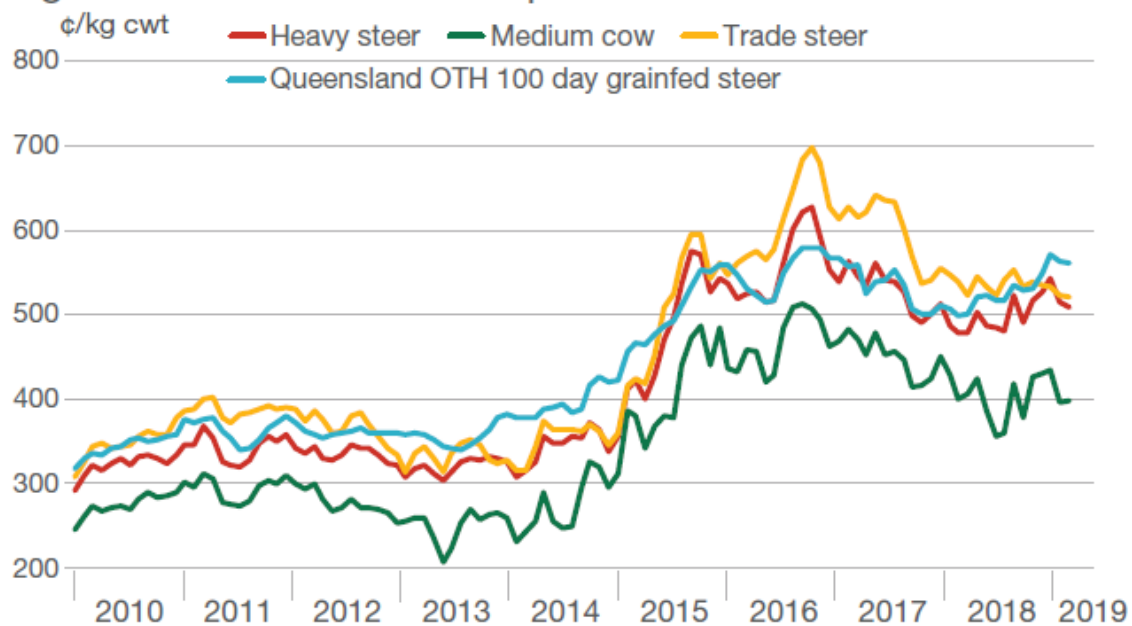


Figure 18: Eastern Young Cattle Indicator



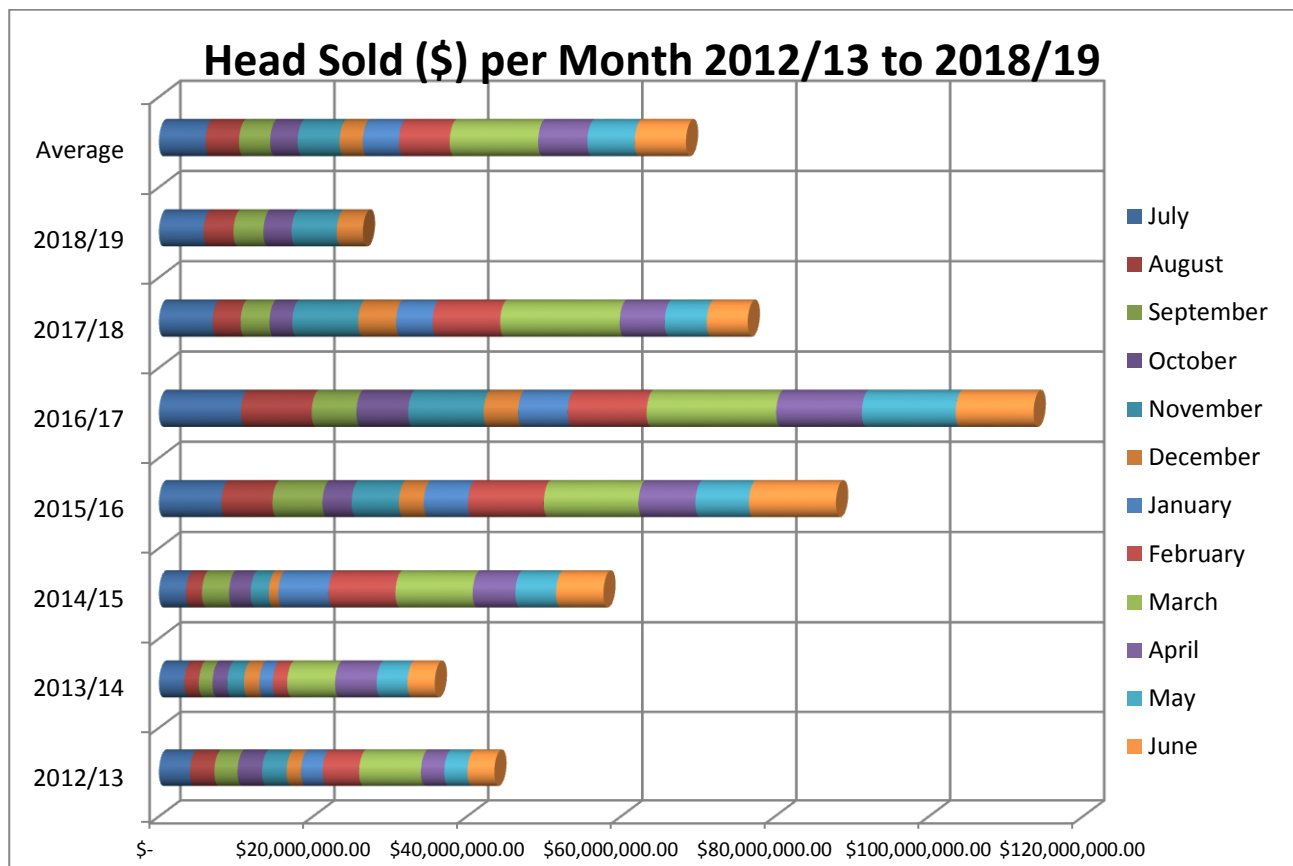
Source: MLA

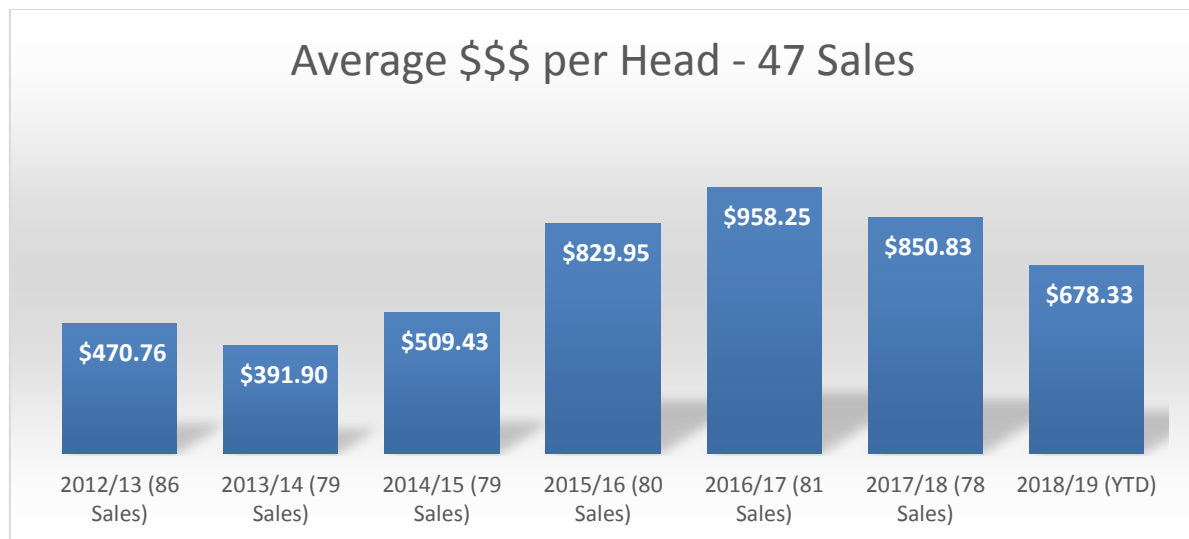
Figure 19: Australian cattle prices



Source: MLA

The following graph shows total cattle figures per month by year.





Financial Implications

The following table shows actual YTD income and expenditure against budget for FY18/19

| NRLX Income and Expenditure (includes committed orders) | Actual 31-Dec-18 (\$) | Budget (\$) | Percentage % |
|--|--------------------------------------|------------------------|-------------------------|
| <u>Operating Income</u> | | | |
| Fees & Rent | 459,527 | 1,240,623 | 37.04% |
| Interest on Investment | 0 | 0 | 0.00% |
| LIRS Subsidy | 33,197 | 64,308 | 51.62% |
| Total Operating Income | 492,723 | 1,304,931 | 37.76% |
| <u>Operating Expenses</u> | | | |
| Salaries and On costs | 176,011 | 316,048 | 55.69% |
| Materials and Contracts | 120,349 | 125,280 | 96.06% |
| Interest on Loans | 15,186 | 102,388 | 14.83% |
| Depreciation | 146,215 | 293,400 | 49.83% |
| Electricity Charges | 7,347 | 36,750 | 19.99% |
| Telephone Charges | 2,773 | 6,624 | 41.86% |
| Insurance Charges | 8,296 | 3,800 | 218.33% |
| Advertising Costs | 8,328 | 18,000 | 46.27% |
| Printing and Stationery | 1,867 | 1,800 | 103.72% |
| Licence Fees | 3,696 | 6,624 | 55.79% |
| Subscriptions | 520 | 4,076 | 12.76% |
| Security Charges | 1,632 | 3,770 | 43.30% |
| Staff Training | 1,929 | 0 | 0.00% |
| Software Licences | 3,799 | 5,095 | 74.56% |
| Other General Expenses | 253 | 1,019 | 24.80% |
| Internal Charges | 148,598 | 279,912 | 53.09% |
| Total Operating Expenses | 646,799 | 1,204,586 | 53.69% |
| Operating Result | (154,076) | 100,345 | -153.55% |
| <u>Capital Income</u> | | | |
| <u>Capital Grants & Contributions/Loan Funding</u> | | | |
| Federal Grant - NRLX Upgrade | 556,821 | 7,000,000 | 7.95% |
| Capital Works Levy | 65,114 | 195,300 | 33.34% |

| | | | |
|---|--------------------|------------------|-----------------|
| Truckwash Grant | 137,642 | 103,912 | 132.46% |
| Total Capital Income | 759,577 | 7,299,212 | 10.41% |
| Capital Expenditure | | | |
| Rail Replacement | 288 | 0 | 0.00% |
| Effluent Management Review | 44,073 | 0 | 0.00% |
| Plant Purchases | 11,191 | 0 | 0.00% |
| Software/Hardware Upgrade | 9,240 | 15,000 | 61.60% |
| Truckwash Upgrade | 49,964 | 103,912 | 48.08% |
| NRLX Upgrade - Stage 2 | 5,612,520 | 7,018,370 | 79.97% |
| Loan Principal Repayments | 139,408 | 323,603 | 43.08% |
| Total Capital Expenditure | 5,866,684 | 7,460,885 | 78.63% |
| Total Program Result - Surplus/(Deficit) | (5,261,183) | (61,328) | 8578.76% |

CONSULTATION

N/A

CONCLUSION

This report provides information on monthly throughput of cattle at the NRLX. The results for this period are noticeably not as strong as 2016/17, however 2016/17 was an exceptionally strong year. The NRLX will always be subject to seasonal fluctuations which can change results quite quickly. NRLX is working hard during 2018/19 to make significant changes to the operations and improve processes and enhance our value proposition. This work will bring better results for the NRLX. The NRLX performance will need to be continually monitored.

ATTACHMENT(S)

Nil

16 TENDER REPORTS**16.1 TENDER RA351920RVC ELECTRICITY REVERSE AUCTION - CONTESTABLE SITES AND STREET LIGHTING (UNMETERED)**

Author: Daniel Parker, Coordinator Purchasing and Stores

EXECUTIVE SUMMARY

Council is a member of Regional Procurement's Richmond Tweed Clarence (RTC) Group. Regional Procurement run tenders for regional Local Government member groups to aggregate the combined local tenders in order to attract greater supplier competition and lower pricing for member Councils. Regional Procurement in conjunction with Energy Action will be holding a reverse auction specifically for Richmond Valley Council detailing the electricity supply of contestable sites and street lighting, in accordance with Clause 166(a) of the *Local Government (General) Regulation 2005*. The reverse auction will commence at 11.00am on Friday, 15 March, 2019. The tender will be advertised in the Sydney Morning Herald and uploaded to Tender Link. As this is a reverse auction and conducted live online, the contract pricing will not be known until the reverse auction evaluation is conducted. The panel will evaluate immediately after the reverse auction is concluded and allow Council four days to sign contracts.

RECOMMENDATION

That

1. Regional Procurement Conduct a reverse auction on behalf of Richmond Valley Council for the large contestable sites and street lighting to obtain the best price for Council. This Contract would run for 24 months commencing on 1 January 2020 ending on 31 December 2021.
2. Council's General Manager is given delegation to sign and approve this contract with the most advantage cost to Council.
3. Council authorise the General Manager to enter into and endorse relevant contracts, including affixing the seal of Council where appropriate, generally in accordance with the details contained within this report.

DELIVERY PROGRAM LINKS

Making Council Great

CS2: Great Support

CS2.11: Examine all revenue and expenditure reduction opportunities within legislative powers

BUDGET IMPLICATIONS

Council's electricity costs over the 17/18 financial year totalled \$349,481.53.

Council may be able to achieve slightly better rates as the electricity companies will be competing for the supply to Council.

REPORT

In accordance with the *Local Government (General) Regulation 2005* – Part 7 Tendering, where expenditure on a tender exceeds \$150,000 over the term of the contract a council must, by resolution, adopt a report accepting the tender recommendation.

Contract Duration

This contract will run for 24 months from 1 January 2020 to 31 December 2022.

Tender Analysis

The Tender evaluation will be conducted on Friday, 15 March 2019 at Richmond Valley Council Chambers immediately after the auction closes by the following:

- Coordinator Purchasing & Stores (Richmond Valley Council)
- Managerial Assistant - Corporate and Community (Richmond Valley Council)
- Peter Salafia (Regional Procurement Manager)

The evaluation will be conducted in accordance with the Local Government Tendering Guidelines, Regional Procurement Tendering Code of Conduct and Tendering Evaluation Principles and Process. Confidentiality and probity will be maintained throughout the process.

Conflict of Interest Declarations will be signed by all participating evaluation panel members including the Regional Procurement facilitator. The declarations are available to be viewed if required.

Methodology

(a) The percentage weightings and criteria will be agreed upon prior to the tender closing. The evaluation will be on the following criteria:

| Criteria | Weighting | Scoring | |
|--|-------------|---|------|
| Tendered rate | | | |
| Total Price offered | 90% | | |
| Quality Assurance – Conform/Not Conform | | | |
| Retailer conforms to the Electricity Retail Suppliers License Conditions 2015 | Pass/Fail | Yes | Pass |
| | | No | Fail |
| Customer Service | | | |
| Payment Terms | 2% | 30+days | 2 |
| | | 14-29 days | 1 |
| | | <14 days | 0 |
| Number of complaints on a per 10,000 customer basis received according to the Energy & Water Ombudsman NSW annual report | 3% | 0 | 3 |
| | | 1-50 | 2 |
| | | 51-100 | 1 |
| | | 101 + | 0 |
| Electronic reporting | 3% | Customer access portal with ability to self-generate custom reports (minimum requirements specified below) including a scheduling function for emailing of reports. | 3 |
| | | Provision of data reports (minimum requirements specified below) in CSV format via email | 2 |
| | | Electronic invoices only (e.g. pdf of bill) | 1 |
| | | No electronic reporting | 0 |
| Retailer provides Direct Debit Payment Facilities | 2% | Yes | 2 |
| | | No | 0 |
| Total | 100% | | |

CONSULTATION

Consultation has taken place between Council, Regional Procurement and Energy Action throughout this process.

CONCLUSION

It is recommended that the General Manager be delegated to act on behalf of Council to determine the best outcome through this process and sign any contract agreed upon from the evaluation team.

ATTACHMENT(S)

Nil

16.2 TENDER RVC799016 - BORA RIDGE LANDFILL CAPPING AND EARTHWORKS

Author: David Timms, Manager Infrastructure Services

EXECUTIVE SUMMARY

Council sought tenders from appropriately qualified and experienced contractors for the capping of Bora Ridge Landfill and associated earthworks. Two tender proposals were received.

Council has a budget of \$1,117,150.00 (ex. GST) for the capping to be completed. Accounting for expenses and commitments to date there is a little under \$1million available for the remaining works whereas the two tender proposals totalled \$1.67 million and \$2.14 million (ex. GST) respectively.

The review of both proposals revealed some unexpectedly high costs in areas such as supply of soils and preparation of management plans. There appears to be an opportunity to negotiate directly with one or both of the contractors which is permitted by the Local Government (General) Regulation in the interests of achieving the most optimal use of ratepayer funds.

Alternatively, Council has the option of potentially reducing costs by completing the project management, capping and earthworks using internal resources and/or subcontractors. This is also permitted by the Local Government (General) Regulation and is an avenue that could be used if direct negotiation with contractors does not yield a satisfactory result.

RECOMMENDATION

That Council:

1. Declines to accept all submitted tenders, based on the costs substantially exceeding the budget available
2. Notes the actions to be taken to enter into direct negotiations with one or both contractors that have submitted tender proposals, or any other suitably qualified contractor that can deliver the project scope within budget.
3. In the event that Recommendation 2 does not result in an acceptable outcome, investigate options for the internal delivery of the project, through project management of subcontractors.
4. Authorises the General Manager to enter into and endorse relevant contracts, including affixing the seal of Council where appropriate, for the delivery of the project generally in accordance with the project scope and approved budget and other details considered by Council.
5. Notes the outcome of direct negotiations will be reported back to Council.

DELIVERY PROGRAM LINKS

Looking after our Environment

EH1 Managing our Waste and Water

EH1.4 Close and Cap completed waste facility cells

BUDGET IMPLICATIONS

The recommendations seek to reduce the costs of the project such that the project can be completed with minimal impact to the allocated budget.

REPORT

In November 2018 Council sought tenders from appropriately qualified and experienced contractors for the capping of Bora Ridge Landfill. The scope included the full project management of the earthworks including sourcing capping materials as well as the engagement and control of subcontractors. In December 2018 Council received two tender proposals, the small number suspected to be due to the specialised and higher-risk nature of the work, involving relocation of buried waste. There were 42 companies who registered interest in the project on Tenderlink.

Council has a budget of \$1,117,150.00 excluding GST for the capping to be completed in the current financial year 2018/19. To date approximately \$118,000 has been spent or committed on other aspects of the project, leaving a little under \$1 million available for the remaining works.

The two tender proposals received totalled \$1.67 million and \$2.34 million respectively. Subsequent Requests for Information/Clarification were sent to both parties and this led to the highest cost proposal being revised down to \$2.14 million. This left both proposals with costs well above the available budget.

A review of both proposals revealed some components with unexpectedly high costs, for example:

- supply of the soils for the top layer of the capping
- preparation of management plans (safety, environmental, traffic etc)

Further assessment by Council's Project Management Office (PMO) has led to a belief that there is opportunity to negotiate with one or both of the contractors to obtain price reductions in those high-cost areas.

Under Clause 178 (3e) of the *Local Government (General) Regulation 2005*, Council can "enter into negotiation 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".

Alternatively, Council has the option of potentially completing the project at a lower cost by project managing the capping and earthworks itself, engaging contractors directly and sourcing capping materials directly. This is an avenue that could be used if direct negotiation with contractors does not yield a satisfactory result.

Clause 178 (3f) of the *Local Government (General) Regulation 2005*, enables Council to "carry out the requirements of the proposed contract itself" if that becomes necessary.

CONSULTATION

Nil.

CONCLUSION

Given that assessment of the submitted tenders revealed considerable potential to significantly reduce pricing it is recommended that Council declines both tenders on the basis of pricing and then negotiates directly with one or both of the contractors.

Staff also seek approval to consider directly project managing the capping works if direct negotiation with the contractor(s) does not achieve an acceptable level of cost reduction.

The outcome of any direct negotiations will be reported to a future Council meeting.

ATTACHMENT(S)

NIL

17 GENERAL BUSINESS**17.1 NAMING OF BRIDGE ASSOCIATED WITH THE PACIFIC HIGHWAY PROJECT**

Author: Andrew Leach, Manager Asset Planning

EXECUTIVE SUMMARY

With the construction of the Pacific Highway upgrade there is a new bridge being constructed over the Richmond River on the northern side of the village of Broadwater. The eastern approach to the bridge bisects the farm originally owned by Mr John Byrne. A suggestion has been received from the Byrne family to name the bridge after Mr Byrne, who settled in the area in 1868.

Mr Byrne's connection to the area includes owning the land through which the new Pacific Highway and the new bridge over the Richmond River is being constructed, building and running the Broadwater Hotel, building Broadwater's first Catholic Church and donating it to the Catholic Church. The land is still retained by the Byrne family to this very day.

RECOMMENDATION

That:

1. Council support the suggestion to name the new bridge over the Richmond River at Broadwater after Mr John Byrne.
2. Council write to the Minister Roads, Maritime and Freight expressing support for the bridge to be named after Mr John Byrne.

DELIVERY PROGRAM LINKS

Connecting People and Places

PP1 Fresh and Vibrant Community

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

BUDGET IMPLICATIONS

Nil.

REPORT

The construction of the new Pacific Highway that bypasses the village of Broadwater includes a new bridge over the Richmond River. This Roads and Maritime Service (RMS) bridge is the second largest bridge in the Woolgoolga to Ballina upgrade and is likely to be named. Whilst Council is the road naming authority over local roads, this bridge falls under the control of RMS and they have the authority to name it.

Council has received a letter from Peter and Maria Byrne seeking support from Council for naming the new bridge over the Richmond River after John Byrne. The request also provided historical information on John's life via way of his obituary published in the Northern Star in 1916 as well as personal comments of his achievements.

John Byrne settled in the Broadwater area in 1868 after emigrating from Ireland. His obituary of 1916 highlighted his involvement building and running of the Broadwater Hotel, being a successful cane grower and businessman. Information supplied by his family includes John building the first Catholic Church and later donating it to the church. He also donated land to build the Broadwater Public School. The southern approach to the new bridge over the Richmond River traverses through land originally owned by John Byrne.

CONSULTATION

No public consultation has been undertaken in relation to this suggestion, only the correspondence received from the family of Mr Byrne was used as the basis for this report.

CONCLUSION

Major bridges along the Pacific Highway are often named. The historical connection John Byrne has to this location on the southern side of the Richmond River is notable. Whilst Council does not have the authority to determine the name of the bridge, it can support this request by the Byrne family to name the new bridge over the Richmond River after John Byrne by advising the Minister that Council has resolved to support the naming.

ATTACHMENT(S)

Nil

17.2 PLANNING PROPOSAL PP2019/0002 TO REZONE 3245-3275 BRUXNER HIGHWAY, CASINO FOR LIGHT INDUSTRIAL DEVELOPMENT

Author: Andrew Hanna, Manager Development and Environment

EXECUTIVE SUMMARY

Council has received an application (PP2019/0001), supported by a Planning Proposal, to amend the *Richmond Valley Local Environmental Plan 2012* (the LEP) to enable 3245-3275 Bruxner Highway, Casino, being Lots 100 to 111 DP755627 (the Land), to be developed for light industry.

The proposed development is sited immediately to the south of existing industrial land (Zoned IN1), and is supported as future employment land within the *North Coast Regional Plan 2036*.

The Land currently has a Land Zone of RU1 Primary Production, and a minimum lot size for subdivision of 40ha. To facilitate the proposed light industrial development, the LEP requires amendment to change the:

- Land Zone Map—by applying IN1 General Industry to the land; and
- Lot Size Map—by applying a minimum lot size (MLS) of 750m² to the land.

Council's support for the planning proposal is required to commence the rezoning process. This will cause the planning proposal to be submitted to the Department of Planning and Environment (DoPE) for assessment and a Gateway Determination, which would normally incorporate conditional agency and community consultation.

A further report will be presented to Council at the conclusion of the consultation phase, where a decision to proceed with the LEP amendment will be required. If it is to proceed, Council may use Ministerial Plan Making delegations to prepare and make the final LEP amendment, but only where such delegations have been sought, and granted, through the gateway process. These delegations should be assigned to the General Manager.

RECOMMENDATION

That:

1. Council support Planning Proposal PP2019/0001 which proposes to amend the *Richmond Valley LEP 2012*, as it applies to Lots 100 to 111 DP755627 3245-3275 Bruxner Highway Casino, by rezoning the land to facilitate its development for light industry (Zone IN1);
2. PP2019/0001 be directed to the DoPE for a Gateway Determination; and
3. EP&A Act Ministerial Plan Making delegations be requested for the General Manager.

DELIVERY PROGRAM LINKS

Growing our Economy

EC1 Driving Economic Growth

EC1.7 Provide flexible and innovative planning controls

EC1.8 Provide sustainable Urban Development Opportunities

BUDGET IMPLICATIONS

Nil.

REPORT

Council is in receipt of planning proposal application (PP2019/0001) prepared by consultants, Newton Denny Chapelle and lodged on behalf of the Santin Family Trust, owner of Lots 100 to 111 DP755627, 3245-3275 Bruxner Highway Casino (figure 1). The planning proposal seeks to rezone the land so it can be developed for light industry purposes (figure 2).

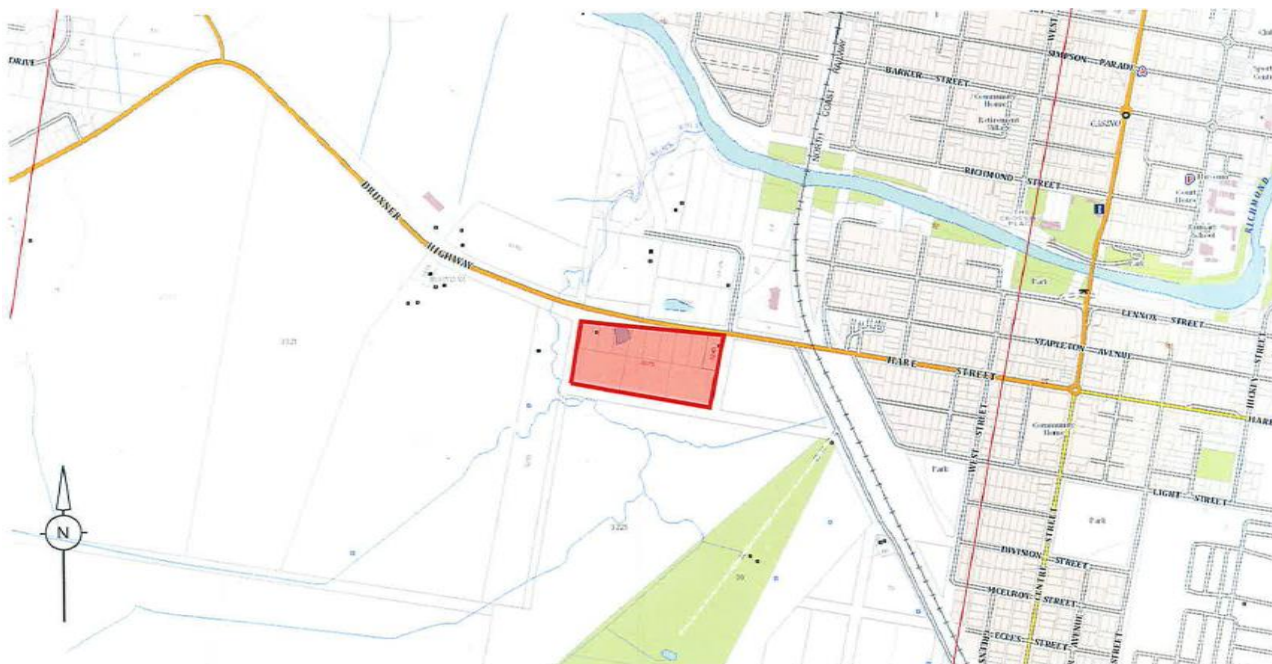


Figure 1 – Locality Plan identifying the subject land (outlined in red with shading) to the west of Casino on the Bruxner Highway.

The property currently has a Land Zone of RU1 Primary Production under the *Richmond Valley LEP 2012*, with a minimum lot size of 40ha (figure 3). To facilitate light industrial development on the land, amendment of the LEP is required under Part 3 of the *Environmental Planning and Assessment Act 1979*. This process is known as the Gateway Planning process and involves assessment of proposed LEP amendments against a number of State, regional and local plans, policies and strategies, including Section 117 (s.9.1) Ministerial Plan Making Directions, as well as consultation with relevant Government Authorities and the community.



Figure 2 – Concept for proposed light industrial estate (extracted from Planning Proposal PP2019/0001). Hatched area represents location of an approved transport depot (DA2012/0139).

Planning Proposal PP2019/0001 proposes to amend the *Richmond Valley LEP 2012* by changing the following as they apply to the land, they being:

- amend the land zone on the Land Zone Map, for the 6.96ha property, from Zone RU1 Primary Production to Zone IN1 General Industry; and
- amend the minimum lot size (MLS) on the Lot Size Map from 40ha to 750m².

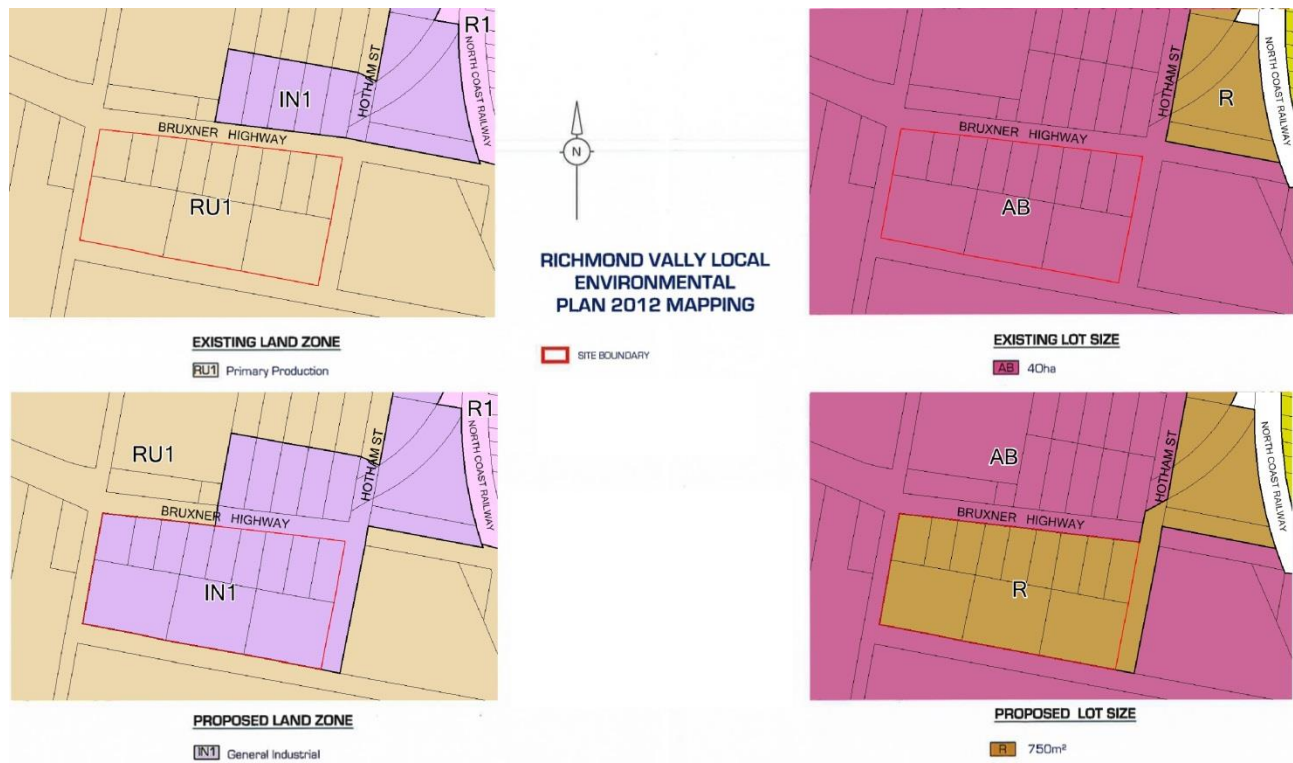


Figure 3 – Existing and proposed amendments to the Richmond Valley LEP 2012-Land Zone Map and Lot Size Map

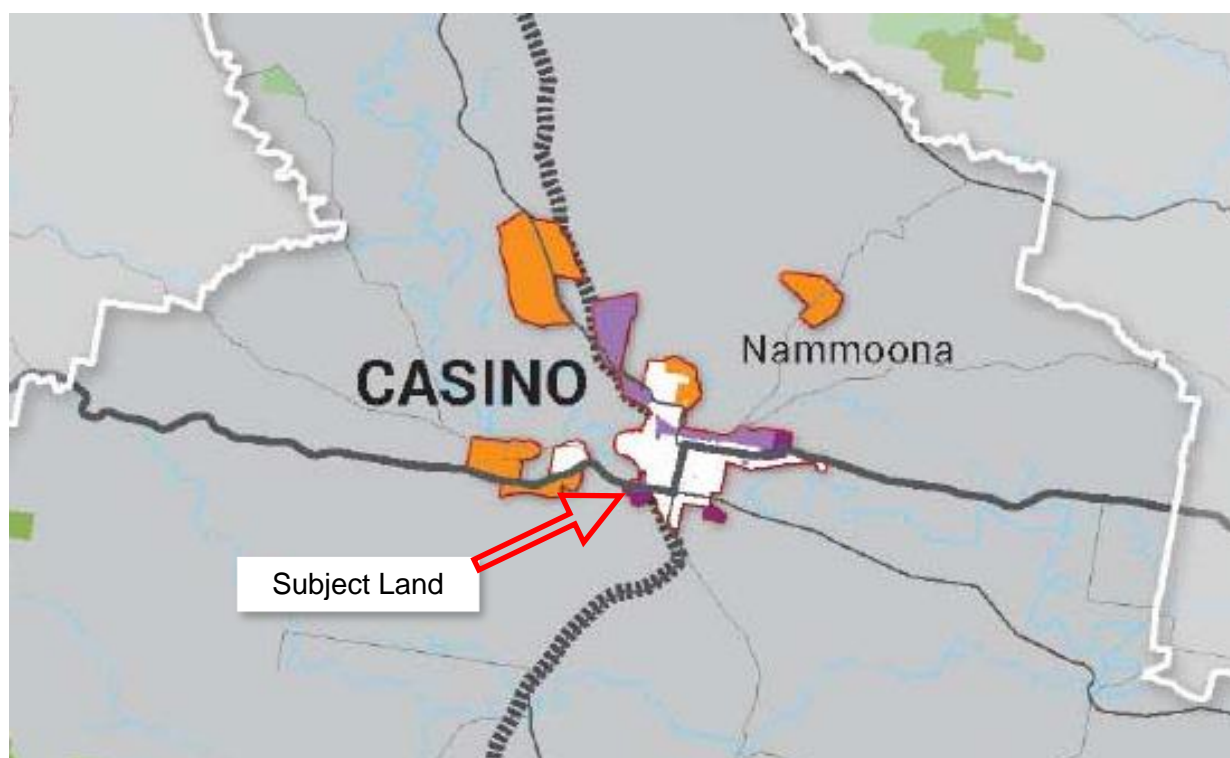


Figure 4 – Extract from North Coast Regional Plan 2036 Urban Growth Area Map for Richmond Valley Council – Dark purple area represents Investigation Area – Employment Lands.

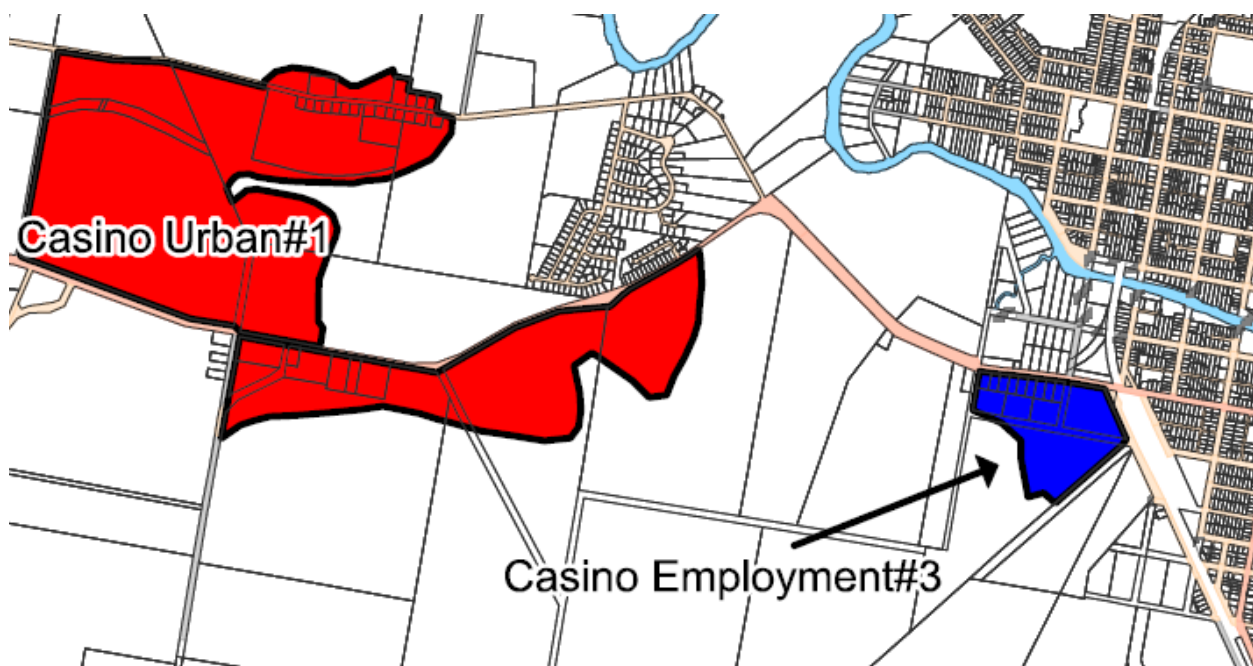


Figure 5 – Extract from Richmond Valley Council submission to Draft North Coast Regional Plan seeking the inclusion of additional Urban Growth Areas including the Casino Employment #3 area as future employment land.

Consideration of Strategic Policies and Land Suitability

The Planning Proposal has been prepared in accordance with the DoPE *Guide to Preparing Planning Proposals* (2016). In preparing the planning proposal, consideration was given to the land's suitability against State, regional and local plans, policies and strategies, and Section 117 (s.9.1) Ministerial Plan Making Directions. No inconsistencies were found in this regard.

North Coast Regional Plan 2036

The *North Coast Regional Plan 2036* was endorsed by the Minister for Planning in March 2017. The Plan provides for the sustainable and managed future growth of urban settlements in the North Coast region, extending from Tweed to Port Macquarie.

During the preparation of the Draft North Coast Regional Plan submissions from Local Government were sought to incorporate amended future urban growth boundary mapping into the Plan. Richmond Valley Council submitted a compiled inventory of existing and new future urban growth areas that had been through community consultation. This submission, which incorporated both future residential and employment land areas, added the Casino Employment #3 area to the south-western entry of Casino, on the Bruxner Highway, which is location opposite an existing Zone IN1 General Industrial area.

Figure 5 shows the location and extent of the Casino Employment #3 area that was included within the *North Coast Regional Plan* (see Figure 4).

Relevant Directions and Actions from the North Coast Regional Plan have been addressed below:

| | |
|--|---|
| <ul style="list-style-type: none"> Direction 1: Deliver environmentally sustainable growth | <p>This Planning Proposal delivers on Action 1 by focusing future urban development to mapped urban growth areas.</p> <p>The subject land is identified as 'under investigation' for employment land. It does not have potentially high environmental values.</p> |
| <ul style="list-style-type: none"> Direction 2: Enhance Biodiversity, Coastal and Aquatic Habitats, and | <p>The subject land has no biodiversity values, and is neither within the coastal zone nor within a drinking</p> |

| | |
|---|---|
| Water Catchments | <p>water catchment.</p> <p>Future design and development of the site will require strategies to prevent stormwater runoff impacting on key fish habitats and water quality.</p> |
| <ul style="list-style-type: none"> Direction 3: Manage Natural Hazards and Climate Change | <p>The land is not within a coastal environment.</p> <p>The preliminary flood assessment of this land has consulted flood modelling, with the 1 in 100 year ARI flood event calculated to have a level of 25.9m AHD over this site. Natural ground levels obtained from LIDAR imagery identify the site ranges in elevation between 24.25m to 25.25m AHD.</p> <p>In accordance with the Casino Floodplain Risk Management Plan, the finished floor level for commercial/industrial developments should be above the 1 in 100 year level. This will be achievable over the majority of the land.</p> <p>The land and its immediate surrounds are not bushfire prone land and comprise managed grassland.</p> |
| <ul style="list-style-type: none"> Direction 6: Develop successful centres of employment | <p>The proposal aims to deliver an adequate supply of employment land to support jobs growth.</p> |
| <ul style="list-style-type: none"> Direction 11: Protect and enhance productive agricultural land | <p>The land has been mapped as significant farmland however, Section 117 (s.9.1) Ministerial Direction 5.3 justifies an inconsistency with the policy because the land is identified as an urban growth area in the North Coast Regional Plan.</p> <p>Notwithstanding, it is more than likely that industries established within this site will service and support the farming and rural sectors.</p> |
| <ul style="list-style-type: none"> Direction 18: Respect and Protect the North Coast's Aboriginal Heritage | <p>An AHIMS search found no registered Aboriginal sites within 1 km of the proposal.</p> |
| <ul style="list-style-type: none"> Direction 19: Protect Historic Heritage | <p>There are no historic sites within the vicinity of this land.</p> |

Plan Making Process and Functions

Preparation of an amending LEP normally goes through the following phases:

1. prepare a Planning Proposal (includes endorsement by Council resolution)
2. issuing of a Gateway Determination (usually conditional)
3. Agency consultation followed by community consultation (as required)
4. finalisation of the Planning Proposal (which may involve adopting the whole proposal, or a part, or to reject the proposal)
5. draft the amending LEP (this is the legal instrument prepared by the Parliamentary Counsel's Office (PC))
6. make the Plan (signed by the Minister for Planning)
7. notify the LEP on the NSW Government Legislation website.

This Planning Proposal is currently at Step 1.

The Minister's Plan Making functions (Step 6) can be requested through the Gateway. Delegation of these functions enables Council to request Parliamentary Counsel preparation of the Plan; signing (making) of the Plan; and cause it to be published on the Legislation website, without further reference to the Department of Planning and Environment. Such delegations are routinely issued for spot rezoning that is consistent with the Regional Plan.

The Minister's Plan Making functions should be sought for this Planning Proposal and be granted to the General Manager.

Infrastructure

The subject property is currently not serviced by reticulated water or sewer.

A review shows that sufficient sewer services can be provided to service potential light industrial development. This can be done by a traditional gravity sewer network; or a low pressure sewer scheme, the latter being particularly suitable for lower ET's; connected to a new centralised sewer pump station that discharges into Casino's sewer scheme by:

- direct injection into the Gays Hill rising main, currently running within the Bruxner Highway adjacent to the site;
- discharge into the existing gravity sewer manhole adjacent to the Hare Street/Diary Street intersection; or
- discharge into the existing gravity sewer manhole within Colches Street.

Water services can be provided to the development via a new water network, connected to the bulk service main located within the Bruxner Highway.

Electricity and telecommunications may require upgrades and consultation with the relevant supply authorities should be undertaken.

DA2012/0139 has been granted consent to establish a truck depot on part of the land. A condition of consent requires an intersection to be constructed at the Bruxner Highway to handle long/heavy vehicles. This intersection is currently being designed, in consultation with NSW Roads and Maritime Services, to service a larger industrial estate.

CONSULTATION

Gateway Determinations are customised for each Planning Proposal, however normal consultation requirements for a rezoning are agency consultation followed by a minimum 28 day public exhibition.

At the conclusion of the consultation phase, a further report to Council will be required if the amendment is to proceed with or without amendment.

CONCLUSION

Planning Proposal PP2019/0001 has been lodged with Council seeking to rezone 3245-3275 Bruxner Highway Casino, being Lots 100 to 111 DP755627, to facilitate development of the land for light industry. Development Consent DA2012/0139 was granted for a depot on part of the land which will be consistent with this amendment. This consent has commenced and includes construction of sheds to comply with the Flood Risk Management Plan, and an intersection with the Bruxner Highway to cater for long heavy vehicles.

The Planning Proposal is consistent with the *North Coast Regional Plan* by actioning Direction 1 to delivery future urban development within mapped future Urban Growth Areas. Assessment of the proposal also shows it is consistent with State, regional and local plans policies and strategies, as well as Section 117 (s.9.1) Ministerial Plan Making Directions.

It is recommended Council support the planning proposal to commence the Gateway Planning process. Furthermore, Council should also seek the Minister's Plan Making functions for this

planning proposal and granted these to the General Manager to enable making of the final LEP amendment under delegation.

ATTACHMENT(S)

Nil

17.3 CODE OF CONDUCT AND CODE OF CONDUCT PROCEDURES

Author: Deborah McLean, Manager Governance & Risk

EXECUTIVE SUMMARY

Council adopted the November 2015 *Model Code of Conduct for Local Council in NSW* (Model Code of Conduct) and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* (Procedures) in August 2016.

Following the release of the draft Model Code of Conduct and Procedures, and a lengthy consultation period in 2018, the new 2018 Model Code of Conduct and Procedures has been prescribed under the *Local Government (General) Regulation 2005* (Regulation).

Councils have until 14 June 2019 to adopt a code of conduct based on the new Model Code of Conduct and Procedures. Council's existing Code of Conduct remains in place until new Model Code of Conduct and Procedures is adopted by Councillors.

A draft 2018 *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* is provided as an attachment under separate cover to this report.

RECOMMENDATION

That Council adopt the 2018 *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

DELIVERY PROGRAM LINKS

Making Council Great

CS1: Leading and Advocating for our Community

CS1.3: Ensure transparency and accountability in council's operations

BUDGET IMPLICATIONS

NIL

REPORT

In 2017 the Office of Local Government (OLG) released the draft *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* for consultation. Following a long consultation period the Minister for Local Government released, in September 2018, the 2018 Model Code of Conduct and Procedures so that councils could familiarise themselves with the new provisions ahead of their prescription. In December 2018 the new 2018 Model Code of Conduct and Procedures was prescribed under the Regulation.

Councils have six months from the date of prescription (14 June 2019) to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures. Until adopted, existing adopted codes of conduct and procedures will remain in force.

If Council fails to adopt a new code of conduct and procedures, within six months, the provisions of the new Model Code of Conduct and Procedures will automatically override any inconsistencies with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the *Local Government Act 1993* (the Act).

In adopting a new Code of Conduct and Procedures, councils may include provisions that are supplementary to the Model Code of Conduct and Procedures.

The most obvious change to the new Model Code of Conduct is that the pecuniary interest provisions previously contained in the Act and Regulation have now been included in the Model Code of Conduct.

One of the recurrent themes, in feedback received in the first round of consultation on the new Model Code of Conduct, was that the “principles-based” approach to prescribing ethical and behavioural standards in the previous version of the Model Code of Conduct resulted in some of the prescribed standards being too vague. The ethical and behavioural standards expected of council officials were unclear and that almost anything could potentially constitute a breach of a council’s code of conduct. In response to this, the Model Code of Conduct has been substantially re-drafted to be more prescriptive and to be more clear to identify the behaviours that it seeks to deter.

Key changes in the new Model Code of Conduct include:

- it incorporates the pecuniary interest provisions previously contained in the Act and Regulation
- new standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records
- new rules governing the acceptance of gifts including mandatory reporting
- a new ongoing disclosure requirement for councillors and designated persons requiring disclosure of new interests in returns of interests within three months of becoming aware of them
- councillors will be required to disclose in their returns of interests whether they are a property developer or a close associate of a property developer.

In response to feedback, changes have been made to the Procedures to address the following issues:

- the role of the general manager in the receipt and initial management of code of conduct complaints about councillors
- the ability of complainants, who are unhappy with decisions of the council, to misuse councils’ codes of conduct by repackaging routine complaints as “code of conduct complaints”.

CONSULTATION

Following the release of the draft Model Code and Procedures a thorough consultation process was undertaken by the OLG. Councils were invited to make submissions on the draft Model Code of Conduct and Procedures. In addition a Councillor workshop was held in January 2018 following the release of the draft Model Code of Conduct and Procedures to outline the proposed amendments and determine whether Council would make a submission on the proposed changes. No submission was made by this Council.

CONCLUSION

Councils have six months from the date of prescription, (14 December 2018 – 14 June 2019) to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures. To meet the regulatory requirements it is recommended that Council adopt the 2018 *Model Code of Conduct for Local Council in NSW* and *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW* annexed to this report.

ATTACHMENT(S)

- 1. Draft Code of Conduct - Councillors/Personnel (under separate cover)**

18 MATTERS FOR INFORMATION

18.1 ROCK FISHING SAFETY

Author: Ryan Gaiter, Chief Financial Officer / Manager Mid-Richmond

RECOMMENDATION

That Council receive and note the Rock Fishing Safety report.

REPORT

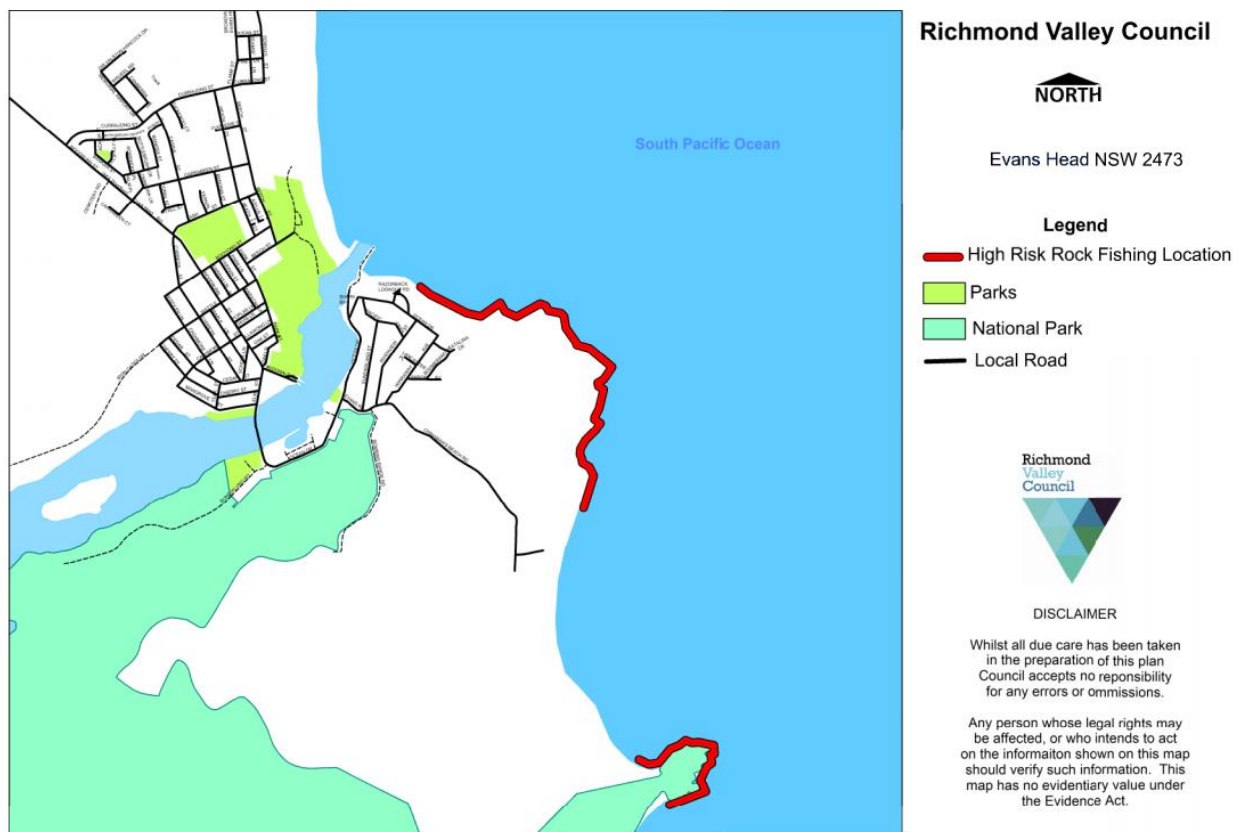
Following a resolution at the October 2018 Ordinary Council meeting, Council opted-in to the *Rock Fishing Safety Act 2016*. The amended Rock Fishing Safety Order to include Richmond Valley Council Local Government Area was signed by the Minister for Primary Industries on 25 January 2019, and a 6 month trial of the legislation was implemented with a moratorium on fines until 25 July 2019.

Educational signage was erected following the gazettal at various coastal locations considered high risk as identified in the below map.

During the trial period of the legislation, rock fishers in the identified high risk locations will be educated for not wearing a life jacket whilst rock fishing. Data collection during the trial period will form part of a report at the completion of the trial to assist Council in approving a further extension to the trial period or commencing regulation whereby authorised officers will issue infringements for those choosing to not comply with the *Rock Fishing Safety Act 2016*.

NSW Department of Primary Industry is currently working with a number of other councils which will soon be coming on-board this important public safety initiative.

Figure 1: Water Safety NSW Map identifying high risk rock fishing locations in Evans Head.



DELIVERY PROGRAM LINKS

Connecting People and Places

PP3: Working Together

PP3.8: Maximise opportunities for community and Council to apply for grant opportunities

BUDGET IMPLICATIONS

By choosing to opt-in to the *Rock Fishing Safety Act 2016*, Council will receive \$30,000 in grant funding to erect safety signs, hold advisory workshops and provide educational material.

CONSULTATION

Council has received positive feedback from the Local Marine Rescue and the Reserve Trust Board of the Dirawong Reserve to support this important safety initiative.

The first educational workshop will be held during the April School Holidays, with the second workshop planned to be held in conjunction with the Evans Head Fishing Classic. All attendees will receive a complementary lifejacket as well as educational pamphlets on rock fishing safety and general fishing safety.

Council will proactively work with other regulatory bodies including National Parks & Wildlife and the NSW Police to help educate and improve safety for rock fishers.

ATTACHMENT(S)

1. **Rock Fishing Safety - Ministers Notice of Amended Order**



New South Wales

Rock Fishing Safety (Declared Areas) Amendment Order 2018

under the

Rock Fishing Safety Act 2016

I, the Minister for Primary Industries, in pursuance of section 4 (1) of the *Rock Fishing Safety Act 2016*, make the following Order.

Dated, this 20th day of December 2018.

NIALL BLAIR, MLC
Minister for Primary Industries

s2018-346.d04

Government Notices

Rock Fishing Safety (Declared Areas) Amendment Order 2018 [NSW]

Rock Fishing Safety (Declared Areas) Amendment Order 2018

under the

Rock Fishing Safety Act 2016

1 Name of Order

This Order is the *Rock Fishing Safety (Declared Areas) Amendment Order 2018*.

2 Commencement

This Order commences on the day on which it is published in the Gazette.

3 Amendment of Rock Fishing Safety (Declared Areas) Order 2016**Schedule 1 Declared areas**

Insert at the end of the Schedule:

Northern Beaches local government area

Richmond Valley local government area

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(n2019-182)

18.2 SIGNATURE PROJECTS UPDATE

Author: Ben Zeller, Manager Projects and Performance

RECOMMENDATION

That Council receive and note the information presented in this Council Report.

REPORT**Northern Rivers Livestock Exchange Stage 2**

The last update on the progress of this project was provided to the September council meeting.

Since that report, the Project teams from Council and AGS Commercial successfully worked through the conditions from the Development Consent including the design of a satisfactory stormwater management solution. A construction certificate was obtained and work began in November 2018. Early works were concentrated on site preparation, minor demolition and the new Maintenance Shed located adjacent to the exit gate to the sites south.

The project teams have continued to conduct design discussions and as of February 2019 the following discretionary inclusions additional to those ratified in the original contract are being negotiated subject to budget constraints:

- Transit Yard upgrade including new B Double delivery ramp
- Further maintenance shed improvements
- Stormwater infrastructure solution including new 744kl tank and pumps
- Administration building / Canteen upgrade
- Weigh Area upgrade
- DIP Yard alterations
- New cattle crush with Veterinary Gate (stakeholder request)
- Fire Access road
- Transformer upgrade for future capacity
- Holding Yard alterations

Council staff also internally delivered a new sealed car park at the sites entrance which is currently being line marked prior to its completion. Internally, delivery of the car park has provided Council with a significant cost saving when compared to amounts quoted in the tender process.

Post-Christmas, the project has accelerated markedly with the transit yards and ramp close to completion, roof columns being erected, near completion of the maintenance shed, clearing of the tank pad and all steel for the first stages of the roof and yards being delivered on site.

AGS Commercial, NRLX management and the Project Management Team have been in constant dialogue about planning for the coming months when sale activity increases. Plans have been put in place to ensure that NRLX operations and construction progress continues with minor disruption.

Current work programs show a projected completion date for the project of late May / early June.

Casino Drill Hall

AGS Commercial and Council at the conclusion of the tender process in July 2018 executed a contract to deliver the following sections of the Casino Drill Hall master plan:

- Visitor Information Centre
- Road works and Car park
- Amphitheatre
- Associated Landscaping

Toilet block refurbishments and project management will be delivered internally with current work programs indicating a projected completion date in May.

AGS Commercial took possession of the worksite in October 2018 and a construction certificate for the various stages was obtained soon thereafter. Initial works focused on site preparation and concrete slabs for the Visitor Information Centre whilst excavation of the car park and amphitheatre areas commenced in December 2018.

As of February 2019 the project status is:

Visitor Information Centre:

- Concrete slab, framing, roofing and cladding all complete
- Fit out is in progress
- Etched glass windows installed
- Connection walkway to the Museum is in progress

Road works and Car Park:

- Entry and turning circle earthworks complete
- Concrete pavement almost complete
- Car Park redesign complete for improved grades and drainage
- Pavement redesign complete with concrete in lieu of flexible pavement
- Earthworks are 50% complete

Amphitheatre:

- Telstra cables successfully relocated
- Excavation completed

The Project Management Office is also completing the various grant acquittals and milestone reports related to the different funding sources.

Woodburn Riverside

In 2017, Council approved that a master plan and technical drawings be produced for the Woodburn Riverside upgrade project. Independent costing of the entire project indicates that all works would cost \$3,075,000 ex GST. Due to the funding shortfall to deliver the entire project, the master plan was divided into stages.

In March 2018, Council went to tender for the following works:

Separable Portion 1, Stages 1A and 1B

- Demolition of the existing CWA building
- Demolition of playground
- Construction of new community building
- Landscaping, including picnic terrace, lawn and pathways

Separable Portion 2, Stage 2

- River edge stabilisation
- Sandstone block installation
- Beach upgrade
- Bring surrounds up to design level

Council received no tender submissions for this work so in May 2018, following authorisation from Council for the General Manager to directly negotiate and approve a contractor, the Project Management Office began direct negotiations with potential contractors. With separable portion 1, Stages 1A and 1B being the priority, a proposal from AGS Commercial was accepted and formalised.

Since this time, considerable negotiation and budget management has been undertaken by the Project Management Office to deliver Council and the community the best outcome possible within a limited budget. At the conclusion of this stage of the project the deliverables include the Community Building, demolition of playground, jetty, toilet block and Ski Club, construction of landscaping and picnic terraces, the beach upgrade and the construction of a new feature playground.

As of February 2019 the project status is:

Community Building:

- Subfloor and upper floors complete
- Block work, framing and roof cladding complete
- Internal wiring, plumbing, door and window installation has commenced
- Internal fit out in progress
- Public toilets a priority to complete

Demolition:

- Ski Club building demolition completed
- Jetty demolition in progress
- Public toilet demolition to be undertaken following the opening of new toilets

Landscaping:

- Initial works are Stages 1A and 1B adjacent to community buildings
- Playground site works to commence soon

Jetty:

- Contract finalised with Superior Jetties
- Commencement off site to commence in late February

Playground:

- Playground equipment has been ordered with twenty week lead time
- Completion expected in June 2019

The Project Management Office is also completing the various grant acquittals and milestone reports related to the different funding sources.

Images

NRLX:



Drill Hall:



Woodburn Riverside:



DELIVERY PROGRAM LINKS

Connecting People and Places

PP2: Getting Around

PP2.2: Striving for consistent improvement

CONSULTATION

Significant community consultation was conducted during the development of these projects. Ongoing communications to stakeholders is occurring.

ATTACHMENT(S)

Nil

18.3 PLAYGROUND EQUIPMENT AT STAN PAYNE OVAL

Author: Andrew Leach, Manager Asset Planning

RECOMMENDATION

That Council receive and note the information presented in this Council Report.

REPORT

Under Section 55(3)(a) of the *Local Government Act 1993*, Council can procure goods and services from prescribed persons listed in Regulation 163 of the *Local Government (General) Regulation 2005* Local Government Procurement.

Council sourced a quote from Urban Play who is registered under the Local Government Procurement list. Council desired a themed playground and Urban Play were the only suitable supplier who can provide the required play equipment. The funding for the project was required to be spent prior to 30 June 2019 and Urban Play can supply and install the playground within this timeframe. The total order for the playground was \$161,073 which was referred to the General Manager on 12 December 2018 and later approved.

DELIVERY PROGRAM LINKS

Connecting People and Places

PP1: Fresh and Vibrant Community

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

BUDGET IMPLICATIONS

The playground has been purchased in accordance with Council's Annual Playground Inspection conducted by CCEP in July 2018. The playground was identified as a high risk in the annual report as the playground is deemed to be at the end of its life expectancy with most of the unit breaching code AS4685.1:2014. The playground has been funded through the 14/15 Special Rate Variation budget allocation

CONSULTATION

Consultation with the community was carried out through the development of the Community Strategic Plan, particularly the public meeting in Evans Head. In addition, staff from Council's Asset Management section sought feedback of the Stan Payne Oval Committee regarding the design of the playground and also considered input from the nearby pool and tennis court users.

ATTACHMENT(S)

Nil

18.4 SUPPLY AND DELIVERY OF PLANT THROUGH LOCAL GOVERNMENT PROCUREMENT

Author: Ryan Gaiter, Chief Financial Officer / Manager Mid-Richmond

RECOMMENDATION

That Council note the supply and delivery of items as detailed in this report.

REPORT

Under Section 55(3)(a) of the *Local Government Act 1993*, Council can procure goods and services from prescribed persons listed in regulation 163 of the *Local Government (General) Regulation 2005* Local Government Procurement.

Councils can procure goods or services by requesting quotations via Local Government Procurement (Vendor Panel) without having to bring such procurement to Council for resolution. This report is to keep Council up to date with any significant procurement purchased in this way.

Quotes were received from the following companies for the supply and delivery of the detailed goods as per tabled below;

| Two Steel Body Trucks with aluminium tool boxes and crane |
|---|
| Isuzu Australia |
| Fuso Truck and Bus |
| Hino Motor Sales Australia |

Isuzu Australia were the successful supplier, the truck offered showed the best whole of life costing and value for Council.

| Truck Mounted Street Sweeper |
|--|
| Mike Trace Engineering Sales and Service |
| Rosmech Sales and Service |
| Bucher Municipal |

Rosmech were the successful supplier, the truck mounted street sweeper offered was not only the most advantageous in price but also displayed better whole of life costing and hourly charge rate.

| Steel Body Truck with Aluminium Tool Boxes and Crane |
|--|
| Sci-Fleet Hino Nerang |
| Hino Coffs Harbour |
| Murwillumbah Truck Centre |
| Northern Rivers Isuzu |

Northern Rivers Isuzu were the successful supplier. The truck offered was not only the most advantageous in price but also displayed better whole of life costing and hourly charge rate.

DELIVERY PROGRAM LINKS

Making Council Great

CS2: Great Support

CS2.15: To sustainably and strategically manage council's fleet program

BUDGET IMPLICATIONS

These have been purchased in line with Council's fleet replacement program and as such have been funded from the plant replacement fund.

CONSULTATION

The Plant Superintendent has conducted multiple consultation meetings with stakeholders that are directly affected by these purchases.

ATTACHMENT(S)

Nil

18.5 GRANT APPLICATION INFORMATION REPORT - DECEMBER 2018 & JANUARY 2019**Author: Ryan Gaiter, Chief Financial Officer / Manager Mid-Richmond****RECOMMENDATION**

That the Grant Application Information Report for the months of December 2018 and January 2019 be received and noted.

REPORT

This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications submitted for the months of December 2018 and January 2019.

Two new grants were approved while Council received funding for eighteen grants during the reporting period, totalling \$1,265,306. Council was notified as being unsuccessful with one grant application and one new grant was applied for during this time.

Details of these grants are provided below:

Grants that have been approved

| Casino Civic Hall Revitalisation | |
|---|---------------------------------------|
| Project ID | 10299 |
| Funding Body | Create NSW - Arts, Screen and Culture |
| Funding Name | Regional Cultural Fund Round Two |
| Government Level | State |
| Project Value (exc GST) | \$228,044 |
| Grant Funding (exc GST) | \$208,172 |
| Council Funding (exc GST) | \$ 19,872 |
| Date Application Submitted | 20 September 2018 |
| Date Approved | 21 December 2018 |
| Comment (if required) | N/A |

| Art Van Go - Mobile Cultural Programs | |
|--|---------------------------------------|
| Project ID | 10300 |
| Funding Body | Create NSW - Arts, Screen and Culture |
| Funding Name | Regional Cultural Fund Round Two |
| Government Level | State |
| Project Value (exc GST) | \$50,397 |
| Grant Funding (exc GST) | \$46,397 |
| Council Funding (exc GST) | \$ 4,000 |
| Date Application Submitted | 20 September 2018 |
| Date Approved | 21 December 2018 |

| | |
|-----------------------|-----|
| Comment (if required) | N/A |
|-----------------------|-----|

Grants that have been received

| NRLX Truck Wash Upgrade | |
|--------------------------------|------------------------------------|
| Project ID | 10226 |
| Funding Body | Transport for NSW |
| Funding Name | Fixing Country Truck Washes |
| Government Level | State |
| Project Value (exc GST) | \$418,076 |
| Grant Funding (exc GST) | \$358,076 |
| Council Funding (exc GST) | \$ 60,000 |
| Date Application Submitted | 6 October 2016 |
| Date Received | \$48,720 received 17 December 2018 |
| Total Funds Received To Date | \$287,014 |
| Comment (if required) | N/A |

| Flood Event of 12 March 2017 Emergency and Restoration Works | |
|---|-----------------------------------|
| Project ID | 10256 |
| Funding Body | Roads and Maritime Services |
| Funding Name | Natural Disaster Funding |
| Government Level | State |
| Project Value (exc GST) | \$1,773,221 |
| Grant Funding (exc GST) | \$1,744,221 |
| Council Funding (exc GST) | \$ 29,000 |
| Date Application Submitted | Various |
| Date Received | \$3,000 received 21 December 2018 |
| Total Funds Received To Date | \$1,726,030 |
| Comment (if required) | N/A |

| Flood Event of 28 March 2017 Emergency and Restoration Works | |
|---|-----------------------------|
| Project ID | 10258 |
| Funding Body | Roads and Maritime Services |
| Funding Name | Natural Disaster Funding |
| Government Level | State |
| Project Value (exc GST) | \$3,113,420 |
| Grant Funding (exc GST) | \$3,084,420 |
| Council Funding (exc GST) | \$ 29,000 |

| | |
|------------------------------|---------------------------------|
| Date Application Submitted | Various |
| Date Received | \$866 received 21 December 2018 |
| Total Funds Received To Date | \$3,041,286 |
| Comment (if required) | N/A |

Northern Rivers Livestock Exchange Stage 2

| | |
|------------------------------|-------------------------------------|
| Project ID | 10260 |
| Funding Body | NSW Treasury |
| Funding Name | Restart NSW |
| Government Level | State |
| Project Value (exc GST) | \$7,000,000 |
| Grant Funding (exc GST) | \$7,000,000 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | Various |
| Date Received | \$191,450 received 17 December 2018 |
| Total Funds Received To Date | \$556,821 |
| Comment (if required) | N/A |
| Total Funds Received To Date | \$556,821 |
| Comment (if required) | N/A |

Evans Head Tennis Clubhouse Construction and Fitout

| | |
|------------------------------|--|
| Project ID | 10268 |
| Funding Body | Department of Premier and Cabinet's Office of Regional Development |
| Funding Name | Stronger Country Communities Fund |
| Government Level | State |
| Project Value (exc GST) | \$260,990 |
| Grant Funding (exc GST) | \$101,990 |
| Council Funding (exc GST) | \$ 159,000 |
| Date Application Submitted | Various |
| Date Received | \$34,676 received 7 December 2018 |
| Total Funds Received To Date | \$101,990 (total funding received) |
| Comment (if required) | N/A |

Casino Civic Hall

| | |
|--------------|--|
| Project ID | 10270 |
| Funding Body | Department of Premier and Cabinet's Office of Regional Development |

| | |
|------------------------------|-----------------------------------|
| Funding Name | Stronger Country Communities Fund |
| Government Level | State |
| Project Value (exc GST) | \$152,028 |
| Grant Funding (exc GST) | \$152,028 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | Various |
| Date Received | \$50,169 received 7 December 2018 |
| Total Funds Received To Date | \$100,338 |
| Comment (if required) | N/A |

Summerland Way Shared Pathway

| | |
|------------------------------|---|
| Project ID | 10273 |
| Funding Body | Transport NSW |
| Funding Name | Active Transport, Walking and Cycling Program, Priority Cycleways |
| Government Level | State |
| Project Value (exc GST) | \$391,000 |
| Grant Funding (exc GST) | \$391,000 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 20 September 2017 |
| Date Received | \$700 received 30 January 2019 |
| Total Funds Received To Date | \$700 |
| Comment (if required) | N/A |

Johnston Street, Bruxner Hwy, Shared Pathway

| | |
|------------------------------|---|
| Project ID | 10274 |
| Funding Body | Transport NSW |
| Funding Name | Active Transport, Walking and Cycling Program, Priority Cycleways |
| Government Level | State |
| Project Value (exc GST) | \$1,015,500 |
| Grant Funding (exc GST) | \$1,015,500 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 20 September 2017 |
| Date Received | \$10,000 received 21 December 2018 \$ 700 received 30 January 2019 |
| Total Funds Received To Date | \$10,700 |
| Comment (if required) | N/A |

| Woodburn Riverside Park Development - Playground and Central Hub Area | |
|--|--|
| Project ID | 10283 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$573,528 |
| Grant Funding (exc GST) | \$551,776 |
| Council Funding (exc GST) | \$ 21,752 |
| Date Application Submitted | 3 May 2018 |
| Date Received | \$182,086 received 19 December 2018 |
| Total Funds Received To Date | \$182,086 |
| Comment (if required) | N/A |

| Stan Payne Oval Sporting Facility Enhancement with Grandstand Upgrade and Security Bollards | |
|--|--|
| Project ID | 10284 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$309,884 |
| Grant Funding (exc GST) | \$309,884 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 3 May 2018 |
| Date Received | \$102,262 received 19 December 2018 |
| Total Funds Received To Date | \$102,262 |
| Comment (if required) | N/A |

| Woodburn Recreational Oval Enhancement of Sporting Facilities | |
|--|--|
| Project ID | 10285 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$98,714 |
| Grant Funding (exc GST) | \$98,714 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 3 May 2018 |

| | |
|------------------------------|------------------------------------|
| Date Received | \$32,576 received 19 December 2018 |
| Total Funds Received To Date | \$32,576 |
| Comment (if required) | N/A |

Queen Elizabeth Park Sporting Complex Enhancement

| | |
|------------------------------|--|
| Project ID | 10286 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$479,717 |
| Grant Funding (exc GST) | \$479,717 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 3 May 2018 |
| Date Received | \$158,307 received 19 December 2018 |
| Total Funds Received To Date | \$158,307 |
| Comment (if required) | N/A |

Coraki Hockey Club Training Facilities: Windsor Park Revitalisation

| | |
|------------------------------|--|
| Project ID | 10287 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$95,053 |
| Grant Funding (exc GST) | \$95,053 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 3 May 2018 |
| Date Received | \$31,367 received 19 December 2018 |
| Total Funds Received To Date | \$31,367 |
| Comment (if required) | N/A |

Evans Head Main Beach Access Enhancement

| | |
|-------------------------|--|
| Project ID | 10289 |
| Funding Body | Office of Regional Development |
| Funding Name | Stronger Country Communities Fund (SCCF) |
| Government Level | State |
| Project Value (exc GST) | \$185,765 |
| Grant Funding (exc GST) | \$185,765 |

| | |
|------------------------------|------------------------------------|
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | 3 May 2018 |
| Date Received | \$61,302 received 19 December 2018 |
| Total Funds Received To Date | \$61,302 |
| Comment (if required) | N/A |

| Construction of an Accessible Toilet at Coraki Youth Hall | |
|---|---|
| Project ID | 10292 |
| Funding Body | NSW Department of Premier and Cabinet |
| Funding Name | NSW Community Building Partnership Program 2018 |
| Government Level | State |
| Project Value (exc GST) | \$31,113 |
| Grant Funding (exc GST) | \$14,224 |
| Council Funding (exc GST) | \$16,889 |
| Date Application Submitted | 15 June 2018 |
| Date Received | \$14,224 received 21 December 2018 |
| Total Funds Received To Date | \$14,224 |
| Comment (if required) | N/A |

| Development of Crown Lands Plans of Management | |
|--|--|
| Project ID | 10297 |
| Funding Body | Office of Local Government |
| Funding Name | Implementation of Crown Land Management Act 2016 |
| Government Level | State |
| Project Value (exc GST) | \$41,274 |
| Grant Funding (exc GST) | \$41,274 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | Various |
| Date Received | \$41,274 received 7 December 2018 |
| Total Funds Received To Date | \$41,274 (total funding received) |
| Comment (if required) | N/A |

| Regional Roads Block Grant 2018/2019 | |
|--------------------------------------|-----------------------------|
| Project ID | N/A |
| Funding Body | Roads and Maritime Services |

| | |
|------------------------------|--------------------------------------|
| Funding Name | Regional Roads Block Grant 2018/2019 |
| Government Level | State |
| Project Value (exc GST) | \$901,815 |
| Grant Funding (exc GST) | \$901,815 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | N/A – Annual allocation |
| Date Received | \$222,750 received 30 January 2019 |
| Total Funds Received To Date | \$665,250 |
| Comment (if required) | N/A |

| Public Library Funding Strategy 2018/19 | |
|---|--|
| Project ID | N/A |
| Funding Body | State Library NSW |
| Funding Name | Per Capita Subsidy and Geographical and Disability Adjustment |
| Government Level | State |
| Project Value (exc GST) | \$78,877 |
| Grant Funding (exc GST) | \$78,877 |
| Council Funding (exc GST) | \$ 0 |
| Date Application Submitted | N/A |
| Date Received | \$78,877 received 21 December 2018 |
| Total Funds Received To Date | \$78,877(total funding received) |
| Comment (if required) | \$42,911 Per Capita Subsidy component and \$35,966 Geographical and Disability Adjustment component. |

Unsuccessful Grant Applications

| Casino Library Makerspace | |
|----------------------------|---------------------------------------|
| Project ID | 10298 |
| Funding Body | Create NSW - Arts, Screen and Culture |
| Funding Name | Regional Cultural Fund Round Two |
| Government Level | State |
| Project Value (exc GST) | \$59,878 |
| Grant Funding (exc GST) | \$43,897 |
| Council Funding (exc GST) | \$15,981 |
| Date Application Submitted | 20 September 2018 |
| Date Advised Unsuccessful | 21 December 2018 |
| Comment (if required) | N/A |

Grant Applications Submitted

| Crawford Square Park Casino Sensory Path | |
|--|---|
| Project ID | 10305 |
| Funding Body | NSW Government – Planning and Environment |
| Funding Name | Everyone Can Play in NSW |
| Government Level | State |
| Project Value (exc GST) | \$49,926 |
| Grant Funding (exc GST) | \$24,926 |
| Council Funding (exc GST) | \$25,000 |
| Date Application Submitted | 21 December 2018 |
| Comment (if required) | N/A |

DELIVERY PROGRAM LINKS

Making Council Great

CS2 Great Support

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

BUDGET IMPLICATIONS

All Council funding required regarding the grants in this report has been included in Council's budget.

ATTACHMENT(S)

Nil

18.6 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 DECEMBER 2018 TO 31 JANUARY 2019

Author: Andrew Hanna, Manager Development and Environment

RECOMMENDATION

That Council receive and note the development application report for the period 1 December 2018 to 31 January 2019.

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 December 2018 to 31 January 2019 was 34, with a total value of \$3,446,374.00.

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

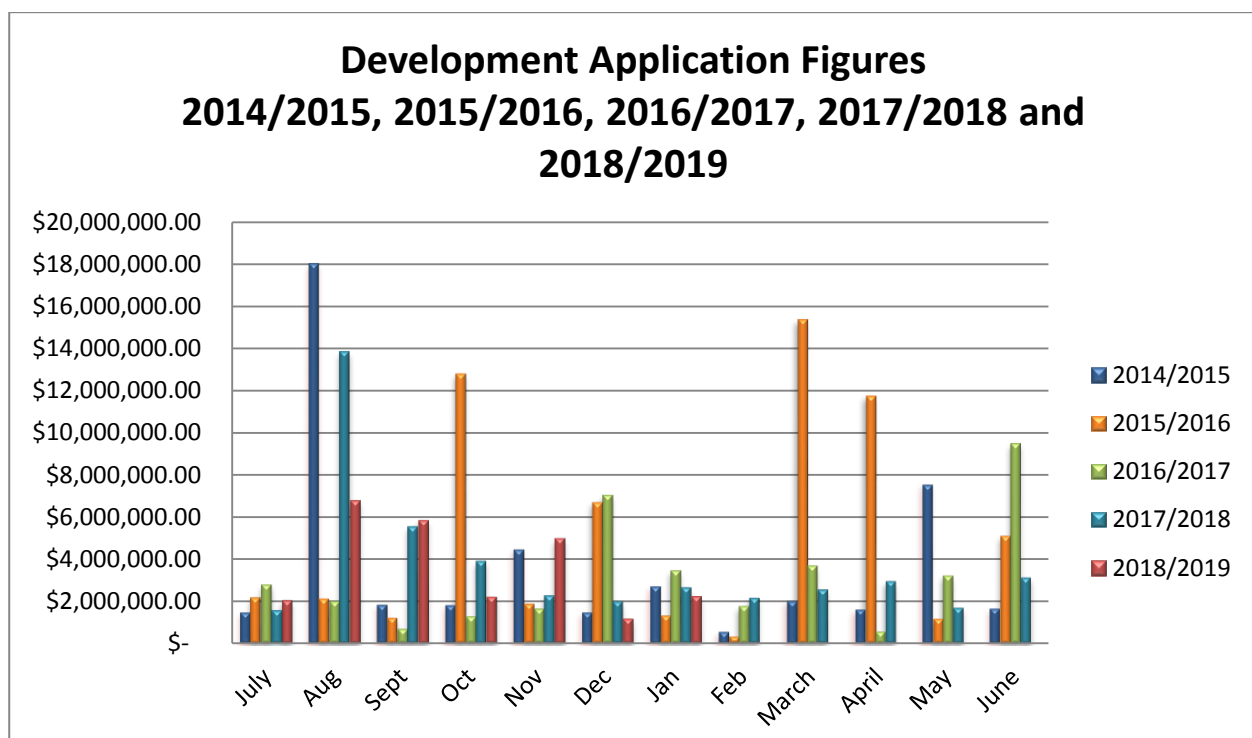


Figure 1: Monthly dollar value of development processed by Council over five financial years.

Figure 2 graph provides the annual value of Development Consents issued by Council over five financial years and Figure 3 and 4 graphs provide a detailed review of the value for the reporting months of December 2018 and January 2019.

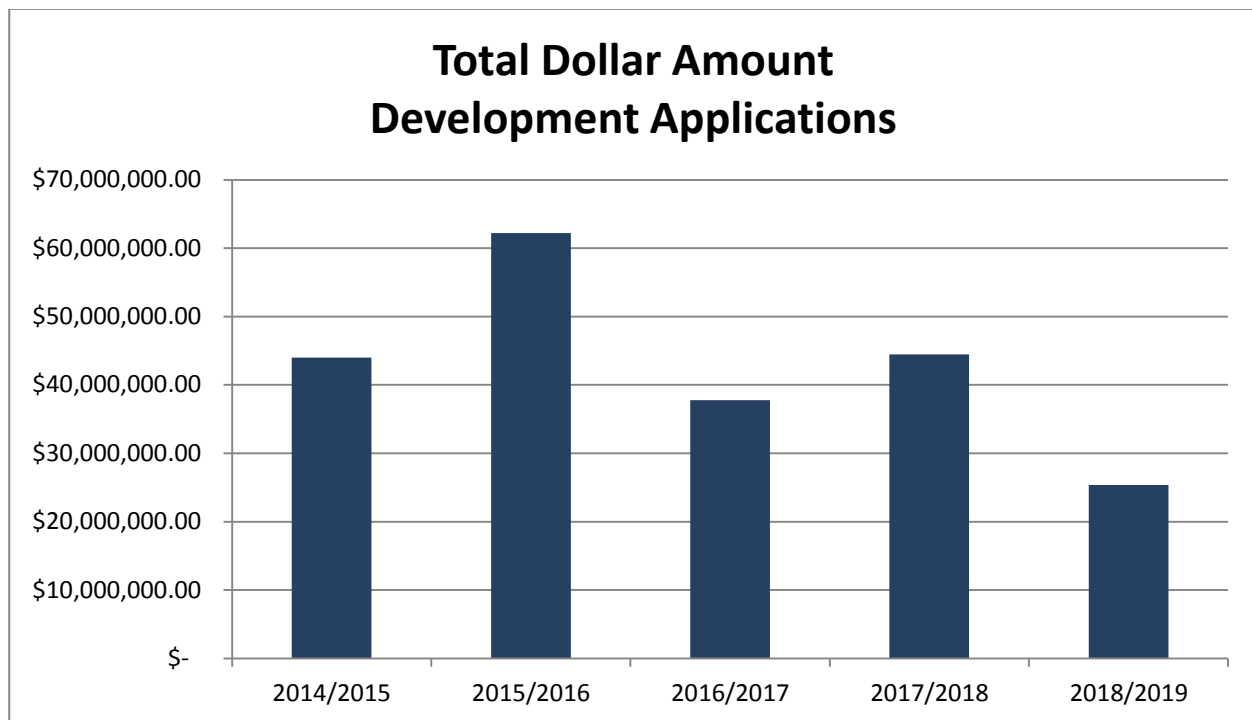


Figure 2: Annual value of development.

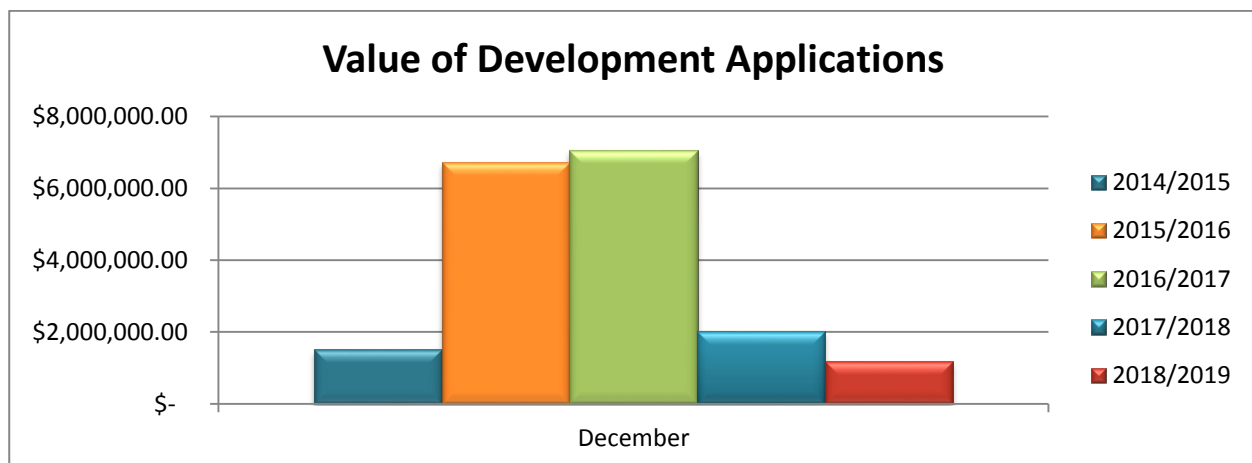


Figure 3: Value of development for the month of December.

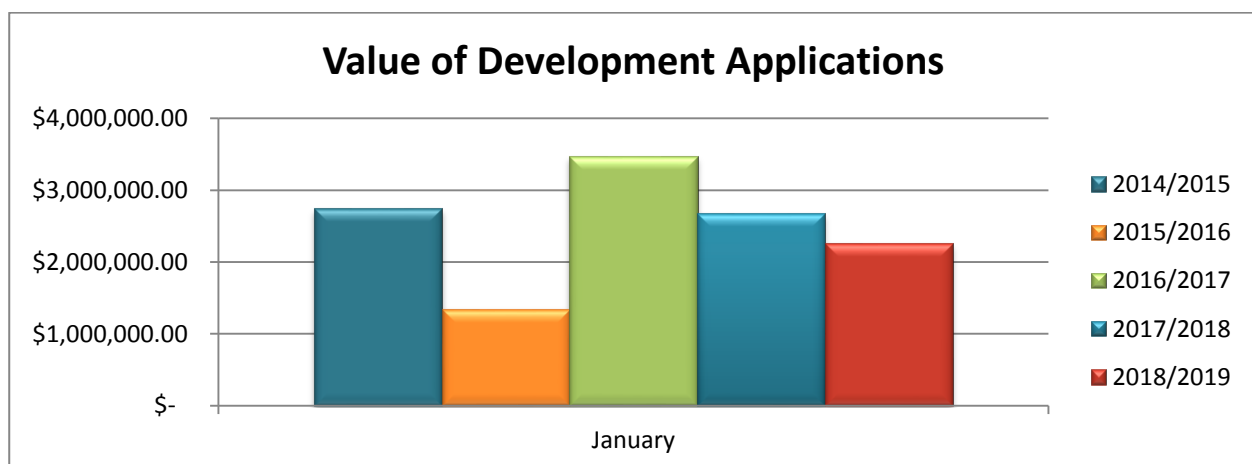


Figure 3: Value of development for the month of January.

Number of Development Applications

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

Figures 5 and 6 below detail the number of applications determined by Council which, as stated above, is not necessarily reflective of the value of development.

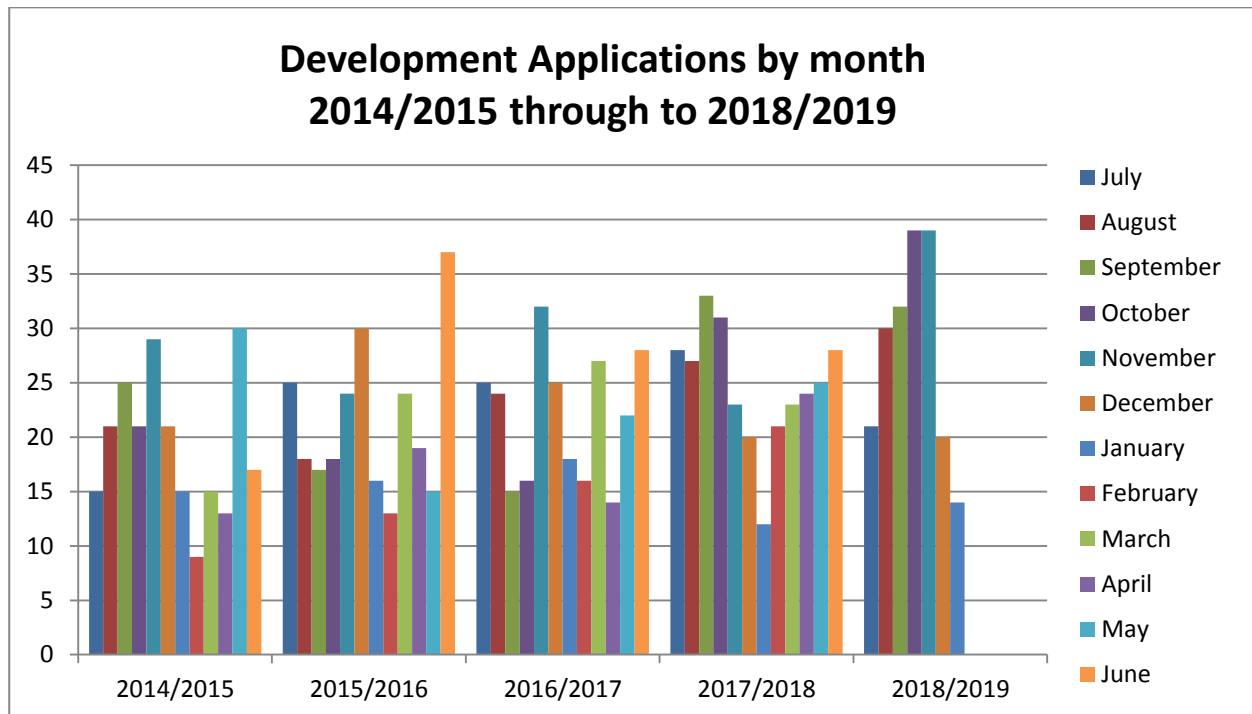


Figure 5: Number of Development Applications per month over five financial years.

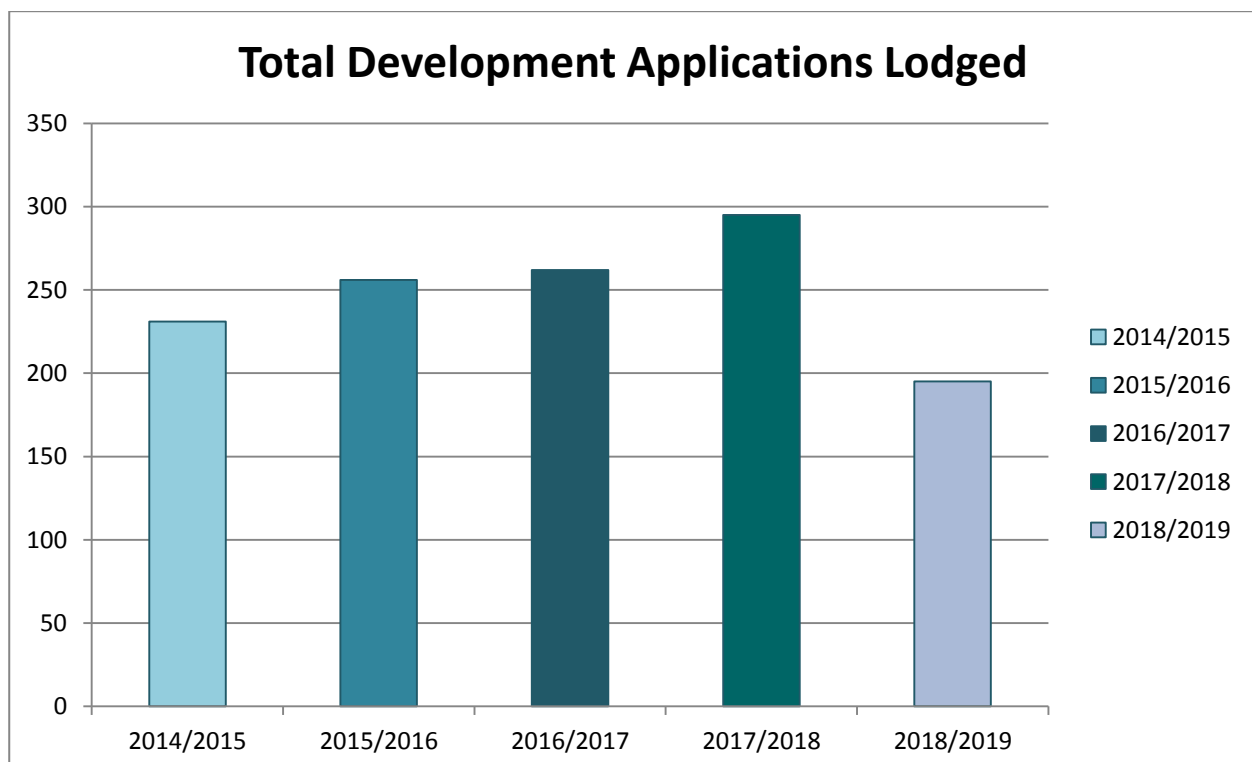


Figure 6: Number of development applications per year over five financial years.

Activity for the month of December 2018 and January 2019

| | |
|---|-----------|
| General Approvals (excluding Subdivisions, Section 96s) | 28 |
| Section 96 amendments to original consent | 3 |
| Subdivision | 1 |
| Refused | |
| Withdrawn | 2 |
| Complying Development (Private Certifier Approved) | |
| TOTAL | 34 |

DELIVERY PROGRAM LINKS

Growing our Economy

EC1: Driving Economic Growth

EC1.6: Improved customer satisfaction with the DA process

BUDGET IMPLICATIONS

Nil.

CONSULTATION

Nil.

| Summary of Development Applications <u>determined</u> under the Environmental Planning and Assessment Act for the period 1 December 2018 to 31 January 2019 | | | | | | | |
|--|-----------------------------|-----------------------|---------------------------------|--|-------------|--------------------|----------------|
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| DA2018/0161 | DE Bell | DE Bell | 1 Cypress Street, Evans Head | Change of use from garage to unit | 12/02/2018 | 11/12/2018 | \$ 15,000.00 |
| DA2019/0054 | Ardill Payne & Partners | DMJ Willis | 44 Ocean Drive, Evans Head | Subdivision to create three (3) lots | 6/09/2018 | 24/01/2019 | \$ 150,000.00 |
| DA2019/0061 | DF Hart | SM & DF Hart | Perkins Bridge Road, Tatham | Dwelling | 11/09/2018 | 23/01/2019 | \$ 70,000.00 |
| DA2019/0093 | B & DJ Morgan | B & DJ Morgan | 43 Donaldson Street, Coraki | Shed | 10/10/2018 | 18/01/2019 | \$ 10,350.00 |
| DA2019/0104 | MA McLennan & SF Ball | MA McLennan & SF Ball | 3 Woodside Grove, Casino | Carport | 23/10/2018 | 4/12/2018 | \$ 10,000.00 |
| DA2018/0230.01 | Simpson Hospitality Pty Ltd | KA & JM Harper | 15-19 Oak Street, Evans Head | Modification | 26/10/2018 | 21/12/2018 | \$ - |
| DA2019/0113 | Hayes Building Consultancy | MJ & TM Bodley | 30 Wirraway Avenue, Casino | New dwelling | 31/10/2018 | 6/12/2018 | \$ 650,000.00 |
| DA2019/0114 | AGS Commercial Pty Ltd | CJ & KA Sneesby | 5 Beith Street, Casino | Shed | 1/11/2018 | 5/12/2018 | \$ 16,405.00 |
| DA2019/0115 | Atlas Awnings | SD & WJ Darr | 23 Rodeo Drive, Casino | Patio | 1/11/2018 | 18/12/2018 | \$ 12,364.00 |
| DA2019/0116 | Meticon Homes QLD Pty Ltd | KL McCullough | Eucalypt Drive, Swan Bay | Dwelling | 5/11/2018 | 4/12/2018 | \$ 329,251.00 |
| DA2019/0118 | JA France | JA France | 19 Nowlan Place, North Casino | Home business | 6/11/2018 | 18/12/2018 | \$ 4,000.00 |
| DA2018/0031.01 | D & JV McGeary | D & JV McGeary | 28 Wirraway Avenue, Evans Head | modification | 7/11/2018 | 14/12/2018 | \$ - |
| DA2019/0123 | RC Smith | RC Smith | 24 Lancaster Street, Casino | Shed | 8/11/2018 | 14/12/2018 | \$ 19,300.00 |
| DA2019/0125 | TW Hicks | TW Hicks | 30 Beith Street, Casino | Carport | 13/11/2018 | 5/12/2018 | \$ 6,950.00 |
| DA2019/0127 | GS Bowering | GS Bowering | 4 Sea View Crescent, Broadwater | As built deck, battery shed, and toilet outhouse | 19/11/2018 | 6/12/2018 | \$ 12,422.00 |
| DA2019.0002.02 | Hayes Building Consultancy | DL Carroll | 117 River Street, Woodburn | modification | 21/11/2018 | 11/12/2018 | \$ - |
| DA2019/0130 | AGS Commercial Pty Ltd | Foscars Pty Ltd | 43-47 Dyraaba Street, Casino | Shed for bulk storage of rural supplies | 22/11/2018 | 24/01/2019 | \$ 295,000.00 |
| DA2019/0063.01 | SJ & KB Tregidgo | SJ & KB Tregidgo | 9 West Street, Casino | Shed and carpot | 22/11/2018 | 10/12/2018 | \$ 32,840.00 |

| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
|----------------|--------------------------------|----------------------------------|--------------------------------------|---|-------------|--------------------|----------------|
| DA2019/0131 | HE Batson | HE Batson | 34 Gregors Road, Spring Grove | Carport | 22/11/2018 | 7/12/2018 | \$ 6,060.00 |
| DA2019/133 | EJ Weir | EJ & JM Weir | 11 Moonem View Drive, Swan Bay | Inground swimming pool | 27/11/2018 | 12/12/2018 | \$ 36,000.00 |
| DA2019/0135 | J Fardy | M & J Fardy | Moonem View Drive, Swan Bay | Shed | 29/11/2018 | 12/12/2018 | \$ 17,400.00 |
| DA2019/0137 | Ardill Payne & Partners | BT Nicholas | 115 Centre Street, Casino | Construction of a double storey building for Medical and Allied Health University Student Accommodation (16 students) | 3/12/2018 | 24/01/2019 | \$ 900,000.00 |
| DA2019/0138 | Dixonbuild Pty Ltd | WJ & J F Lane | 13 Durack Circuit, Casino | Attached dual occupancy (1 x 3 bedroom dwelling and 1 x 2 bedroom dwelling) | 4/12/2018 | 17/01/2019 | \$ 302,607.00 |
| DA2019/0141 | D Polese & H Waldron | D Polese & H Waldron | 36 Ivory Circuit, Casino | Shed & carport | 5/12/2018 | 18/12/2018 | \$ 19,480.00 |
| DA2019/0142 | TD Herps | TD Herps & KA Austen | 34 Bruton Street, Casino | Swimming pool | 6/12/2018 | 15/01/2019 | \$ 4,950.00 |
| DA2019/0143 | CC Chidlow | Mr C C Chidlow & Mrs C G Chidlow | 40 Charolais Avenue, North Casino | Shed | 7/12/2018 | 9/01/2019 | \$ 50,320.00 |
| DA2019/0145 | B Horn | RL & JM Reese | 665 Woodburn Coraki Road, Swan Bay | Resited dwelling | 11/12/2018 | 15/01/2019 | \$ 160,000.00 |
| DA2019/0146 | Richmond Valley Council | Richmond Valley Council | 74 Dargaville Drive, Casino | Alterations and additions to existing NRLX canteen | 12/12/2018 | 31/01/2019 | \$ 212,000.00 |
| DA2019/0150 | AL Bailey | AL & WS Bailey | 112 West Street, Casino | Shed | 17/12/2018 | 10/01/2019 | \$ 24,645.00 |
| DA2019/0154 | TJ Rankin | TJ & CL Rankin | Tareeda Court, Spring Grove | Shed | 28/12/2018 | 29/01/2019 | \$ 35,000.00 |
| DA2019/0157 | ST & ML Robinson | ST & ML Robinson | 50 Jersey Drive, North Casino | Conversion of carport to garage | 14/01/2019 | 24/01/2019 | \$ 8,630.00 |
| DA2019/0158 | Narellan Pools Northern Rivers | MJ Brown & VH Waddy | 197 Rocky Mouth Creek Road, Woodburn | Fibreglass swimming pool & associated fencing | 14/01/2019 | 23/01/2019 | \$ 35,400.00 |

| Summary of Development Applications <u>withdrawn</u> under the Environmental Planning and Assessment Act for the period 1 December 2018 to 31 January 2019 | | | | | | | |
|---|-----------------------|--|----------------------------------|-----------------------------|-------------|--------------------|----------------|
| Application ID | Applicant | Owners | Location | Development | Date Lodged | Determination Date | Estimated Cost |
| DA2018/0193 | MA Bassett | MA Bassett & AL Sullivan | 20 McDonald Street, Broadwater | New Single Dwelling | 29/03/2018 | 14/01/2019 | \$ 300,000.00 |
| DA2019/0134 | Dixonbuild Pty Ltd | Gaze Nominees Pty Ltd | Moonem New Italy Road, New Italy | New Single Dwelling | 28/11/2018 | 9/01/2019 | \$ 448,498.00 |
| CDC2019/0010 | Urban City Consulting | NSW Sugar Milling Cooperative Ltd & Manildra Stock Feeds (Manufacturing) Pty Ltd | 117 Pacific Highway, Broadwater | Telecommunications Facility | 27/11/2018 | 12/11/2018 | \$ 250,000.00 |

ATTACHMENT(S)

Nil

18.7 CUSTOMER SERVICE REPORT - QUARTERLY UPDATE 1 OCTOBER 2018 TO 31 DECEMBER 2018

Author: Kelly Moroney, Coordinator Customer Service and Support

RECOMMENDATION

That the quarterly Customer Service Report for the period 1 October 2018 to 31 December 2018 be noted by Council

REPORT

Council is committed to providing a high level of customer service to the community. The Customer Service Framework was adopted by Council at the Ordinary Meeting held on 19 July 2016. As a result, this quarterly report detailing Council's performance against the standards in the framework has been developed. The report also contains details on the resolution of customer requests made through the Contact Centre. Analysis is undertaken to determine what strategies or areas of improvement are required.

The report usually comprises of three parts; the Customer Service Contact Centre Data, the data from the Customer Request Management System (CRM) and the data from the Customer Service After Service Survey. Due to the timing of the Micromex survey which was conducted in January for the purpose of the special rate variation application, it was considered appropriate to delay the Customer Service After Service Survey until the end of March and report to Council in the next quarterly report.

Customer Service Contact Centre Data - Key Statistics

Calls Statistics

A total of 6890 calls were received during the quarter which is a slight decrease from previous although comparative to the corresponding period for the previous year due the Christmas period. The Contact Centre has significantly exceeded all service targets for this quarter.

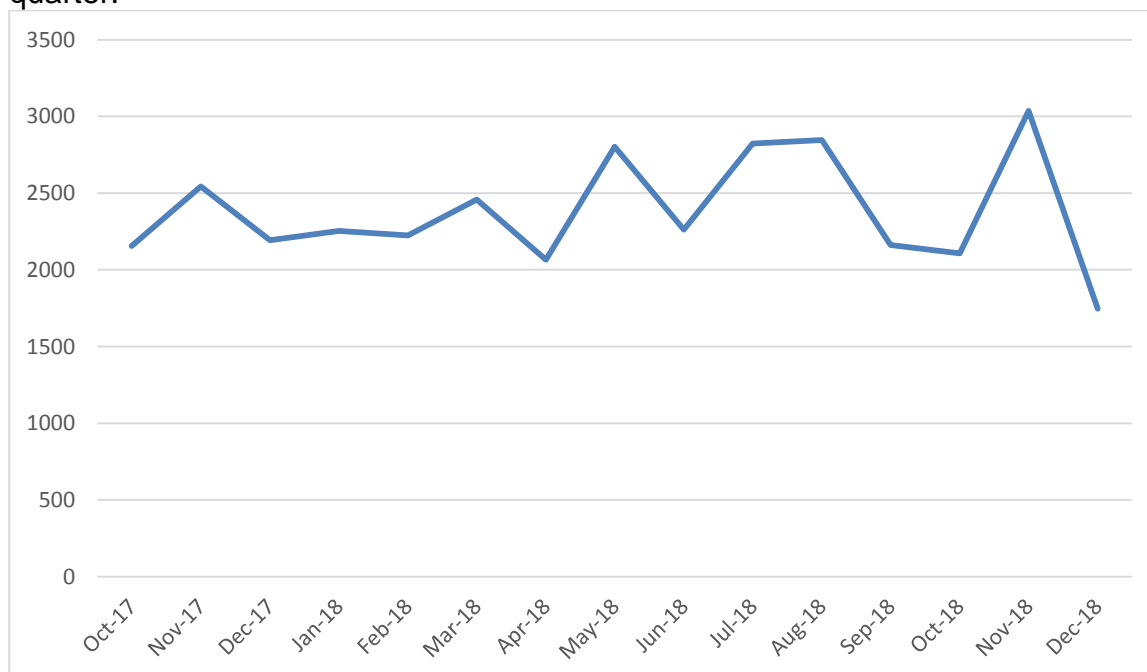


Figure 1- Total Number of Calls

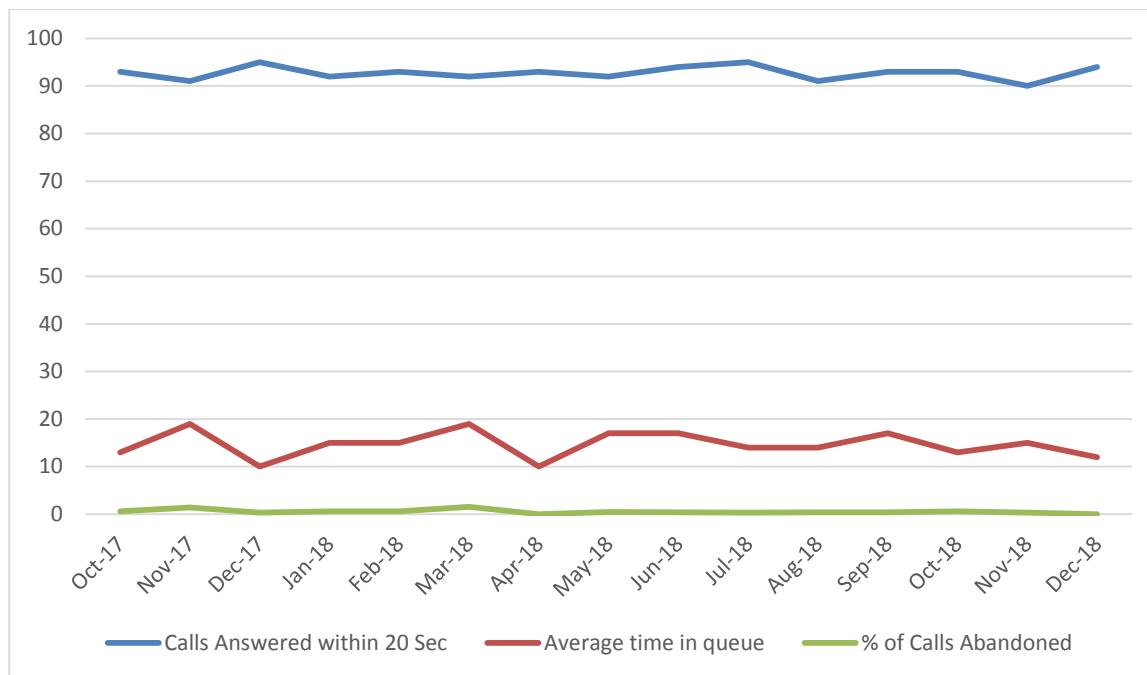


Figure 2 - Call Statistics

Receipt and Administration Statistics

A total of 3180 receipts were actioned for this quarter which sees a decrease from the previous quarter due to the Christmas period and that the previous quarter did include the totals of the annual rates notice receipts.

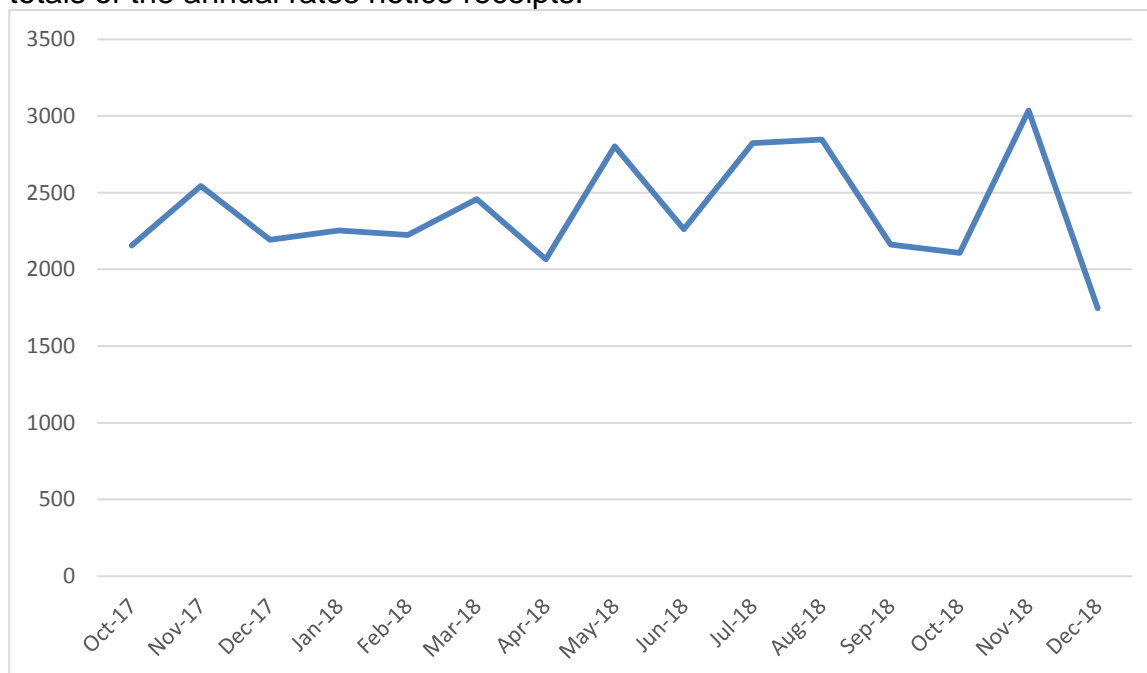


Figure 3 - Total Numbers of Receipts

90% of Section 735A, 149, 603 Certificates were completed within set timeframes as per our service standards. When comparing the statistics from this quarter with the previous quarter, they show a decrease in the number of Dial Before You Dig Applications and a decrease of CRM's lodged due to the Christmas period when we traditionally see a slowdown of customer traffic through the call centre and administration centres.

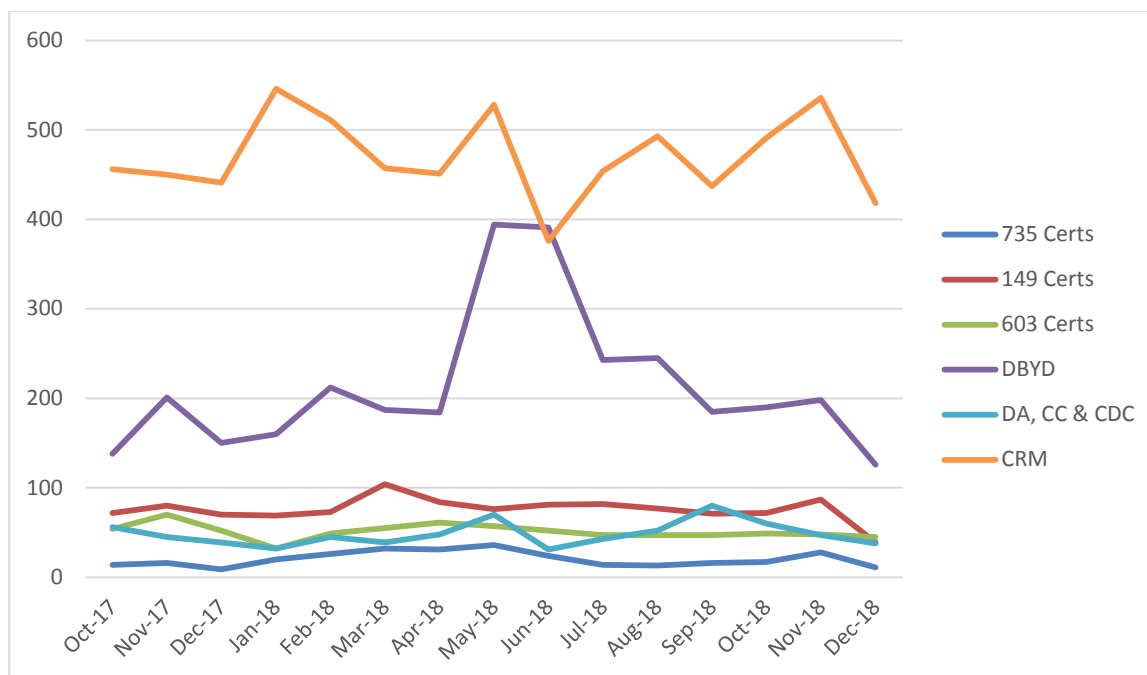


Figure 4 - Administration Statistics

Customer Request Management System - Key Statistics

This quarter sees a slight increase in requests received, with the month of November showing the biggest increase which coincides with high customer traffic due to rates notices being issued. A total of 24% of requests were completed outside target which is comparative to last quarters for each category.

Similar to the last quarter the majority of Council requests were referred to Environment Regulatory Control with the Roads, Drainage & Quarries and the Environment Regulatory section did see a decrease from the previous quarter.

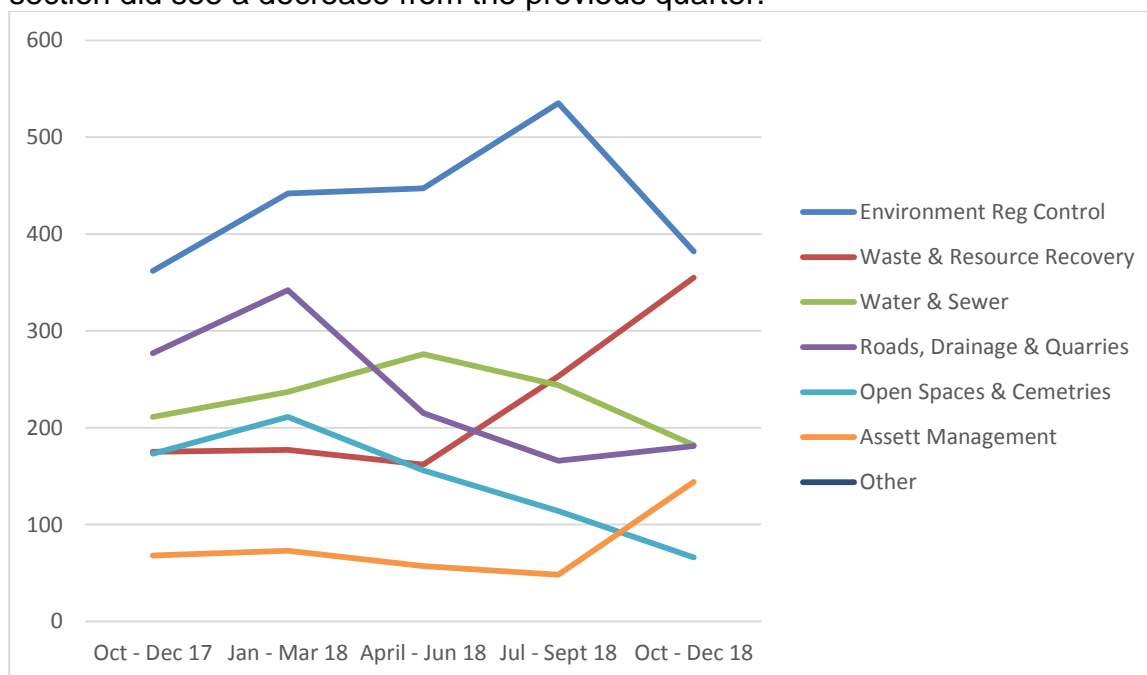


Figure 5 - Number of Requests

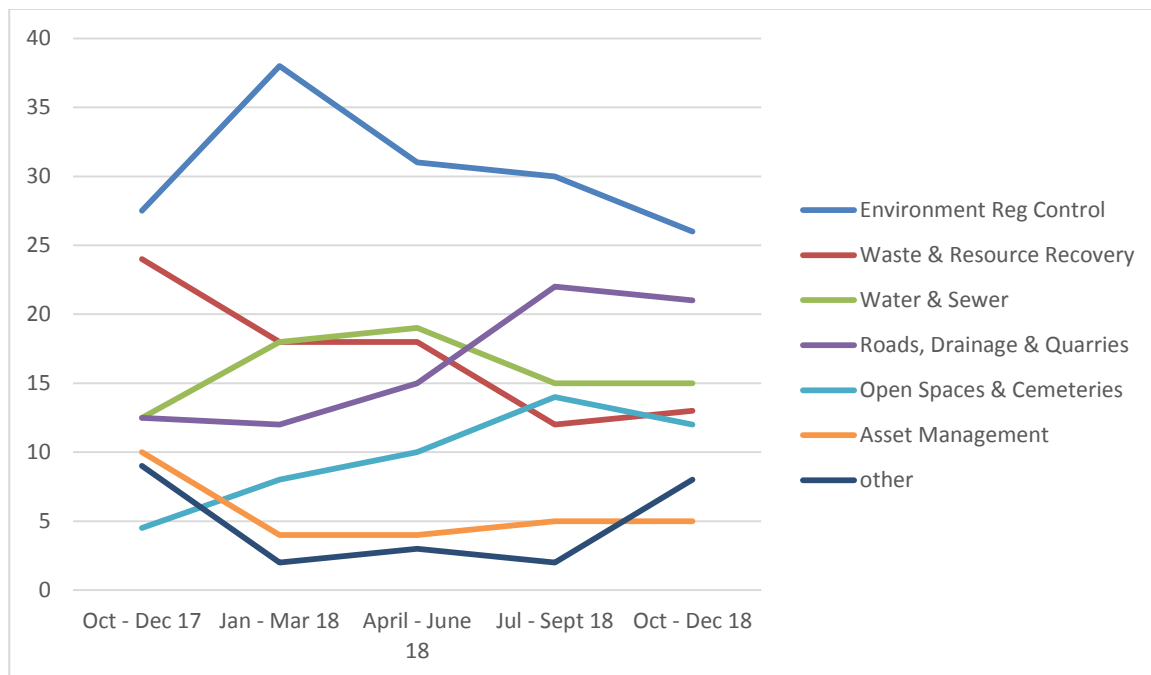


Figure 6 - Percentage of Total Requests

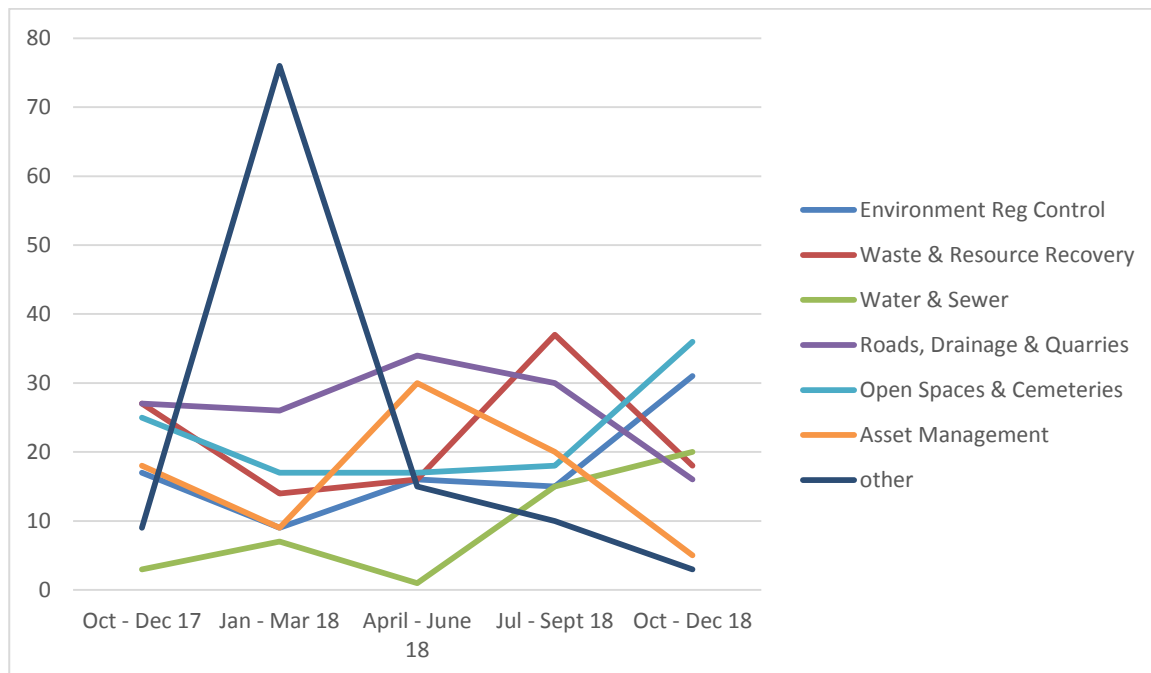


Figure 7- Completed Outside Target

DELIVERY PROGRAM LINKS

Making Council Great

CS2 Great Support

CS2.1 Provide excellent customer service to all stakeholders

BUDGET IMPLICATIONS

Nil.

CONCLUSION

The information contained in this report demonstrates the significant volume of tasks and actions which are required by our frontline Customer Service staff. The Customer Service standards we have set ourselves are generally met and more often than not exceeded.

Quarterly statistical analysis of Customer Service Contact Centre data, Customer Request Management System (CRM) and feedback from the Customer Service After Service Survey provide valuable information which enables identification of opportunities to improve Council's Customer Service and ensure our processes are as efficient and effective as they can be. In accordance with Council's Customer Service Framework, we continue to strive for the provision of high standards in customer service to the community. In order for Council to continue to provide this high level of customer service, monitoring of our performance, the implementation of strategies and constant improvements to processes are required to this area of our business.

ATTACHMENT(S)

Nil

19 QUESTIONS ON NOTICE

Nil

20 QUESTIONS FOR NEXT MEETING (IN WRITING)