



# **AGENDA**

## **Ordinary Council Meeting**

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

**Date: Tuesday, 17 September 2019**

**Time: 5 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**

Nil

**6 CONFIRMATION OF MINUTES**

**6.1 MINUTES ORDINARY MEETING HELD ON 20 AUGUST 2019**

**Author:** Vaughan Macdonald, General Manager

**RECOMMENDATION**

That Council confirms the Minutes of the Ordinary meeting held on 20 August 2019

**ATTACHMENT(S)**

- 1. Ordinary Meeting Minutes 20 August 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****10.1 NOTICE OF MOTION - TOWN ENTRY SIGNS**

I, Councillor Robert Hayes, give notice that at the next Ordinary Meeting of Council to be held on 17 September 2019, I intend to move the following motion:

**NOTICE OF MOTION**

That a report be brought back to Council on the possible impacts and associated costs on rate payers by installing signs at the entry points to our towns and villages; in stages, Stage 1 being Evans Head and Woodburn and future stages being Broadwater, Coraki, Rappville and Casino to acknowledge the traditional owners of the Bundjalung Country, that we reside on.

**RATIONALE**

I commend this Notice of Motion to Council.

**ATTACHMENT(S)**

Nil



**11 MAYOR'S REPORT****11.1 MAYOR ATTENDANCES 13 AUGUST - 9 SEPTEMBER 2019**

**Author:** Robert Mustow, Mayor

**RECOMMENDATION**

That Council receive and note the Mayor attendance report 13 August – 9 September 2019.

**REPORT****August**

- 13<sup>th</sup> Meeting with Janelle Saffin MP
- 13<sup>th</sup> Historical Society meeting
- 14<sup>th</sup> Local Government NSW - Crown Land Management for Local Councils
- 15<sup>th</sup> Meeting with residents
- 16<sup>th</sup> Northern Rivers Joint Organisation meeting
- 17<sup>th</sup> POP Culture Festival
- 18<sup>th</sup> Vietnam Veterans Day - The Battle of Long Tan
- 20<sup>th</sup> Book Week at Leeville School
- 20<sup>th</sup> Richmond Valley Council Ordinary Meeting
- 21<sup>st</sup> Rous County Council meeting
- 22<sup>nd</sup> Citizenship Ceremony
- 24<sup>th</sup> Wollongbar Primary Industries Institute 125 Year Anniversary Open Day
- 26<sup>th</sup> Mayors and Councillors for Finance Training (NRJO)
- 28<sup>th</sup> Casino Public School Deadly Futures Expo
- 28<sup>th</sup> Meeting with constituent
- 28<sup>th</sup> Careers Expo
- 29<sup>th</sup> Casino Tennis Club AGM

**September**

- 2<sup>nd</sup> Child Protection Week march Casino
- 3<sup>rd</sup> Official opening of NRLX stage two by Deputy Premier John Barilaro
- 3<sup>rd</sup> Official unveiling of Casino Historical Museum's heritage signs
- 3<sup>rd</sup> Richmond Valley Councillor Information Session
- 3<sup>rd</sup> St Mary's Annual Showcase event
- 5<sup>th</sup> Legacy Civic Reception
- 5<sup>th</sup> Koala Group meeting
- 6<sup>th</sup> Evans Head Heath One - Topping Out Event

**ATTACHMENT(S)**

**Nil**

**12 DELEGATE'S REPORTS****12.1 DELEGATES' REPORT SUBMITTED TO SEPTEMBER 2019 ORDINARY MEETING.**

**Author: Robert Mustow, Mayor**

**RECOMMENDATION**

That Council receive and note the Delegates' report for the month of September 2019.

**REPORT**

Council delegates are required to report on meetings/forums attended on Council's behalf. The following information has been provided regarding meetings/functions attended by Councillors.

**Rous County Council**

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 21 August 2019.

**ATTACHMENT(S)**

- 1. Rous County Council Meeting Summary 21 August 2019.**



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**Summary of main items of business for  
Rous County Council meeting  
21 August 2019**

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**1. Presentation**

Brian Wilkinson, Chairperson (Audit, Risk and Improvement Committee) presented on his report 'Audit, Risk and Improvement Committee Performance Review: period 2018-2019. The report related to a requirement of the Committee's Charter to provide information on the performance and activities of the Committee for the period July 2018 to June 2019.

**2. Local Government NSW Annual Conference 2019: Notice of Motion**

Council agreed to submit a Notice of Motion proposed by Cr Cadwallader to the 2019 Local Government NSW Annual Conference regarding ground water mining and the NSW Government's Integrated Mining Policy.

**3. Delivery program progress update: 1 January to 30 June 2019**

Council received and noted the report as submitted subject to the following additions from Cr Cameron:

- i). Acknowledge that sound and effective governance requires that staff and councillors are able to participate fully in work tasks and decision making and that equitable access measures for all are essential for this and that consequently all Delivery Plan Actions be reviewed to determine that equitable access measures reflect this principle.
- ii). In relation to Action 2.4.3.1, that customers, staff and councillors with a disability be invited to discuss their perspectives in the development of access awareness training.
- iii). In relation to Action 2.4.3.2, customers, staff and councillors with a disability be invited to participate in the access training provided to staff.
- iv). In relation to Actions 2.4.3.7/8, a review is initiated to determine the effectiveness of access measures and standards based on the feedback of staff, customers and councillors who use foyers 2 and 4.

**4. Preliminary 2018-19 end of financial year summary**

Council received and noted the Preliminary 2018/19 end of year financial summary report, acknowledging that it is a preliminary summary prior to end of year adjustments and audit. Council further approved the transfers to and from reserve as detailed in tables 2 - 8 of the report and the funds to be carried forward as detailed in tables 9 and 10.

Council also thanked staff for the detail provided in the report.

**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 \$3,112.41.

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Council meeting summary August 2019

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**6. Proposed ARC Linkage Research project – natural flood management in the Richmond River catchment**

Council resolved to provide conditional support for the proposed Australian Research Council Linkage Research Grant application with an allocation of funds of \$30,000 per year for the 3-year research program.

Council will work together with Southern Cross University to refine the research outline to ensure that it is directly aligned with Council's key strategic initiatives.

**7. Review of Pesticide Notification Plan**

Following a period of public exhibition, Council adopted a new Pesticide Notification Plan 2019-2024 (Cr Cameron voted against).

**8. 'Human Resources – employment conditions' policy**

Council resolved to revoke 10 separate Human Resources related policies and make one standalone 'Human Resources – employment conditions' policy.

**9. Policies for revocation**

Council noted the report recommending the revocation of a number of policies and that in relation to the matter of 'Designated Persons' that only the General Manager is a Designated Person.

**INFORMATION REPORTS**

The following reports were received and noted:

- i). Audit, Risk and Improvement Committee Performance Review: period 2018/2019 – Chairperson's report
- ii). Audit, Risk and Improvement Committee: meeting update
- iii). Reconciliation Action Plan (RAP) Advisory Group: meeting update
- iv). Investments – July 2019

Total funds invested for July 2019 was \$35,464,938. This is a decrease of \$3,344,654 compared to the May 2019 figure, primarily due to processing invoice payments relating to last financial year, especially the purchase of pipes and fitting for St Helena 600 tunnel plug progress payments.

The weighted average return on funds invested for July 2019 was 2.67%. This represents a decrease of three basis points compared to the May result (2.70%) and is 156 basis points above Council's benchmark (the average 90-day BBSW rate of 1.11%).

Interest earned for July 2019 was \$81,916. Interest earned compared to the adjusted budget it \$29,607 in excess of pro-rata budget.

Cheque account balance as at 31 July 2019 was \$75,264.

Ethical holdings represent 73.31% of the total portfolio: Current holdings in Ethical Financial Institutions equals \$26,000,000. The assessment of Ethical Financial Institutions is undertaken using [www.marketforces.org.au](http://www.marketforces.org.au) which is an affiliate project of the Friends of the Earth Australia.

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v). Water production and usage – June and July 2019

June 2019

Daily source usage for June averaged 28.828ML. This is an increase from the May 2019 daily average of 28.796ML. As at 30 June 2019, Rocky Creek Dam was at 91.32% of full capacity.

July 2019

Daily source usage for July averaged 26.909ML. This is a decrease from the June 2019 daily average of 28.828ML. As at 31 July 2019, Rocky Creek Dam was at 96.28% of full capacity.

vi). Fluoride plant dosing performance report – Quarter 2 - 2019

Council noted the Fluoride Dosing Plant Performance Report for Quarter 2 – 2019 (1 April 2019 – 30 June 2019), which shows that the four fluoride plants operated by Council have met the dosing targets prescribed in the Australian Drinking Water Guidelines and the target range within the NSW Health Code of Practice for Fluoridation of Public Water Supplies.

**CONFIDENTIAL REPORTS**

**10. Notion of Motion: Review of cost/benefit of current and recent insurance arrangements**

Council noted the information provided by staff in the response to the Notice of Motion regarding the review of insurance arrangements and that based on the information available at this time, the level of service and benefit provided from membership with Statewide Mutual was satisfactory.

It was also agreed that staff would continue to monitor Statewide Mutual service level standards and insurance product cost effectiveness, including performing market testing in May 2020 as outlined in the Notice of Motion response.

Council will receive a further report in the future detailing options and implications of going to open tender.

**11. Financial assistance for pensioners – section 582**

In accordance with section 582 of the *Local Government Act 1993* and its 'Retail Water Customer Account Assistance' policy, Council considered and approved financial assistance of \$1,891.26 , subject to receipt of valid Water Use Audit Report.

**12. Perradenya Release 6 – Award of Contract – construction of 20 Lot subdivision**

Council awarded the contract for Perradenya Estate Release 6 - construction of 20 Lot subdivision to *CivilCS Pty Ltd* for the contract price of \$1,639,845.09 incl. GST.

**13. Performance review of procurement activities**

Council received and noted the report which provided a summary of the outcome of an internal review of some of Council's procurement activities.

*For a copy of the draft minutes for this meeting and the business paper please go to Council's website [www.rous.nsw.gov.au](http://www.rous.nsw.gov.au)*

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Council meeting summary August 2019

**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 ELECTION OF DEPUTY MAYOR

**Author:** Vaughan Macdonald, General Manager

#### EXECUTIVE SUMMARY

Section 231 of the *Local Government Act 1993 (The Act)* provides that the Councillors may elect a Deputy Mayor for the mayoral term or for a shorter term. The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor, or if the Mayor is prevented by illness, absence or otherwise from exercising the function, or if there is a casual vacancy in the office of Mayor.

Schedule 7 of the *Local Government (General) Regulation 2005 (The Regulations)* provides for the method of conduct for the election of Deputy Mayor. The methods of conduct for the election, if more than one Councillor is nominated, are by preferential ballot, by ordinary ballot or by open voting.

It is recommended that the Deputy Mayor be elected for a 12-month term and that the method of conduct for the election of Deputy Mayor be by open voting.

It is also appropriate following declaration of the election result that nomination forms and any ballot papers be destroyed.

#### RECOMMENDATION

That:

1. Council elect a Deputy Mayor for a one-year period.
2. Nominations for the position of Deputy Mayor be submitted in accordance with the Local Government (General) Regulation 2005, Schedule 7.
3. The method of conduct for the election of Deputy Mayor be by open voting.
4. Following declaration of the election result, nomination forms be destroyed.

#### 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

No fee is specifically payable to the Deputy Mayor. Should Council determine that a fee be payable, the Mayoral allowance would need to be reduced by the same amount.

#### REPORT

Section 231 of *The Act* provides for the following in relation to the position of Deputy Mayor:

- "(1) *The councillors may elect a person from among their number to be the deputy mayor.*  
(2) *The person may be elected for the mayoral term or a shorter term.*

- (3) *The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.*
- (4) *The councillors may elect a person from among their number to act as deputy mayor if the deputy mayor is prevented by illness, absence or otherwise from exercising a function under this section, or if no deputy mayor has been elected."*

Schedule 7 of *The Regulations* prescribe that the General Manager (or a person appointed by the General Manager) is the returning officer.

*The Regulations* also prescribe that if only one Councillor is nominated, that Councillor is elected.

The proposed recommendation for the election of a Deputy Mayor for a one-year term and if more than one Councillor is nominated to conduct the election of Deputy Mayor by open voting are in accordance with the requirements of *The Act* and *The Regulations*.

## **Local Government (General) Regulation 2005**

### **Schedule 7 Election of mayor by councillors**

#### **Part 1 Preliminary**

##### **1 Returning officer**

The general manager (or a person appointed by the general manager) is the returning officer.

##### **2 Nomination**

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

##### **3 Election**

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.
- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this clause:  
**ballot** has its normal meaning of secret ballot.  
**open voting** means voting by a show of hands or similar means.

#### **Part 2 Ordinary ballot or open voting**

##### **4 Application of Part**

This Part applies if the election proceeds by ordinary ballot or by open voting.

##### **5 Marking of ballot-papers**

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with clause 345 (1) (b) and (c) and (6) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.



**6 Count - 2 candidates**

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

**7 Count - 3 or more candidates**

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

**Part 3 Preferential ballot****8 Application of Part**

This Part applies if the election proceeds by preferential ballot.

**9 Ballot-papers and voting**

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers "1", "2" and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with clause 345 (1) (b) and (c) and (5) of this Regulation as if it were a ballot-paper referred to in that clause.
- (3) An informal ballot-paper must be rejected at the count.

**10 Count**

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter's preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this clause, absolute majority, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

**11 Tied candidates**

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

**Part 4 General****12 Choosing by lot**

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

**13 Result**

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is:

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Director-General and to the Secretary of the Local Government and Shires Association of New South Wales.

**CONSULTATION**

Nomination forms have been provided to each Councillor.

**CONCLUSION**

This report provides details of the process required for the election of Deputy Mayor. Nomination forms for the position of Deputy Mayor have been forwarded to each Councillor. Additional nomination forms are available on request.

**ATTACHMENT(S)**

**Nil**

## 14.2 REVIEW OF SUBMISSIONS FOR BEACH PERMIT SYSTEM

**Author:** Andy Edwards, Acting Manager Development and Environment

### EXECUTIVE SUMMARY

At Council's Ordinary meeting of 19 February 2019, the following question was raised:

*Item 19.1 "What can Council do to control the amount of out of area vehicles which access Airforce Beach for inappropriate uses, without detracting from the local users".*

Research was carried out by Council's Ranger and information received was then presented in a Briefing Note at the Councillor Information Session of 2 July 2019. Council then publicly exhibited the proposal to introduce a Beach Permit Scheme with submissions revealing that there is a widely acknowledged issue on the beach from driving offences and anti-social behaviour.

Based on feedback from the community, several actions such as an increase in Ranger patrols, the introduction of a media campaign and a review of beach access signage are recommended.

### RECOMMENDATION

That Council:

1. Increase ranger patrols, including weekend patrols, commencing from October 2019. This would be in liaison with NSW Police Force, Crowns Lands and the National Parks and Wildlife Service and will commence at the start of the October Long-weekend School holidays which begin on 28 September 2019.
2. Develop and implement a media campaign focusing on improved behaviour from beach goers and highlighting that a zero-tolerance approach will be taken by Council rangers.
3. Review beach signage to ensure beach rules and speed limits are clear.
4. Approve a budget adjustment of \$11,800 from the 2019/20 budget surplus to fund additional Ranger salaries to undertake beach patrols.
5. Undertake a periodical review of the effectiveness of the increased patrolling with a report to be submitted to Council after June 2020.

### DELIVERY PROGRAM LINKS

Looking after our Environment

EH2: Promoting the Protection of the Environment

EH2.1: Provide services and programs which protect and enhance our natural and built environment

### BUDGET IMPLICATIONS

There will be budget implications due to the payment of overtime to Council Rangers for weekend shift work. The cost is estimated to be approximately \$10,000 in salaries and entitlements based on a Ranger's current rate of pay. This beach patrol overtime budget will be reviewed for the 2020/2021 financial year.

The NSW School Holidays commence on the October Long-weekend being Saturday, 28 September 2019 with the QLD school holidays starting the week prior. Calculations are based on a four hour shift each weekend and a 36-week period commencing from the weekend of 28 September 2019 until the end of June 2020. This does not mean that the increased level of service will be provided every weekend, as longer periods of enforcement for specific joint agency operations and other high usage periods may occur throughout the period.

## REPORT

As a result of the public exhibition period, Council received a total of 76 submissions, as detailed below:

- 25 said yes to a permit system.
- 30 said no to a permit system.
- 10 wanted a free pass or a reduced rate.
- 8 stated there should not be any vehicles on the beach other than emergency/ranger/police vehicles.
- 13 submissions provided feedback without stating a preference.

Council received 25 submissions agreeing to a permit system with the large majority wanting a permit system introduced due to the poor behaviour of drivers on the beach. Other comments related to protecting the amenity of the beach area, environmental damage, increase to use of vehicles and public safety.

The 30 submissions saying no, did not want the permit system for reasons such as some people believing they pay their rates so they should use the beach for free, they believe it is a cash grab, the permit system will not fix the problems on the beach, the cost is too high, requests for more patrols by the police and rangers and the economic impact to Evans Head.

Eight of the submissions did not want vehicles on the beach at all and 10 submissions were from people wanting a free pass or reduced fee, however they did not state they were against a permit.

Thirteen of the submissions did not clearly state if they were for or against the introduction of a permit system and provided comments such as increasing police and ranger patrols, the fee creates a financial burden, it should be free to fishermen, reduce the speed limit and install a beach access at Black Rock camping ground.

Fifty percent of all submissions mentioned there are problems on the beach, be it anti-social behaviour, hooning, speeding vehicles or damage to the dunes.

Council's Facebook post on the proposed beach permits was very successful in terms of audience with the post reaching 16,608 people, generating 625 reactions and comments. Along with the post being shared multiple times, there were 85 "likes", four "loves", 47 "angry" and two "sad" reactions selected. The original post generated 138 comments, although many of these were tags. Initially the comments were 50:50 yes and no, with later comments being mainly against a permit system.

Facebook reasons against a permit system were that it is over regulation, exploiting poor locals, ineffective solution to the problem, fee for no service and it is bad for tourism. Facebook reasons supporting the introduction was that it will protect the beach and make it a nicer and safer place. The neutral Facebook comments mentioned closing the beach to vehicles and keep it free for locals but charge outsiders.

## CONSULTATION

In addition to the public exhibition period, a briefing note was discussed at the Councillor Information Session on 3 September 2019 whereby it was suggested that signage be reviewed, along with the introduction of media releases and increased ranger patrols as an alternate to the current issues on the beaches.

## CONCLUSION

The submissions clearly indicate there is a problem with poor behaviour on the beach, be it driving offences or anti-social behaviour, and something needs to be done to rectify this matter. There is a clear message that the proposed fees are too high with numerous submissions requesting ratepayers have free access and outsiders pay more. There is a concern that a permit system will have an economic impact on Evans Head and is an erosion of people's freedom.

There were strong views expressed from both sides with some submissions being difficult to determine if they were for or against a permit system.

The issue of the poor behaviour of drivers on the beach needs to be addressed particularly when considering a growing population and the growing popularity of 4WD use on beaches. Rangers having a greater presence on the beaches and the introduction of targeted education campaigns are recommended as proactive measures which are likely to assist in changing behaviours and improving compliance of those who choose to access our beaches with 4WD.

Council will also continue to work with the NSW Police, Crown Lands and the National parks and Wildlife Service to coordinate enforcement activities.

**ATTACHMENT(S)**

**Nil**

**15 FINANCIAL REPORTS****15.1 FINANCIAL ANALYSIS REPORT - AUGUST 2019****Author: Jono Patino, Financial Accountant****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 August 2019 including General Bank Accounts and Trust Funds is shown below.

Investment Portfolio	General Bank Accounts	Trust Funds	Total
\$46,162,589	\$2,048,310	\$87,050	\$48,297,949

The weighted average rate of return on Council's investments for August 2019 was 2.29% which is above the 90 Day Bank Bill Index for August of 0.97%.

**RECOMMENDATION**

Recommended that Council adopt the Financial Analysis Report detailing investment performance for the month of August 2019.

**DELIVERY PROGRAM LINKS**

Making Council Great

CS1: Leading and Advocating for our Community

CS1.4: Provide high level financial and business analysis advice to monitor performance

**BUDGET IMPLICATIONS**

As at 31 August 2019, Council had earned \$26,704 in interest and \$151,476 in fair value gains for total investment revenue of \$178,180 against a budget of \$995,000 (which equates to 17.91%). Future fair value gains or losses will continue to be monitored and reported to Council.

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

The RBA left the cash rate at 1.00% per annum at its August 2019 meeting.

**Rate of Return**

The weighted average rate of return on investments in August 2019 was 2.29%, a decrease of 231 basis points from the previous month. However, the rate of return is 132 basis points above the 90 Day Bank Bill Index of 0.97% which is Council's benchmark.

**Council's Investment Portfolio**

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

Investment Portfolio	Face Value	General Bank Accounts	Trust Funds
\$46,162,589	\$44,986,635	\$2,048,310	\$87,050

The Investment Portfolio balance at 31 August 2019 of \$46,162,589 is made up of Council's Business Online Saver Account (\$6,483,324), Term Deposits (\$21,000,000) and NSW Treasury Corporation Investments (\$18,679,265).

Council's investment portfolio has maturity dates ranging from same day up to 732 days. Term deposits of \$21,000,000 represented 45.49% of the total portfolio as at 31 August 2019. Council made one new term deposit during the month of August 2019 with AMP Ltd which does support the fossil fuel industry. This term deposit was chosen as it offered the highest available return after diversification principles were applied. One term deposit matured during the period.

Council had \$18,679,265 in longer term investments being the Cash Facility Trust and Medium-Term Growth Fund with NSW Treasury Corporation as at 31 August 2019. The investment values are shown below.

Investment Holding	Fair Value 31-August-19	Fair Value Gain/(Loss) August 2019	Fair Value Gain/(Loss) YTD
Cash Facility Trust	\$9,132,355	\$6,746	\$23,427
Medium Term Growth Fund	\$9,546,910	\$27,111	\$128,049
<b>Total</b>	<b>\$18,679,265</b>	<b>\$33,857</b>	<b>\$151,476</b>

### Environmentally Sustainable Investments (ESI's)

The current holdings in ESI's is \$12,000,000 or 26.00% of the total portfolio. This percentage may seem low, the reason for this is this percentage is only calculated using ESI term deposits against Council's total investment portfolio. NSW Treasury Corporation, who hold a significant proportion of Council's investments are still to release a position statement in relation to Environmentally Sustainable Investments. The information for the assessment has been sourced from the website [www.marketforces.org.au](http://www.marketforces.org.au) which is an affiliate project of the Friends of the Earth Australia.

NSW Treasury Corporation continues to take a stewardship approach to ESI's (this policy was last updated in December 2018). The focus of this policy is on the management of Environmental, Social and Governance (ESG) risks and opportunities as well as active ownership of assets which includes proxy voting and corporate engagement. A major focus is on the materiality of ESG issues including climate change which is expected to have an impact on portfolios over the long term both from a risk and opportunity perspective. These issues are managed through investment managers and stewardship principles are embedded into investment funds. Bearing this in mind, if the NSW Treasury Corporation investments were considered to be ESI's, the current holding in ESI's would be \$30,679,265 or 66% of the total investment portfolio.

### CONCLUSION

During the month of August 2019 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy. As at 31 August 2019 Council's investments totalled \$46,162,589 with a further \$2,048,310 held in bank accounts. The weighted average rate of return was 2.29% for the month of August and total investment revenue equals 17.91% of budgeted revenue for the year to 31 August 2019.

### ATTACHMENT(S)

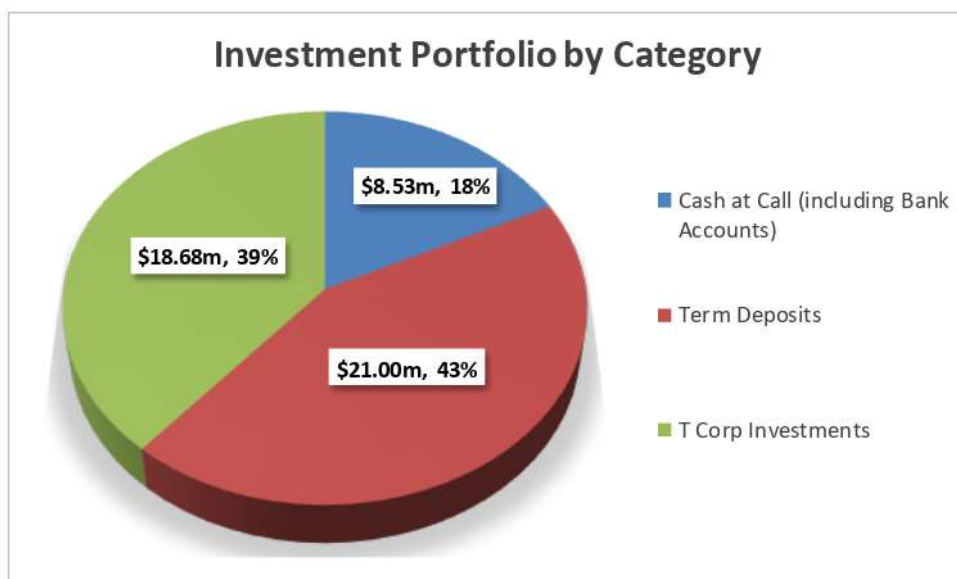
1. Financia Analysis Report Attachments
2. TCorp Investment Stewardship Policy

**Attachment(s)**

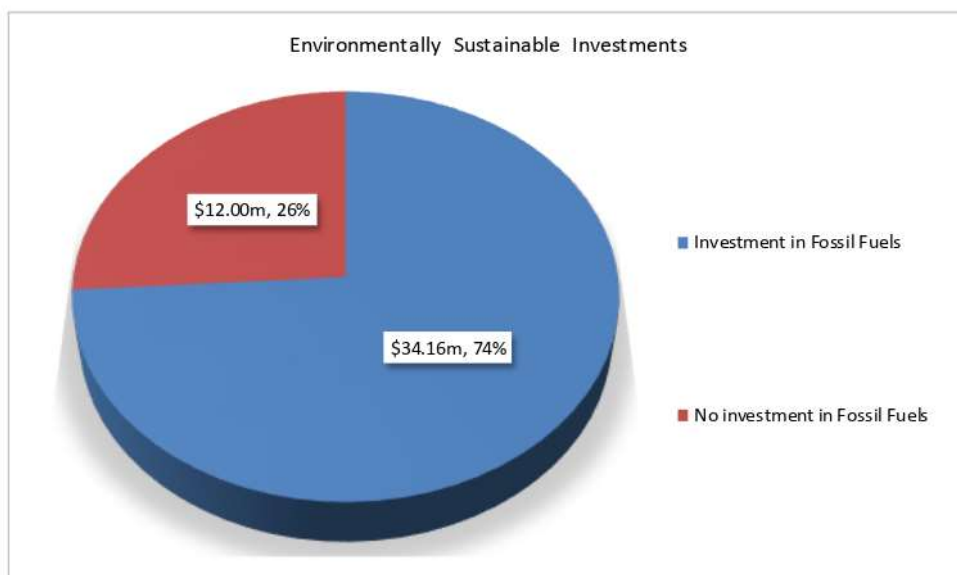
Included below:

1. Supporting Graphs; and
2. Investment Portfolio as at 31 August 2019

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

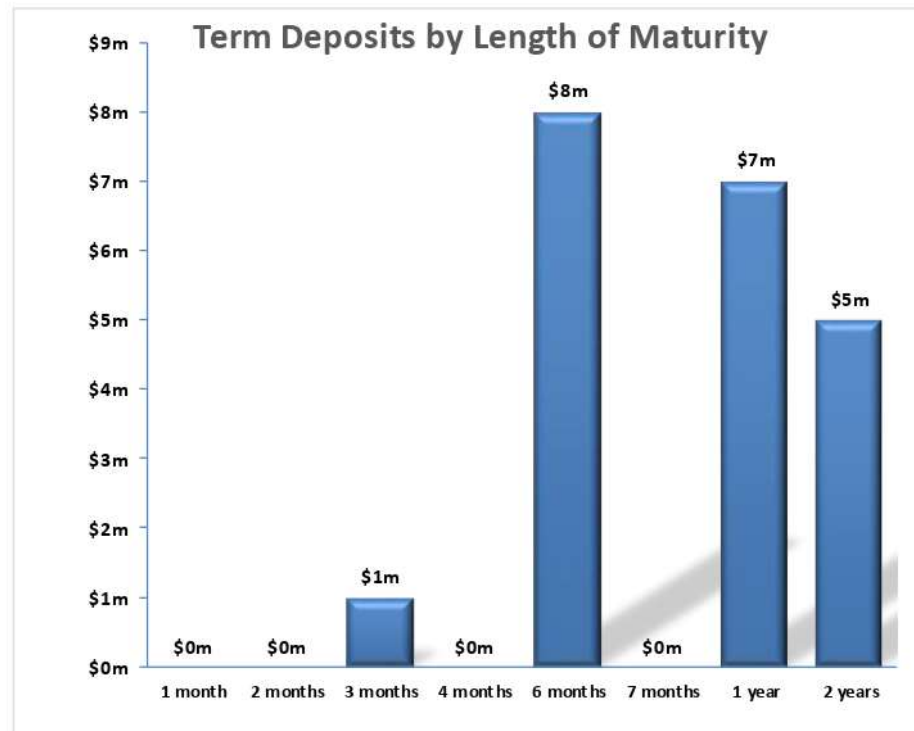


The following graph details Council's Environmentally Sustainable Investments as a percentage of Council's investment portfolio as at 31 August 2019.

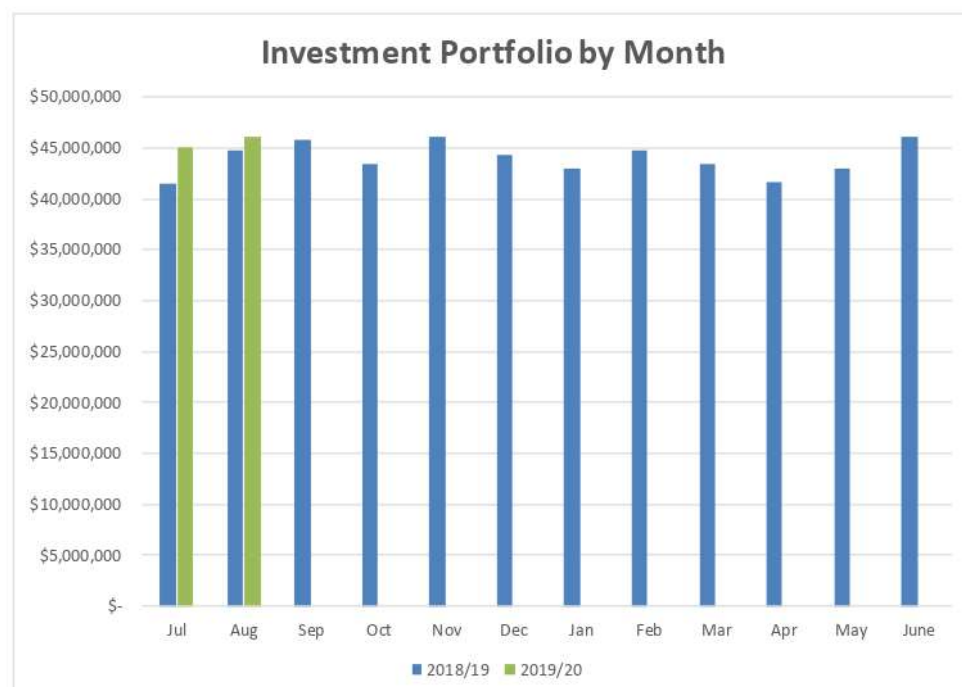




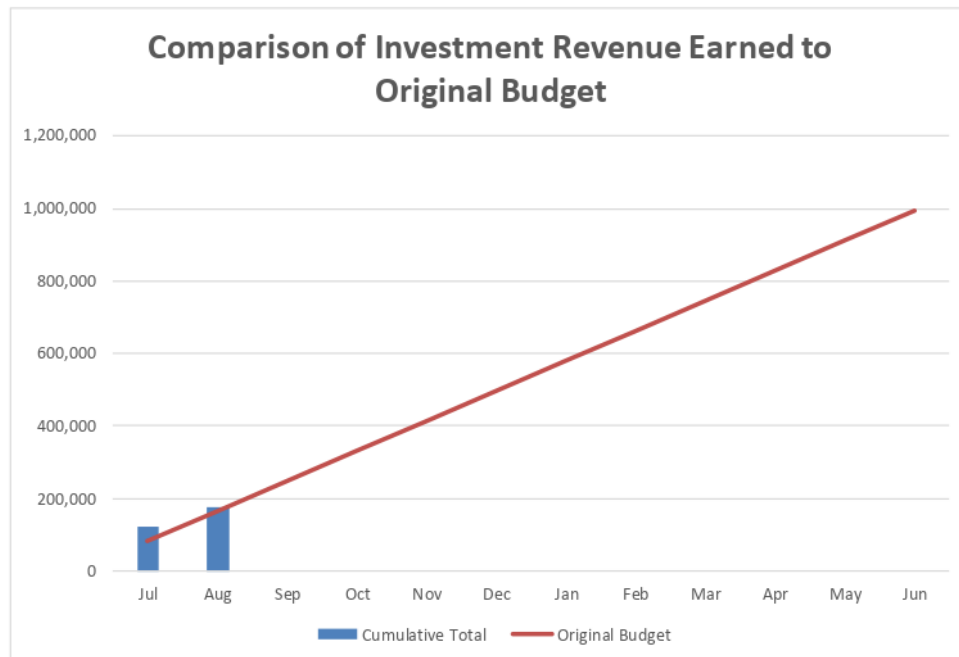
The following graph shows the length of time of Council's term deposit maturities as at 31 August 2019.



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 original budgeted revenue.



RICHMOND VALLEY COUNCIL FINANCIAL ANALYSIS REPORT AS AT 31 AUGUST 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
<b><u>Cash at Call</u></b> CBA Business Online Saver Interest on Other Bank Accounts	At Call	A1+/AA	N	At Call		1.10%	N/A	6,483,324	4,955 63	14.04%
						<b>Total</b>		<b>6,483,324</b>	<b>5,019</b>	<b>14.04%</b>
<b><u>Term Deposits</u></b> ING Direct ING Direct ING Direct Greater Bank Defence Bank Westpac Bank of Us Bank of Us MyState Bank Limited Australian Military Bank Auswide Bank Australian Military Bank Westpac MyState Bank Limited AMP Ltd Auswide Bank AMP Ltd AMP Ltd Judo Bank Judo Bank AMP Ltd AMP Rebate	Term Deposit Term Deposit	A2/A- A2/A- A2/A- A2/BBB A2/BBB A1+/AA- Unrated Unrated A2/BBB Unrated A3/BBB- Unrated A1+/AA- A2/BBB A2/BBB+ A3/BBB- A2/BBB+ A2/BBB+ A2/BBB+ Unrated Unrated A2/BBB+	N N N Y Y N Y Y Y Y Y Y N Y N Y N N N Y Y N N	21/02/2018 1/03/2018 5/03/2018 13/06/2018 3/09/2018 3/09/2018 29/11/2018 29/11/2018 3/12/2018 4/12/2018 12/12/2018 20/02/2019 1/03/2019 6/03/2019 11/03/2019 13/03/2019 4/06/2019 12/06/2019 13/06/2019 28/06/2019 26/08/2019	21/02/2020 2/03/2020 5/03/2020 12/06/2020 2/09/2020 3/09/2019 29/11/2019 29/11/2019 3/12/2019 4/12/2019 12/12/2019 20/02/2020 2/03/2020 3/09/2019 9/09/2019 11/09/2019 2/12/2019 11/12/2019 12/12/2019 27/09/2019 24/02/2020	2.90% 2.88% 2.88% 3.00% 3.00% 2.76% 2.95% 2.95% 2.85% 2.99% 2.90% 2.90% 2.63% 2.74% 3.00% 2.90% 2.65% 2.60% 2.52% 2.50% 2.20%	N/A N/A	1,000,000 1,000,000	0 0	2.17% 2.17%
						<b>Total</b>		<b>21,000,000</b>	<b>15,151</b>	<b>45.49%</b>
<b><u>NSW Treasury Corporation Hourglass Investments</u></b> Cash Facility Trust Medium Term Growth Fund	Trust Trust		N N	Various Various	N/A N/A	0.84% 3.36%	8,498,282 9,005,029	9,132,355 9,546,910	6,746 27,111	19.78% 20.68%
						<b>Total</b>	<b>17,503,311</b>	<b>18,679,265</b>	<b>33,857</b>	<b>40.46%</b>
<b><u>Bank Accounts</u></b>							<b>44,986,635</b>			
Total Investment Portfolio at Face Value								<b>46,162,589</b>		
Total Investment Portfolio at Fair Value									<b>54,026</b>	
Interest Revenue Received										
Weighted Average Interest Rate							2.29%			
Total Bank Account Portfolio								<b>2,135,360</b>		
Total Portfolio								<b>48,297,949</b>		
Account Name		Balance \$ 31-Aug-19								
General Fund Bank Account		2,048,290								
Trust Fund Bank Account		87,050								
NAB Cheque Account		20								
Total		2,135,360								



# Investment Stewardship Policy

## Board Policy 3.30

It is incumbent on TCorp as manager of NSW Government family's funds to be an effective steward of the assets to which have been entrusted. TCorp believes that embedding stewardship principles in investment decision making can result in better risk-adjusted financial outcomes for clients. Investment stewardship encompasses the management of Environmental, Social and Governance (ESG) risks and sustainability issues and active ownership across portfolios.

## Investment Stewardship Beliefs

This policy has been developed with reference to the following beliefs which are a subset of TCorp's Investment Beliefs.

1. Managing ESG issues will result in superior risk-adjusted returns for TCorp clients.
2. ESG and sustainable investing issues should be taken into account in the investment decision-making process, as investment risks surrounding these issues are becoming increasingly important to the people of NSW and TCorp clients.
3. An integration-based approach to ESG investing is likely to lead to better outcomes over time than an exclusions-based approach. Where exclusions are applied, these will generally be aligned with NSW Government policy and reputational risk framework, and Australian commitments to international treaties or sanctions, where appropriate.
4. A proactive approach to exercising ownership rights should be taken, for example voting shares and effective and efficient engagement with management.

TCorp's beliefs on the benefits of ESG integration and active ownership are evidence-based. Various studies<sup>1 2</sup> show that good corporate governance practices and management of ESG issues are reflected in statistically and economically significant higher market values and conversely, that poor governance practices deliver poor investment performance relative to the wider market.

## Objectives

TCorp's investment stewardship activities should be aligned with industry best-practice as TCorp pursues its best-in-class mission. Continuous education and industry awareness are required to ensure that TCorp's model evolves with best-practice. TCorp will conduct ongoing global and local peer engagement to inform this view by comparing stewardship models, understanding emerging practices and research with focused objectives that will enable sharing of challenges and lessons learned with peers. TCorp's comparative advantages inform and guide the investment stewardship

practices. Those comparative advantages include government backing, scale and a true long-term horizon.

In implementing this policy, TCorp will take into consideration:

1. The materiality of any ESG issue in focus. A material issue is something that is reasonably likely to impact the financial condition or operating performance of a portfolio or asset;
2. TCorp's reputation being mindful of its government ownership;
3. The ability to implement in an efficient manner noting that some investment strategies and vehicles may not be able to fully accommodate all elements of TCorp's Investment Stewardship Policy at this point;
4. The capacity of TCorp and/or its service providers to influence an outcome and the likelihood of success;
5. The cost of implementation, and likely benefit – both financial and reputational – to TCorp and its clients.

## ESG Integration

TCorp uses an integration approach to manage ESG issues across the entire investment decision making process. TCorp recognises that ESG issues present both risks and opportunities that need to be managed. Furthermore the materiality of these issues may vary across and within asset classes, investment approaches, industries or regions.

*Managers:* TCorp expects the investment managers it employs to demonstrate a commitment to ESG integration and active ownership that is consistent with TCorp's own belief and processes. TCorp will evaluate the investment stewardship policies, capabilities and practices of its investment managers as part of the manager selection process, as well as during periodic manager reviews. In order to deliver the best long-term risk adjusted returns for clients, ESG factors should be integrated into the investment processes of the appointed investment managers. TCorp recognises that the materiality of sustainability factors will vary by asset class and investment style and will take this into account in the review process. TCorp will periodically request examples of cases where ESG factors influenced an investment decision as part of regular reporting. In its routine engagement with its investment managers, TCorp will encourage further integration of material ESG factors into their investment processes. TCorp expects its investment managers to use their influence through ownership rights to encourage companies to assess and manage financially material ESG factors to support sustainable returns over the long term.

*Direct Investments:* TCorp's approach to ESG integration in Direct Investments is adapted according to the management model adopted (direct, hybrid, outsourced) and the underlying asset type. The materiality of different ESG issues will vary according to the asset type and its specific characteristics which are taken into account in the integration of ESG issues into the investment decision making process. In all cases TCorp places an emphasis on ensuring strong governance structures are in place for direct asset investments in order to ensure appropriate transparency and influence or control of decision rights. Robust governance arrangements enable TCorp to be an active owner of those assets. TCorp expects its advisors and operators to understand, assess and report on material ESG issues that may impact the financial condition or operating performance of an asset.

*Climate Change:* Academic and industry evidence<sup>3,4,5</sup> indicate that climate change is expected to have an impact on investment portfolios over the long-term. As part of its approach to ESG integration, TCorp will undertake additional analysis across portfolios to manage climate change risk with the objective of managing financial risk and enhancing long term risk adjusted returns. TCorp also expects its investment managers and advisors to assess climate change-related risks and opportunities and to manage them accordingly. Activities undertaken to assess and manage climate impact on portfolios may include but is not limited to:

1. Understanding the climate change and carbon management strategies of any carbon intensive exposures in the portfolio, and their potential to reduce emissions;
2. Analysing the resiliency of any real assets given the anticipated physical impacts of climate change including acute or severe weather incidence;
3. Considering the energy, water and waste efficiency of assets in the portfolio;
4. Assessing the viability and valuation of fossil fuel reserves, given the transition to a low carbon economy (e.g. stranded assets risk); and
5. Scenario analysis assessing the impact on assets under various climate scenarios.

### **Active Ownership**

TCorp will be a proactive owner of the assets it manages on behalf of clients recognising the value of exercising ownership rights. A longer time horizon and scale enable TCorp to promote sustainable long term returns and improved corporate governance through its active ownership model and processes. TCorp's active ownership model includes proxy voting where relevant and engagement with corporates, operators of direct assets and industry. TCorp uses best practice corporate governance principles to guide active ownership decision-making always with a view to protect and enhance long term investor value.

*Proxy Voting:* TCorp believes that proxy voting (as governed by a separate management level policy) is an important tool to protect and enhance the economic value of its shareholder rights. TCorp will ensure any voting rights attached to a share or unit forming part of a portfolio are exercised either through investment managers or TCorp voting discretion. TCorp's proxy voting model is structured to apply due care and judgement in order that it acts in the best interests of clients at all times, with the following principles:

1. TCorp is consistent and informed;
2. Proxy voting is aligned with TCorp's Investment Beliefs;
3. TCorp's reputation is managed carefully also being mindful of its government ownership;
4. TCorp is always transparent and well governed.

Proxy vote decision making will be informed by a number of sources including but not limited to: TCorp's own research; recommendations and fundamental company insights from fund managers; best practice corporate governance guidelines; recommendations from research providers; and corporate engagement activities. *Engagement:* Given its significant diversified holdings, TCorp will use its influence to encourage companies to manage any material ESG risks and capitalise on any sustainability related opportunities. To this end, TCorp will seek to engage directly or via advisors and investment managers, with companies where management of material ESG risks and



opportunities is considered lacking, and where there is a reasonable potential for success from the engagement. Learnings and outcomes from engagement activities will help inform and the proxy voting processes.

## **Collaboration**

TCorp will collaborate with likeminded investors and peers, via industry bodies, or through service providers, to encourage the development of industry standards around investor stewardship, in the interest of a more sustainable and robust financial system.

## **Client Alignment**

TCorp will be advocates of this policy to its clients. TCorp will engage with clients to understand their organisations' beliefs around investment stewardship. TCorp may, from time to time, consider the risks or opportunities associated with sustainability themes consistent with its clients' commitments to environmental and social sustainability.

## **Exclusions**

Consistent with NSW Government policy applicable to all NSW agencies, TCorp excludes tobacco investments across all portfolios and asset classes. TCorp requires its investment managers to comply with this policy on behalf of TCorp.

TCorp may from time to time implement the exclusion of other activities or exposures from some or all of its investments based on direction provided by the NSW Government.

## **Implementation and Governance**

TCorp has a dedicated Investment Stewardship team, reporting to the CIO, to oversee the implementation of this policy. The Investment Stewardship Framework embeds investment stewardship principles across many aspects of TCorp's investment model to ensure a holistic and integrated model.

A practical understanding of stewardship issues is essential if TCorp staff are to effectively implement this policy across portfolios. TCorp will arrange relevant investment stewardship related training for key staff and Board Directors and provide additional supporting materials as necessary.

## **Monitoring and Reporting**

Management will monitor the implementation of the Investment Stewardship Policy and will report on its investment stewardship practices to the TCorp Board Investment Committee and Board on a regular basis. As TCorp pursues an integrated model for investment stewardship, where possible, reporting will be incorporated into investment management reporting. TCorp will also report to clients on Investment Stewardship practices as applicable to their portfolios. TCorp will publically communicate its Investment Stewardship Policy and practices on its website and in its Annual Report.

Monitoring of the effectiveness of the implementation of the Investment Stewardship Policy will include the following measurement and reference points:

1. Alignment with TCorp Investment Beliefs with particular emphasis on investment stewardship beliefs;
2. Investment Management Agreements with investment managers provide adequate coverage with regards to reporting on ESG integration, client alignment, and active ownership in compliance with this policy;
3. TCorp will request annual reporting from its investment managers and operators of direct assets on compliance with this Investment Stewardship Policy. These reports will be used with other sources of information to enhance investment decision making e.g. portfolio analysis to assess investment manager effectiveness in integrating ESG factors
4. TCorp will undertake a regular stewardship review of its investments, in line with this policy;
5. An assessment of climate change resiliency of portfolios;
6. Annual report and review of active ownership activities including proxy voting and engagement outcomes;
7. TCorp will undertake peer engagement to monitor best-practice investment stewardship and sustainability practices as applicable to TCorp.

**Policy adopted: December 2018**

**To be reviewed: December 2020**



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<sup>1</sup> "From the Stockholder to the Stakeholder" \_March 2015\_ Oxford & Arabesque Partners

<sup>2</sup> "ESG & Corporate Financial Performance: Mapping the Global Landscape" \_Dec 2015\_ Deutsche Asset & Wealth Management

<sup>3</sup> "The cost of inaction: Recognising the value at risk from climate change" \_2015\_ Economist Intelligence Unit

<sup>4</sup> "Transition in thinking: The impact of climate change on the UK banking sector" \_September 2018\_ Bank of England

<sup>5</sup> "Evaluating potential impacts from climate change on the Australian states" \_October 2018\_ Moody's Investor Services

<sup>6</sup> "Investing in a time of climate change" \_2015\_ Mercer

## 16 TENDER REPORTS

### 16.1 REHABILITATION OF SEWER MAINS - VP155217

**Author:** Daniel Parker, Coordinator Purchasing and Stores

#### EXECUTIVE SUMMARY

Richmond Valley Council sought Tenders for the rehabilitation of sewer gravity mains within the township of Casino. Council has an aging sewer network which currently experiences ground water infiltration as a result of deterioration. This coupled with the risk of failure requires these assets to be assessed and rehabilitated on a priority basis.

Four (4) submissions for tender were received. Three (3) were evaluated as conforming tenders. Insituform Pacific is recommended as the successful tenderer and most advantageous to council.

#### RECOMMENDATION

That

1. Council accept the tender for Insituform Pacific which represents best value for Council at the tendered price of \$773,215.45 (exclusive of GST)
2. Allow for the Common Seal of Council be affixed to any documentation as required.

#### DELIVERY PROGRAM LINKS

Looking after our Environment

EH1: Managing our Waste and Water

EH1.8 Provide compliant, continuous and cost-effective water supplies and sewerage services

#### BUDGET IMPLICATIONS

Council has a budget of \$800,000.00 (excluding GST) in the current (2019/20) financial year for this project.

#### REPORT

CCTV inspections are regularly completed, in conjunction with monitoring of the asset register, to assess the age and condition of the sewer main lines. Tenders for the rehabilitation of sewer mains were called on Thursday 8<sup>th</sup> August and closed on Tuesday 3<sup>rd</sup> September at 10:00 am. Tenders were received from the following companies:

- Abergeldie Watertech Pty Ltd
- Interflow Pty Ltd
- Aaro Group
- Insituform Pacific

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

In accordance with the regulations, where expenditure of a tender exceeds \$250,000 over the term of the contract, a Council must by resolution adopt a report accepting the tender recommendation. The estimated expenditure on this contract will exceed the tenderable limit.

#### Tender Evaluation

This tender was evaluated using Council's VendorPanel Multiparty Evaluation tool.

The Evaluation committee included:

- Andrew Leach                      Manager Asset Planning
- Johan Schoonwinkel              Water & Sewer Engineer
- Daniel Parker                      Coordinator Purchasing & Stores

Each Member of the panel assessed the submission, once completed the results were compiled into a consensus report.

### ***Tender Pricing***

1. Vendor	2. Tendered Price (inc GST)
3. Abergeldie Watertech Pty Ltd	4. \$1,242,705.32
5. Interflow Pty Ltd	6. 0.00 (non-confirming tender)
7. Aaro Group	8. \$1,236,604.91
9. Insituform Pacific	10. \$850,537.00

### ***Non-Price Criteria***

There were three non-price criteria evaluated, recent experience and performance; proposed methodology and proposed personnel/resources. The evaluated scores for each of the tenderers is shown in the table below. Insituform Pacific have performed this work for Council before and have performed very well in doing so.

### **Vendor response consensus categorisation**

The final categorisations for each included vendor response, as used in the results and selection process, as well as any notes for each response.

Vendor / response	Total score	Recent experience and performance in comparable works	Proposed approach/methodology and program	Proposed personnel and resources
AARO GROUP / VPR276412	83.33	5	5	5
Notes:	Agreed			
ABERGELDIE WATERTech PTY LTD / VPR276443	83.33	5	5	5
Notes:	Agreed			
INSITUFORM PACIFIC / VPR276356	85.42	6	5	4
Notes:	Agreed Price adjusted to include Junctions			
INTERFLOW PTY LIMITED / VPR276445	0.00	Non Compliant	Non Compliant	Non Compliant
Notes:	Agreed			

Interflow Pty Ltd supplied Council with a letter stating they were too busy to enter a tender response therefore they were deemed non-complying. All other tenderers displayed the ability to meet the set criteria.

### **Consultation**

Nil

### **Conclusion**

The Tender with the highest score was Insituform Pacific and is identified as the most advantageous, based upon both non-price and price criteria. The tendered rates submitted by Insituform Pacific are considered reasonable.

The recommended tender amount is \$773,215.45 exclusive of GST

### **ATTACHMENT(S)**

Nil

**17 GENERAL BUSINESS****17.1 ROAD MAINTENANCE AND CONSTRUCTION SERVICES REVIEW UPDATE ON IMPLEMENTATION ACTIONS**

**Author:** David Timms, Manager Infrastructure Services

**EXECUTIVE SUMMARY**

At the March 2017 Ordinary Meeting, Council resolved to adopt the recommendations of the Road Maintenance and Construction Services Review and to report to Council every six months on the progress of the implementation of the recommendations.

This report provides commentary on the actions undertaken in response to the recommendations made in the report, through to 31 August 2019.

**RECOMMENDATION**

That:

1. Council receive and note the progress report on the implementation of the recommendations of the Road Maintenance and Construction Services Review; and
2. Further progress report will be submitted on an annual basis.

**DELIVERY PROGRAM LINKS**

Connecting People and Places

PP2: Getting Around

PP2.1: Improve Road Management practices at Richmond Valley Council

**BUDGET IMPLICATIONS**

Nil.

**REPORT**

The table below represents the fourth six monthly update to Council on the implementation of the recommendations of the Road Maintenance and Construction Services Review. Given it has been over 2 years since the Road Maintenance and Construction Services Review was presented to Council, and 4 reports have been presented to date, it is recommended that further updates will be provided to Council on an annual basis.

KR = Key Recommendation from the Review

AR = Additional Recommendation from the Review

Recommendation from Report	Actions to Date
KR 1.  Increased communication with the Richmond Valley Council community	Information on works continues to be included in the regular community newsletters and on Council's Facebook page and website. Individual staff continue to provide a high level of customer service and communication with residents regarding works and any queries they might have. The Community Roads Satisfaction Survey was delayed and will be actioned prior to end of 2019. It will be undertaken to set a baseline for future data comparison. It will also provide Council with information about what improvements the community expects Council to deliver and will assist with the

	development of a Roads Strategy.
KR 2. Improved communication, consultation and team meetings among Council administrative and field staff	Team meetings are now being held twice annually, but remain in the same format, with an increased focus to ensure that Senior staff are present to answer questions and address any concerns. Action items are attended to in-between meetings and actions are being reported back to staff. Supervisors continue to communicate items which are raised in the Weekly Works Meetings to their staff.
KR 3. In-house staff for road inspections and road conditioning	The road inspection process has been completed by internal staff and all associated actions for this recommendation have been finalised.
KR 4. Additional funding to extend design lead times	No additional funding was allocated for 2019/20. Designs are being delivered ahead of time and there is ongoing dialogue between Assets & Planning and Infrastructure delivery teams.
KR 5. Council to make a budget assessment on highlighted maintenance issues	Budget allocations for 2019/20 have increased from 2018/19 as follows:  Sealed Rural Local Roads: \$556,478 to \$617,639  Unsealed Road Grading: \$754,830 to \$966,076  Street Cleaning: \$308,326 to \$334,602
KR 6. Assessment of options for increased access to Technology in the field	Ongoing discussions have been held with Information & Technology Services on applying technology in the field. Mobile phones continue to be replaced and upgraded as required and provided to staff who require them. Trials have been undertaken with electronic start up procedures as opposed to paper based. New 'tough' style tablets will soon be rolled out to some supervisors in the field (similar to those used by the staff who read the water meters).
AR 7. Change to working hours for maintenance crews	Rural grading teams, Water & Sewer Construction Team (Casino) and the Electrical Team all continue to work four (4) day weeks. A business case for changing over to a four-day work week was recently submitted from the Open Spaces team in Coraki and is yet to be assessed. Flexible arrangements for other crews remain in place depending on the specific projects being undertaken.
AR 8. Documentation provided to plant operators detailing workshop servicing	Under new leadership the internal mechanical workshops have transitioned to be 'customer focused' and are providing a high level of communication to internal staff and external customers (Rural Fire Service). Complaints regarding lack of, or poor service are now virtually non-existent and all reports suggest a very high level of satisfaction. Communication to operators regarding services is consistent and occurring frequently.
AR 9. Improved budgeting and reduced carry over works	\$46,645 for bridge maintenance works was carried over from 2018/19 to 2019/20. A total of \$1,118,857 was also carried over for building and maintaining roads (bus shelters, signage, design works and footpaths). A large proportion of this was grant funding.
AR 10. Re-allocate funding from sealing unsealed laneways to the specific problem areas in key recommendation 5	While there is no specific laneway program, laneway works will continue to be undertaken on an as needs basis.
AR 11. Use of GPS and cameras to protect Council	A meeting was held recently with the Australian market leading provider of GPS tracking systems for fleet and a

assets	trial of the technology will begin soon in four council vehicles. At this stage the street sweeper, a Ranger vehicle, crew truck and a side arm rubbish truck will be included in the trial. This trial will inform council staff on future decisions and requirements for the systems.
AR 12. Additional Safety Audits	Council's new People Safety Coordinator commenced work in March 2019 and has implemented a new schedule for safety audits of depots, facilities and work sites. This has resulted in a much greater presence 'in the field' of the safety team, the benefits of which are being realised. The reports from the regular audits are being distributed, action lists created and corrective works undertaken by staff. Communication from the safety team has also increased and the process of cultural change around safety being everyone's responsibility has begun. The new safety management system, Vault has recently been launched and this will streamline reporting and corrective actions based on incidents, inspections and audits.
AR 13. Morning warm ups	Responsibility for this initiative has been transferred to the Manager People & Culture as part of the Health & Well Being Program. The morning warm ups are a regular activity at depots.

**CONSULTATION**

Nil.

**CONCLUSION**

Significant progress has been made in most of the actions which resulted from the original review carried out in 2017. Other actions are of an ongoing nature and now form part of the day to day operations and management within the Roads, Drainage and Quarries department and reporting to Council on a regular basis has assisted in maintaining the momentum with these actions and will continue to in the future.

**ATTACHMENT(S)**

Nil

## 18 MATTERS FOR INFORMATION

### RECOMMENDATION

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

#### 18.1 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 AUGUST 2019 TO 31 AUGUST 2019

**Author:** Andy Edwards, Acting Manager Development and Environment

### RECOMMENDATION

That Council receive and note the development application report for the period 1 August 2019 to 31 August 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 its community newsletter 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 and withdrawn within the Local Government area for the period 1 August 2019 to 31 August 2019 was 21, with a total value of \$2,356,199.00.

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 in Figure 1 below.

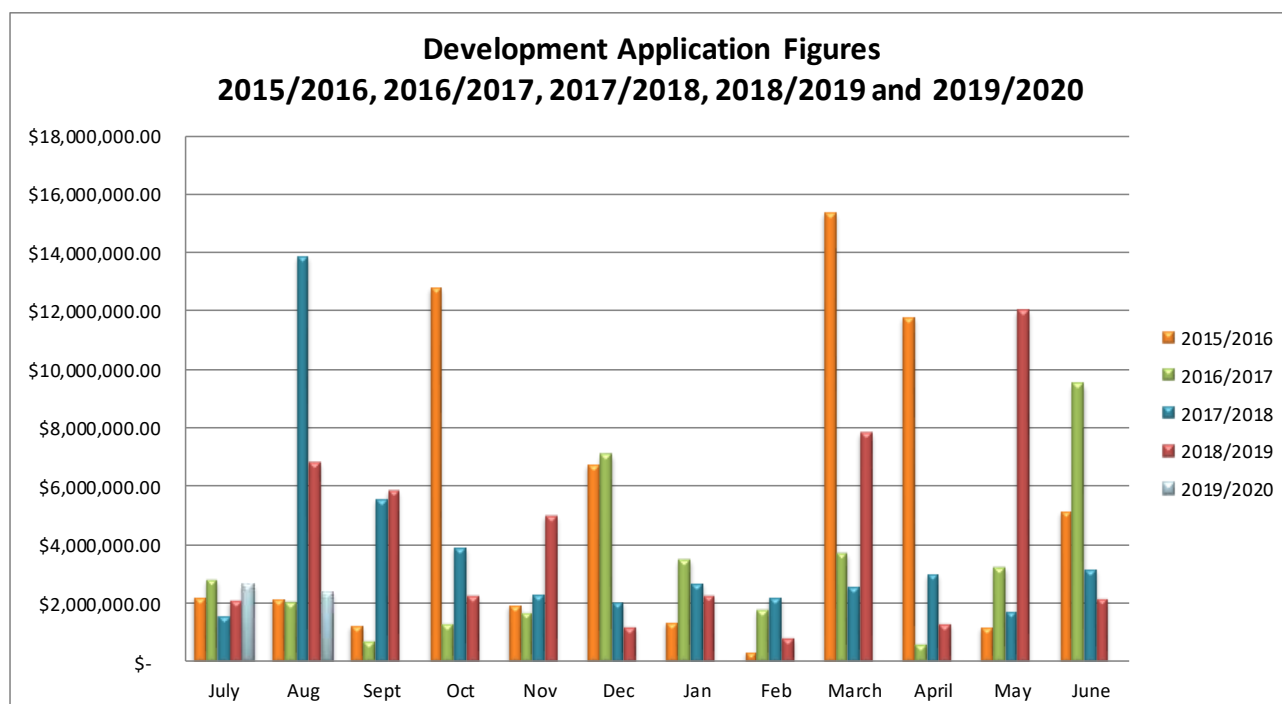


Figure 1: Monthly dollar value of development processed by Council over five financial years.

Figure 2 graph provides the annual value of Development Consents issued by Council over five financial years and Figure 3 graph provides a detailed review of the value for the reporting month of August 2019.

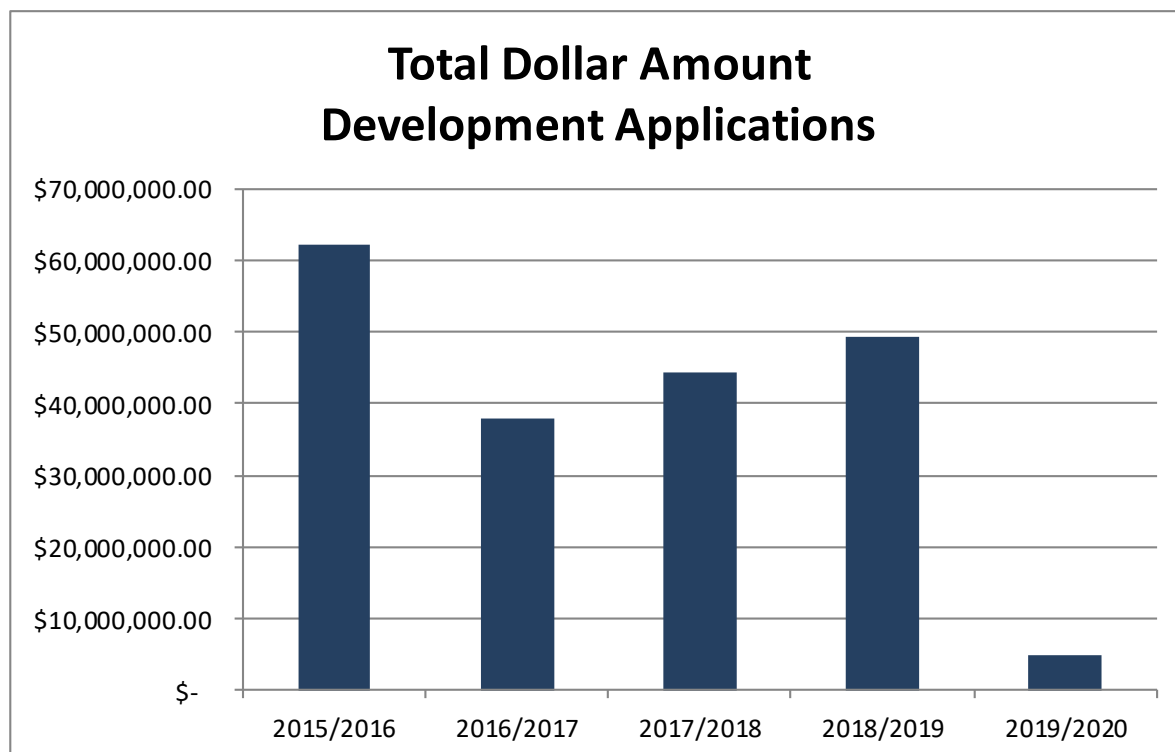


Figure 2: Annual value of development.

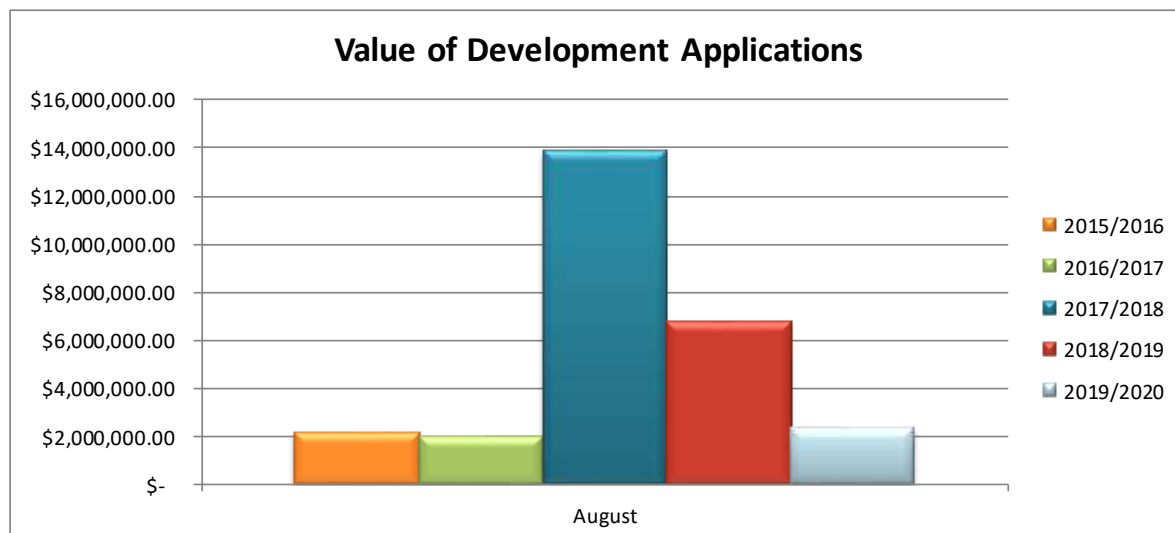


Figure 3: Value of development for the month of August.

### Number of Development Applications

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

Figures 4 and 5 below detail the number of applications determined by Council.



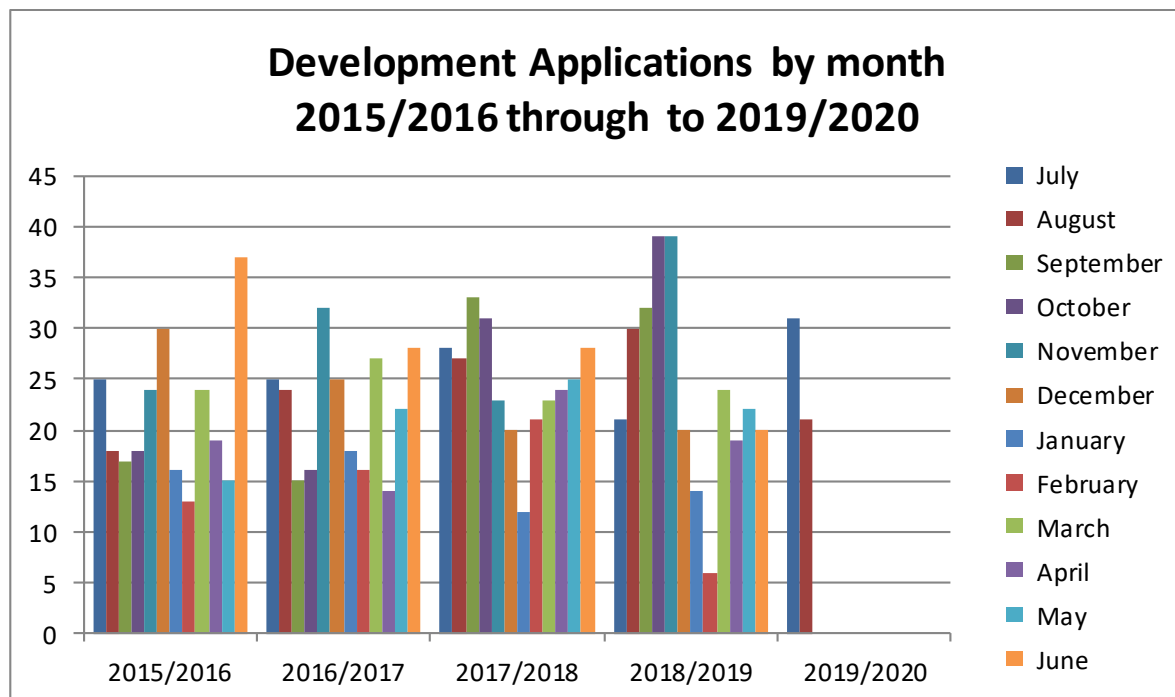


Figure 4: Number of Development Applications per month over five financial years.

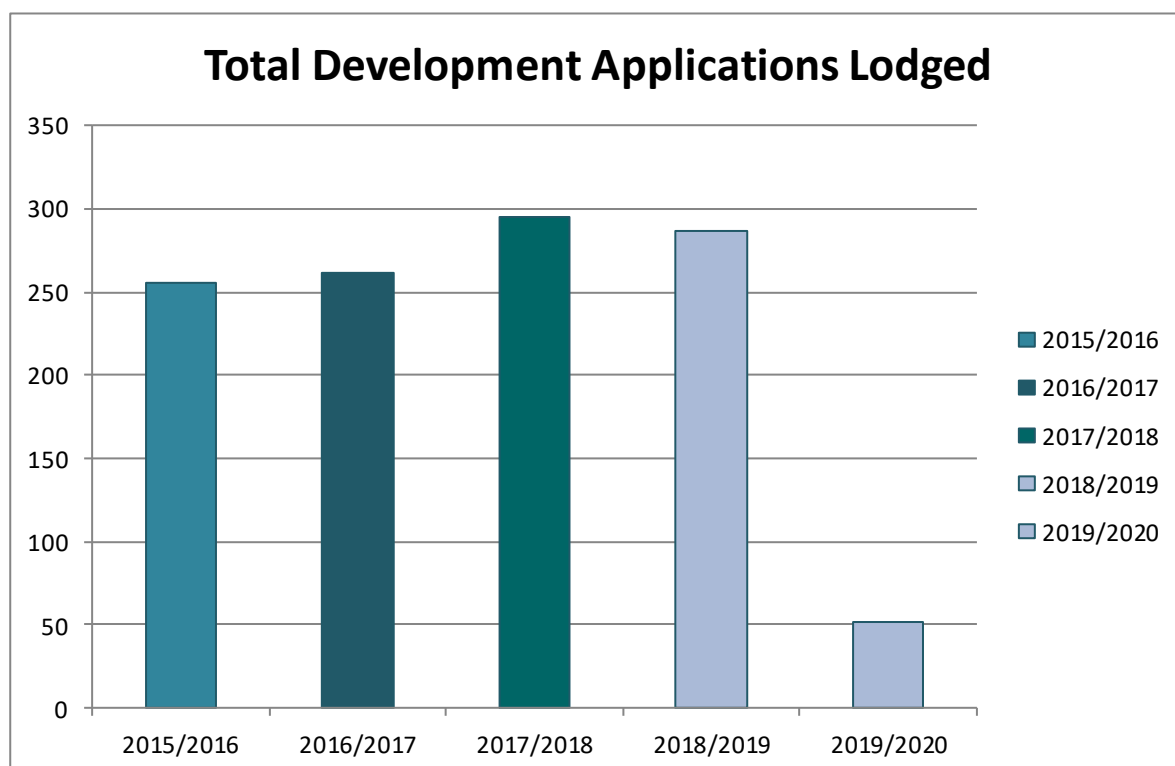


Figure 5: Number of development applications per year over five financial years.

**Activity for the month of August 2019**

General Approvals (excluding Subdivisions, Section 96s)	14
Section 96 amendments to original consent	5
Subdivision	0
Refused	0
Withdrawn	1
Complying Development (Private Certifier Approved)	1
<b>TOTAL</b>	<b>21</b>

**DELIVERY PROGRAM LINKS**

Growing our Economy

EC1: Driving Economic Growth

EC1.6: Improved customer satisfaction with the DA process

**BUDGET IMPLICATIONS**

Nil

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2019 to 31 August 2019							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2018/0254	Nigel Merryweather Architect	Australia Post	102 Barker Street, Casino	Alterations to pedestrian access to the front Entrance of the Casino Post Office including installation of compliant disabled access ramps	12/06/2018	27/08/2019	\$ 92,000.00
DA2019/0156	Wayne Lollback Building Co Pty Ltd	Wayne Lollback Building Co Pty Ltd	32 Johnston Street, Casino	Demolition of existing dwelling and construction of a dual occupancy (2 x 3 bedroom dwellings) and front fence	9/01/2019	13/08/2019	\$ 433,000.00
DA2019/0243	Commplan Pty Limited	Richmond Valley Council	Summerland Way, Casino	Telecommunications facility – 30m high monopole, antennas, remote radio units, communications dish, equipment cabinets, compound and associated works	21/05/2019	20/08/2019	\$ 180,000.00
DA2017/0191.02	Ben Campbell Building Group	S J Wilson	66 Heath Street, Evans Head	Modification to approved dual occupancy being internal works and external finishes	31/05/2019	1/08/2019	\$ -
DA2019/0261	William John Townend/as WJ Townend - Town Planning Pty Ltd	R M & B J Leeson	34 Cassino Drive, Casino	52 Self storage sheds	7/06/2019	22/08/2019	\$ 509,000.00
DA2019/0281	E J W & K E Stapleton	E J W & K E Stapleton	10 Flatley Place, North Casino	Shed	26/06/2019	5/08/2019	\$ 19,845.00
DA2020/0001	H C Conlan	J B & H C Conlan	22 Heathwood Place, North Casino	"As built" shed additions	1/07/2019	6/08/2019	\$ 4,000.00
DA2020/0002	B A Harley	M V L & M F Neville	4A Camillot Close, Spring Grove	Dwelling	3/07/2019	9/08/2019	\$ 369,000.00
DA2020/0008	Apollo Patios & Decks Northern Rivers	M A Payne	25 Riverview Street, Evans Head	Hardwood deck and insulated patio	12/07/2019	15/08/2019	\$ 65,360.00
DA2020/0009	R C Condon	M E & R C Condon	70 Richmond Street, Casino	Shed	15/07/2019	5/08/2019	\$ 19,750.00
DA2020/0010	I J Carter	H C & I J Carter	27 Fergusson Street, Casino	Shed	15/07/2019	5/08/2019	\$ 17,465.00
DA2019/0231.01	Dixonbuild Pty Ltd	D J & T M Creighton	12 Pennefather Close, Yorklea	Dwelling	24/07/2019	2/08/2019	-
DA2020/0012	AGS Commercial Pty Ltd	J S & C J Pennell	5 Woodside Grove, Casino	Carport	24/07/2019	9/08/2019	\$ 12,000.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 August 2019 to 31 August 2019							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2020/0015	H J Munro	H J Munro	40 Rileys Hill Road, Broadwater	Extension to existing deck on second floor	30/07/2019	15/08/2019	\$ 9,500.00
DA2016/0107.01	All Steel Garages & Sheds Pty Ltd	C G & E T Marsh	15 Tomki Drive, Casino	Washbay extension and mezzanine floor	1/08/2019	30/08/2019	-
DA2020/0017	Dixonbuild Pty Ltd	J Eckersley	12 Canning Drive, Casino	Dwelling	1/08/2019	19/08/2019	\$ 211,270.00
DA2020/0018	R J Hardwick	B W & R J Hardwick	14 Light Street, Casino	"As built" dwelling extensions	2/08/2019	30/08/2019	\$ 15,000.00
DA2019/0251.01	AGS Commercial Pty Ltd	P & M Trotter Pty Ltd	175-187 Pacific Highway, Broadwater	Shed	9/08/2019	23/08/2019	-
CDC2020/0004	Techton Building Services	G J & C M Schneider	66 Gregors Road, Spring Grove	Farm shed	17/07/2019	9/08/2019	\$ 45,000.00
DA2019/0146.01	AGS Commercial Pty Ltd	Richmond Valley Council	74 Dargaville Drive, Casino	Alterations and additions to existing NRLX canteen	20/08/2019	27/08/2019	-
Summary of Development Applications withdrawn under the Environmental Planning and Assessment Act for the period 1 August 2019 to 31 August 2019							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2020/0013	Dixonbuild Pty Ltd	Mr J W Northfield	14A Hickey Street CASINO NSW 2470	Dual Occupancy	25/07/2019		\$ 354,009.000

**ATTACHMENT(S)**

**Nil**

**18.2 GRANT APPLICATION INFORMATION REPORT - AUGUST 2019****Author: Jono Patino, Financial Accountant****RECOMMENDATION**

That Council receive and note the Grant Application Information Report for the month of August 2019.

**REPORT**

This report provides information on grant applications that have been approved, grants that have been received, grant applications that were unsuccessful and grant applications submitted for the month of August 2019.

During the reporting period, no grants were approved, and funding was received for eight grants totalling \$1,138,435. Council wasn't notified as being unsuccessful with any grant applications and one grant was applied for.

**Grants that have been received**

<b>Naughtons Gap Road at Rambaldinis Road Safety Works</b>	
Project ID	10255
Funding Body	Roads and Maritime Services
Funding Name	Safer Roads Program
Government Level	State
Project Value (exc GST)	\$310,500
Grant Funding (exc GST)	\$310,500
Council Funding (exc GST)	\$ 0
Date Application Submitted	31 July 2017
Date Received	\$88,145 received 30 August 2019
Total Funds Received To Date	\$120,151
Comment (if required)	N/A

<b>Flood Event of 28 March 2017 Emergency and Restoration Works</b>	
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	\$13,357 received 30 August 2019

Total Funds Received To Date	\$3,058,236
Comment (if required)	N/A

Modern Catering and Amenities Block for Casino Showgrounds	
Project ID	10267
Funding Body	Department of Premier and Cabinet's Office of Regional Development
Funding Name	Stronger Country Communities Fund
Government Level	State
Project Value (exc GST)	\$267,883
Grant Funding (exc GST)	\$267,833
Council Funding (exc GST)	\$ 0
Date Application Submitted	12 September 2017
Date Received	\$88,401 received 1 August 2019
Total Funds Received To Date	\$176,802
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)	\$341,000
Grant Funding (exc GST)	\$341,000
Council Funding (exc GST)	\$ 0
Date Application Submitted	20 September 2017
Date Received	\$85,146 received 30 August 2019
Total Funds Received To Date	\$340,999
Comment (if required)	Original application was for \$391,000, funding approved for \$341,000.

Johnston Street, Bruxner Hwy, Shared Pathway (Stage 1 & 2)	
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	\$146,500 received 30 August 2019
Total Funds Received To Date	\$173,960
Comment (if required)	The original funding application requested \$1,015,500 in grant funds however only stage 1 for \$599,500 was approved. Stage 2 has now been approved bringing the total funding for both stages of the project to \$1,015,500.

#### 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 1 August 2019
Total Funds Received To Date	\$62,734
Comment (if required)	N/A

#### Financial Assistance Grant 2019/2020

Project ID	N/A
Funding Body	N/A
Funding Name	NSW Local Government Grants Commission
Government Level	Federal
Project Value (exc GST)	\$5,234,436
Grant Funding (exc GST)	\$5,234,436
Council Funding (exc GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$639,761 received 16 August 2019 (General Purpose Component \$439,700, Local Roads Component \$200,061)
Total Funds Received To Date	\$3,278,108
Comment (if required)	Final allocations are still being determined for



	2019/2020 and will be updated once known
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<b>MR145 Regional Roads REPAIR Program 2018/19 - 10.0km to 10.5km east of Casino</b>	
Project ID	N/A
Funding Body	Roads and Maritime Services
Funding Name	MR145 Regional Roads REPAIR Program 2018/19
Government Level	State
Project Value (exc GST)	\$327,010
Grant Funding (exc GST)	\$163,505
Council Funding (exc GST)	\$163,505
Date Application Submitted	N/A – Annual allocation
Date Received	\$45,758 received 30 August 2019
Total Funds Received To Date	\$163,505 (total funding received)
Comment (if required)	N/A

***Grant Applications Submitted***

<b>Richmond Valley FOGO Composting Facility</b>	
Project ID	10321
Funding Body	NSW Environment Protection Authority
Funding Name	Waste Less, Recycle More - Organic Infrastructure (Large and Small) Grants Program - Stream 1: Organics Processing Infrastructure
Government Level	State
Project Value (exc GST)	\$481,440
Grant Funding (exc GST)	\$240,720
Council Funding (exc GST)	\$240,720
Date Application Submitted	29 August 2019
Comment (if required)	N/A

**ATTACHMENT(S)****Nil**

**19 QUESTIONS ON NOTICE****19.1 QUESTIONS WITH NOTICE, PROVIDED AT ORDINARY MEETING 20 AUGUST 2019**

**Author:** Vaughan Macdonald, General Manager

The following questions on notice were received from Councillor Daniel Simpson.

**Questions:**

1. Does the Council have a process in place to monitor development applications that have been approved and have commenced, but have not obtained interim or final approval?
2. Is there a best practice standard issued by either the Department of Local Government or Department of Planning in relation to development applications that have not obtained interim or final approval?
3. Is there any potential liability for Council if approval and commenced development applications are not signed off?
4. Is there any potential liability for Council in regard to Fire Safety Statements that have not been issued by businesses, when annual submission is required?

**Responses:**

1. Under the EP&A Act Council is not required to monitor the status of individual applications. It should be noted that many approved DAs do not commence immediately and some do not proceed if they aren't activated within five years. In 2018/19 Council determined 274 DAs. Given this volume of DAs Council does not have the resources or a current program in place to monitor development statuses. Compliance with consent conditions is the responsibility of the applicant/landowner. Consent conditions are often placed on consents which require the applicant/owner to notify Council when the structure requires an occupation certificate.
2. Part 6 of the EP&A Act 1979 describes what the type of certificate and when a certificate is required to be issued for building works and when a building is required to be finalised and an Occupation Certificate issued. Depending on the nature of a development, Council Officers will impose various standard conditions on a Development Consent to ensure legislative requirements are adhered to. Council is not aware of a specific standard or Guideline on this matter issued by the Department of Planning Infrastructure and Environment which now includes the Office of Local Government. However, additional information regarding Frequently Asked Questions – Occupation Certificates is attached.
3. Council applies various conditions of consent requiring an Occupation Certificate to be issued prior to the use of the building. The obligation is on the owner/applicant to advise Council when the building is fit for occupation. Development Consents are a legal document and the onus is on the owner/applicant to comply with the conditions of consent. There are liabilities for the owner if an Occupation Certificate is not obtained, impacts such as not being able to occupy the building, the sale or demolition of the building, insurance/risk exposure and the risk of legal action by Council to rectify the matter.
4. Council currently does not have the resources to monitor Fire Safety Certificates/Statements as the emphasis is placed on the owner to ensure their business is safe for their clients/customers and appropriate safety measures are in place. The requirement for annual Fire Safety Certificates/Statements is conditioned on a Development Consent and as such the onus is placed on the owner to comply with consent conditions. Council can challenge non-compliance or breaches of consent conditions pursuant to Acts and Regulations. Council officers are obliged to identify and require compliance with any

observations of inadequate fire safety measures made during regular inspections of businesses for food safety compliance or building certification. Council also is required to respond to complaints of inadequate fire safety measures within a building and will take appropriate action to ensure safety measures are in place within the building and public safety is ensured. This will be helpful for future inspections that may have to be done.

### **RECOMMENDATION**

That the responses to the questions regarding development and related issues, raised by Councillor Daniel Simpson, be received and noted.

Attachment(s)

#### **1. Frequently Asked Questions - Occupation Certificates**

## Occupation Certificates

Frequently asked questions

August 2019



### Occupation Certificates (OCs)

Changes were made to OC framework as part of the reforms made to the NSW Planning System in 2017.

Some of the key changes include the removal of the:

1. distinction between interim and final OCs in favour of one certificate; and
2. the provisions which permit the occupation and use of premises which do not have an OC if those premises were occupied for more than 12 months (former s109M(2)(b)).

The new streamlined OC provisions now sit in Part 6 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**), which relates to building and subdivision works.

#### When are the changes commencing?

Part 6 of the EP&A Act will commence on 1 December 2019. To support its commencement, changes have been made to OC provisions in the *Environmental Planning and Assessment Regulation 2000* (**EP&A Reg**). These changes operationalise the new framework.

#### When is an OC required?

Generally, a building cannot be occupied or used (or the use changed) without an OC.

Section 6.9 of the EP&A Act sets out the circumstances in which an OC is required, it includes:

- the occupancy of a whole new building
- the occupancy of a new part of an existing building (such as an alteration) where the existing building already has a final or whole OC
- the occupancy of a partially completed new building (such as staged occupation)
- changing the use of a whole building or part of an existing building which has been reclassified under the Building Code of Australia
- changing the use of a part of a partially completed new building which has been reclassified under the Building Code of Australia (such as for shop fit outs in a staged release building).

#### When is an OC not required?

You do not need an OC if your proposed development is exempt development, development that does not require consent, or development that is erected by or on behalf of the Crown.

#### Can I obtain an OC to use part of a building while the remainder is still under construction?

Yes, staged occupation of a building is still permitted. As a new development is constructed, parts may be completed and become suitable for occupancy before the overall development is finished.

To accommodate this, the EP&A Act allows for an OC to be issued for part of a partially completed building.

An OC for part of a partially completed building will only be issued for occupiable parts of a building or development. For this OC to be issued, the incomplete building works must not pose a health and safety risk to the occupants and any preconditions to the issue of an OC for that part specified in the development consent must be met.

## Occupation Certificates

Frequently asked questions

August 2019



Multiple OCs may be issued for different parts of a building as they are completed. This will enable the staged release and occupation of multi-stage projects. An OC for part of the partially completed building only authorises the occupation and use of the portion of the building to which the certificate relates. The certifier must clearly identify in the partial OC the portion of the development which is covered by the partial OC.

### Do I need another OC when the whole building is complete?

Yes. Once the development and all associated building work is complete, an OC for the remaining parts of the building must be obtained. This OC is required to demonstrate that the building and/or change of use complies with the associated development consent, and the remaining conditions of that consent have been met. The completed development must also be suitable for the approved occupation or use and comply with the Building Code of Australia. Whether this OC certifies a whole building or part of a building will depend on what was approved under the respective development consent.

Under the new framework, an OC issued for the first completed stage of a partially completed building will now be subject to a condition that a further OC must be obtained for the whole building within 5 years after the issue of that partial occupation certificate. This is to ensure that a building is not occupied indefinitely under a partial OC and all conditions of the relevant development consent are satisfied in a timely manner.

### Are there any transitional arrangements proposed for OCs and development consents issued before 1 December 2019?

Part 6 of the EP&A Act will only apply to OCs for development consents issued after 1 December 2019. This means that development consents and OCs issued before this date remain subject to the former arrangements. As a result, from 1 December 2019, councils will need to draft the conditions in new development consents with the new OC terminology in mind.

### Are the terms 'Interim' and 'Final' OCs still used?

The terms 'interim' and 'final' occupation certificates are only relevant for development consents or OCs issued before 1 December 2019.

### Do I need an Owners Building Manual to get an OC?

Not at this stage. Until further changes are made to the EP&A Regulation to accommodate this, you do not need an owners building manual.

### Where can I find out more?

To find out more please click on the following links:

- [Environmental Planning and Assessment Act 1979](#)
- [Environmental Planning and Assessment Regulation 2000](#)
- [View the Planning Circular](#)

To contact us:

- via email please click on the following link [legislativeupdates@planning.nsw.gov.au](mailto:legislativeupdates@planning.nsw.gov.au) or
- by telephone please ring us on 1300 305 695.

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## Occupation Certificates

### Frequently asked questions

August 2019



knowledge, users are reminded of the need to ensure that the information upon which they rely is up to date and to check the currency of the information with the appropriate officer of the Department of Planning, Industry and Environment or the user's independent adviser.

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

**21 MATTERS REFERRED TO CLOSED COUNCIL****RECOMMENDATION**

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

**21.1 Write off Bad Debt**

This matter is considered to be confidential under Section 10A(2) - (a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).



**22 RESOLUTIONS OF CLOSED COUNCIL**