

Richmond
Valley
Council



AGENDA

Ordinary Council Meeting

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

Date: Tuesday, 16 March 2021

Time: 5.00pm

**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 INTERNAL AUDIT AND RISK COMMITTEE MINUTES 2 FEBRUARY 2021

Author: Ben Zeller, Manager Projects and Performance

RECOMMENDATION

That Council receives and notes the Minutes of the Internal Audit and Risk Committee Meeting held on 2 February 2021.

ATTACHMENT(S)

- 1. Minutes of the Internal Audit and Risk Committee Meeting held on 2 February 2021 (under separate cover)**

6.2 MINUTES ORDINARY MEETING HELD ON 16 FEBRUARY 2021

Author: Vaughan Macdonald, General Manager

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Meeting held on 16 February 2021.

ATTACHMENT(S)

- 1. Minutes Ordinary Meeting 16 February 2021 (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 MAYORAL ATTENDANCES 9 FEBRUARY - 8 MARCH 2021**

Author: Robert Mustow, Mayor

RECOMMENDATION

That Council receives and notes the Mayor's attendance report 9 February – 8 March 2021.

REPORT**February**

- 9th Richmond Valley Large Employer Business luncheon
- 10th Red Cross Presentation
- 12th Northern Rivers Joint Organisation meeting
- 16th Department of Planning, Industry and Environment, water group meeting
- 16th Presentation to Mary Shields - Bushfire photobooks
- 16th Richmond Valley Council Ordinary Council Meeting
- 17th Rous County Council Ordinary meeting & workshop
- 21st Reflections Holiday Park Dinner evening
- 23rd Rappville Advisory Group meeting
- 24th Chris Gulaptis Willox Bridge Funding Announcement
- 24th Paddock to Plate Forum
- 24th Chris Gulaptis presentation to Gwen Gray
- 24th Chris Gulaptis Colley Park upgrade inspection
- 24th Casino Swimming Pool Working group meeting
- 25th Civic Hall Open Night (new painting at the hall)
- 27th Broadwater Bowling Club SES evening

March

- 1st National Bushfire Recovery Agency - Meeting with Andrew Colvin
- 2nd CASPA Family Support Casino opening event
- 2nd Richmond Valley Council Councillor Information Session
- 3rd Chris Gulaptis MP inspection of Evans Head Library upgrades
- 3rd Chris Gulaptis MP funding announcement at Casino Showground
- 4th Meeting with Momentum representative
- 5th Celebrating 100 years of Rotary – centennial walk
- 5th Celebrating 100 years of Rotary – event
- 8th Attend onsite visit at proposed McKees Hill Battery Storage

ATTACHMENT(S)

Nil

12 DELEGATES' REPORTS**12.1 DELEGATES' REPORT SUBMITTED TO MARCH 2021 ORDINARY MEETING**

Author: Robert Mustow, Mayor

RECOMMENDATION

That Council receives and notes the Delegates' Report for the month of February 2021.

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 17 February 2021. (Attachment 1)

Previous report

In response to the Delegates' Report from December 2020. Council resolved the following at its 16 February 2021 meeting:

That Council:

1. *receives and notes the Delegates' Report for the month of December 2020.*
2. *urgently writes to Rous County Council to re-iterate Richmond Valley Council's position, resolved at its 18 August 2020 meeting, that Rous' Future Water Project 2060 includes continuation of investigations into the proposed Dunoon Dam including cultural heritage, landholder views, environmental impacts, ecological offset requirements, geotechnical assessments and the potential for State and Federal Government funding assistance for its construction.*
3. *due to the serious importance of the Future Water Strategy and the need for future water security for the entire Northern Rivers region, Council make representations to the Federal and NSW Governments to seriously consider their position on this matter in the interests of the future of the region.*

A copy of the letter forwarded from Richmond Valley Council to Rous County Council on 17 February 2021 regarding the Future Water Project is attached.

ATTACHMENT(S)

1. **Rous County Council Meeting Summary 17 February 2021**
2. **Response to Rous County Council Future Water Project**



**Summary of main items of business for
Rous County Council meeting
17 February 2021**

1. Future Water Project 2060: Rescission Motion

The following Rescission Motion was submitted to Council's meeting by Crs Mustow, Cadwallader and Humphrys.

Following lengthy discussion by Councillors, the Rescission Motion on being put to the meeting was Lost.

Voting for: Crs Mustow, Humphrys and Cadwallader.

Voting against: Crs Williams, Richardson, Ekins, Cook, Cameron.

(Rescission Motion)

1. That Council:

- a) *Receives and notes the public exhibition review document Rous County Council Future Water Project 2060 Public Exhibition Outcomes.*
- b) *Acknowledges the deep significance of the land in and around the proposed Dunoon Dam site to traditional owners and to the local community.*
- c) *Notes that 1298 submissions were received with 90% of respondents to the exhibition having concerns regarding the Dunoon Dam and 56% of respondents expressing concerns regarding groundwater options.*

2. Directs the General Manager to:

- a) *Provide a report on the orderly exit from Dunoon Dam as an option in the Future Water Project.*
- b) *Commence work on the exit strategy once the long-term viability of Scenario 1 Groundwater has been confirmed.*

3. Direct the General Manager to revise the draft Integrated Water Cycle Management (IWCM) Strategy to reflect the following preferred strategy:

- a. *Scenario 1 IWCM report - groundwater*

4. Schedule a special meeting of Council on Wednesday, 17 March 2021 to consider the revised draft IWCM Strategy for public exhibition for a period of eight (8) weeks.

5. Authorise the transfer \$200,000 from bulk water reserves for the 2020/21 financial year to progress the above.

6. Undertake the following actions as described in Section 4 of this report:

i) Immediate actions

- a) *Water Loss Management Plan*
- b) *Smart Metering*
- c) *Marom Creek WTP and Alstonville groundwater site*
- d) *Marom Creek WTP upgrade*
- e) *Alstonville groundwater site*
- f) *Woodburn groundwater coastal sand scheme*

-
- ii) Ongoing action
 - a) *Enhanced demand management and water efficiency program*
 - iii) Innovative actions
 - a) *Progress Perradenya Estate pilot purified recycled water scheme and work with relevant stakeholders to design a long-term public education campaign to increase awareness and acceptance of indirect potable reuse (IPR) and direct potable reuse (DPR).*
 - b) *Investigate concurrently IPR and DPR schemes utilising effluent from Ballina, Lennox, south and east Lismore wastewater treatment plants (preferred options for water reuse identified in the CWT report)*
7. *Note that environmental, ecological, cultural heritage and economic impacts were identified during the development of the IWCM and were also raised as concerns during the public exhibition period and will remain key considerations going forward.*
 8. *Note the progress of discussions with Ballina Shire Council regarding the potential transfer or lease of Marom Creek WTP and that a further report will be provided.*
 9. *Authorise the General Manager to write to the constituent councils inviting participation in the Rous Smart Metering project commencing 1 July 2021.*
 10. *Seek a meeting with relevant State Government Ministers and Local MPs to expedite any regulatory and legislative or funding approvals required to implement IPR and DPR schemes.*

2. Loan restructure assessment

This report detailed the outcomes of an assessment conducted by staff in respect to existing Council loans, to determine whether there was an opportunity to reduce the cost of those loans by taking advantage of the current low interest rates.

While there was no opportunity to improve Council's position, it was considered that the assessment was worthwhile.

3. Quarterly Budget Review Statement for quarter ending 31 December 2020

The results presented in the QBRS were noted and variations were authorised to the amounts from those previously estimated.

It was noted that all budget items, other than those identified in the Council report, had performed within the parameters set by Council in adopting the 2020/21 Operational plan.

4. Water usage charges write-off

Council approved the write-off of \$1,024.28 in water charges in relation to property 170 Lagoon Grass Road, Lagoon Grass.

5. Deferral and refund of bulk headworks charges – Ballina Surf Life Saving Club

Council approved the deferral of Rous County Council's developer contributions levied to Brunswick Heads Surf Life Saving Club in relation to DA 10.2018.486.1 (under clause 2.5 of its Development Servicing Plan for Bulk Water Supply 2016).

6. Policies – Risk Management

Council approved the updated 'Risk Management' policy as presented. The key purpose of the policy is to confirm a commitment to risk management consistent with the principles of the Australian Risk Management Standard; set a risk appetite; and define the responsibilities of the governing body, management and staff. It is also designed to outline a series of key aims for Council's Risk Management Strategy.

7. Policies revoked

Council revoked the following policies

- a) Representation of elected councillors dated 16 February 2005
- b) Delegates to Floodplain Management Authorities of NSW dated 21 October 2002
- c) Policy and procedure development dated 4 March 2009
- d) Interview and relocation expenses dated 20 June 2007
- e) Procurement dated 16 February 2015 (FNCW)
- f) Procurement dated 16 February 2015 (RRCC).

8. Information reports

- i). Investments: January 2021
 - Total funds invested for January was \$31,667,425. This is a decrease of \$477,462 compared to the November 2020 figure, primarily due to semi-annual loan repayments.
 - The weighted average return on funds invested for January was 1.15%. This represents a decrease of 15 basis points compared to the November result (1.30%) and is 114 basis points above Council's benchmark (the average 90-day BBSW rate of 0.01%).
 - Interest earned for January was \$27,802, resulting in 'Year to Date' interest income earned of \$269,572 compared to the original pro-rata budget of \$320,500 resulting in an unfavourable budget variance of \$50,677 (Refer: Attachment A). The primary reason for the variance is that actual interest rates available in the market are well below that used in the estimates, last April.
 - Cheque account balance as at 31 January 2021 was \$973,870.
 - Ethical holdings represent 53.68% of the total portfolio: Current holdings in Ethical Financial Institutions equals \$17,000,000. The assessment of Ethical Financial Institutions is undertaken using www.marketforces.org.au which is an affiliate project of the Friends of the Earth Australia.

ii). Fluoride plant dosing performance report October to December 2020 - Q4

Council noted the Fluoride Dosing Plant Performance Report for Q4 (October-December 2020), which shows the four fluoride plants operated by Council have met the dosing targets prescribed by the Australian Drinking Water Guidelines and the targets range within the NSW Health Code of Practice for Fluoridation of Public Water Supplies.

iii). Delivery program progress report update – 1 July 2020 to 31 December 2020 (Y3)

This report contained information about progress on achievements of the performance targets prescribed in the Integrated Planning and Reporting Delivery Program. The result for the reporting period were: 85% *Acceptable* (achieved or on track according to schedule); 14% *Monitor* (in progress but behind schedule); and 1% *Review* (corrective action required).

iv). Debt write-off information summary

Council's 'Debt Management and Financial Hardship' policy requires an information summary report be submitted to Council on a bi-annual basis. Charges totalling \$4,590.02 were written-off for the period 1 July 2020 to 31 December 2020 under delegation and in accordance with clauses 131 or 213 of the *Local Government (General) Regulation 2005*.

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



17 February 2021

Phillip Rudd
General Manager
Rous County Council
PO Box 230
LISMORE NSW 2480

Dear Phil

Future Water Project 2060

As you are aware, Council wrote to you last year in regard to Rous County Council's Future Water Project 2060, advising its full support for the process you are working through with your constituent Councils, stakeholders and the community. The decisions made at Rous' December meeting were met with surprise and disappointment from our Councillors when considering the Rous Delegate's report at Council's meeting of 16 February 2021. Consequently, Council resolved the following unanimously;

That Council:

1. *Receives and notes the Delegates' Report for the month of December 2020.*
2. *Urgently writes to Rous County Council to re-iterate Richmond Valley Council's position, resolved at its 18 August 2020 meeting, that Rous' Future Water Project 2060 includes continuation of investigations into the proposed Dunoon Dam including cultural heritage, landholder views, environmental impacts, ecological offset requirements, geotechnical assessments and the potential for State and Federal Government funding assistance for its construction.*
3. *Due to the serious importance of the Future Water Strategy and the need for future water security for the entire Northern Rivers region, Council make representations to the Federal and NSW Governments to seriously consider their position on this matter in the interests of the future of the region.*

Our Council looks forward to Rous County Council showing leadership for the Northern Rivers Region by re-visiting its decision, so that it completes the investigation of all options, to enable it to make fully informed decisions in the best interests of the entire community in its water supply area.

We would appreciate this letter being made available to all delegates, so they are aware of the views of Richmond Valley Council which are made on behalf of its community.

Thank you.

Yours sincerely,

A handwritten signature in black ink that reads "Vaughan Macdonald".

Vaughan Macdonald
General Manager

Love where we live and work



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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 DA2021/0071 – SITE AMALGAMATION OF LOT 3 AND LOT 173, RE-SUBDIVISION TO CREATE TWO LOTS BEING LOT 1 (464M2) & LOT 2 (500.6M2) AND ASSOCIATED VARIATION TO CLAUSE 4.6 OF RVLEP – 36 & 38 MANGROVE STREET, EVANS HEAD**

Author: Angela Jones, Director Infrastructure and Environment

Owner: Mr E De Re & Mr J K Stuart

Proposal: Site amalgamation of Lot 3 and Lot 173, re-subdivision to create two lots being Lot 1 (464m2) & Lot 2 (500.6m2) and associated variation to Clause 4.6 of RVLEP

Location: Lot 3 DP 24288 & 173 DP 1156971 – 36 & 38 Mangrove Street, Evans Head

EXECUTIVE SUMMARY

A Development Application has been received for the site amalgamation of Lot 3 and Lot 173, re-subdivision to create two lots being proposed Lot 1 (464m²) and proposed Lot 2 (500.6m²) and associated variation to the minimum subdivision lot size development standard pursuant to Clause 4.6 of the *Richmond Valley Local Environmental Plan 2012 (RVLEP)* at 36 and 38 Mangrove Street, Evans Head. The existing site at 38 Mangrove Street (Lot 3) provides an approved single dwelling and is currently below minimum lot size. The adjoining site at 36 Mangrove Street (Lot 173) meets the minimum lot size and is currently vacant.

The site is zoned R1 – General Residential. Clause 4.1 of the *RVLEP* stipulates a minimum lot size of 600m² for the locality. The proposed subdivision will result in both lots being below the prescribed minimum lot size development standard. Proposed Lot 1 being 464m² and proposed Lot 2 being 500.6m².

The applicant has requested, pursuant to clause 4.6 of the LEP a variation to the minimum lot size to permit the creation of both lots. The variation is in excess of 10% of the development standard and therefore must be determined by the Council in accordance with Secretary of the Department of Planning and Environment's notification of assumed concurrence.

RECOMMENDATION

That:

1. Pursuant to clause 4.6 of Richmond Valley Local Environmental Plan 2012 a variation in respect of clause 4.1 minimum subdivision lot size be refused.
2. Development Application DA2021/0071 be refused in accordance with the reasons for refusal contained within Attachment 4.

DELIVERY PROGRAM LINKS

Growing our Economy

EC1: Driving Economic Growth

EC1.8: Provide sustainable Urban Development Opportunities

BUDGET IMPLICATIONS

There are no budget implications for this matter.

REPORT

Development application number DA2021/0071 seeks consent to create two lots below the required minimum lot size prescribed by RVLEP. The application is submitted to Council for determination in order to comply with the assumed concurrence notification of the Secretary of the Department of Planning and Environment. The assumed concurrence notification requires a variation in excess of 10% of a numerical standard be determined by full Council rather than individual Council Officers.

Applicant

Newton Denny Chapelle
 PO Box 1138
 LISMORE NSW 2480

Subject Property

Lot 3 DP 24288 and Lot 173 DP 1156971
 36 and 38 Mangrove Street, Evans Head

Zoning

The subject site is zoned R1 General Residential pursuant to the *Richmond Valley Local Environmental Plan (LEP) 2012*.

Description of Development

The application seeks consent to create two lots both below the minimum lot size of 600m². The proposal involves the site amalgamation of two existing lots, Lot 3 being below minimum lot size and Lot 173 being above minimum lot size and re-subdivision of two existing lots. There is an approved existing dwelling located wholly within Lot 3 as shown in Figure 1 below. Lot 173 is currently vacant.

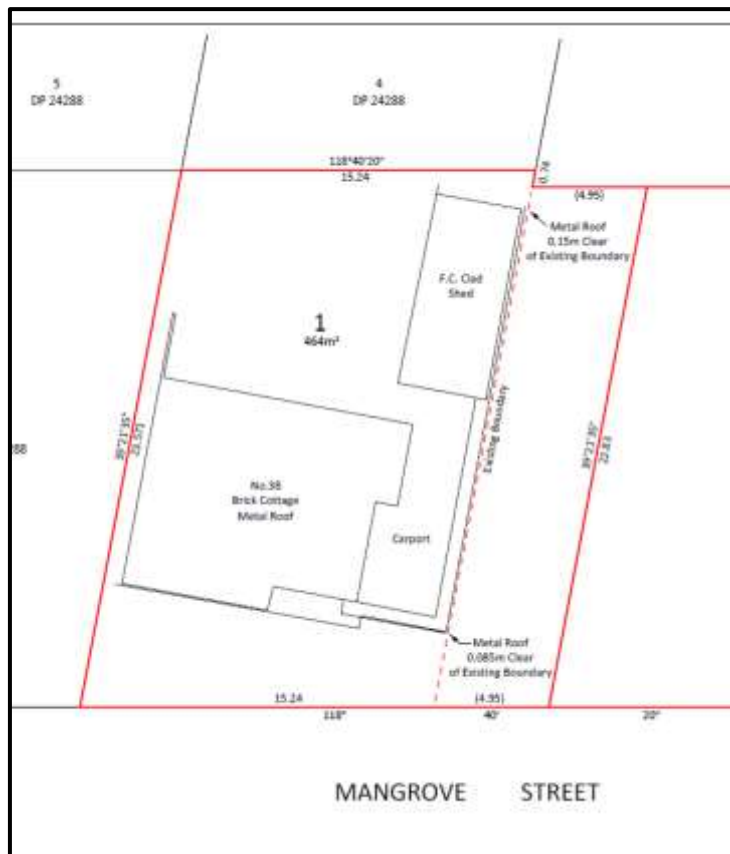


Figure 1 – Survey plan showing no encroachments on the boundary
 (Source: Newton Denny Chapelle)

The proposed subdivision involves a reduction of approximately 110.4m² of the total area of Lot 173 and consequential increase in the total area of Lot 3 in the following manner:

Site Address	Current Lot	Existing Area	Proposed Area
36 Mangrove Street	Lot 173	611m ²	500.6m ²
38 Mangrove Street	Lot 3	347.8m ²	464m ²

The proposed lot arrangement including the proposed new boundary location, lot areas and dwelling is shown in Figure 2 below.



Figure 2 – Proposed Development (Source: Newton Denny Chapelle)

Reason for Determination of the application/Variation Request by Council

Development Application No. DA 2021/0071 has requested a variation to Clause 4.1 Minimum Subdivision Lot Size of *Richmond Valley Local Environment Plan 2012 (RVLEP)*.

The application proposes the creation of two lots, both of which contravene the minimum subdivision lot size development standard by greater than 10%.

In accordance with NSW Department of Planning, Industry and Environment Circular *PS 20-002 Variations to Development Standards (Circular)*, issued on 5 May 2020, a development application which contravenes a numerical development standard by greater than 10% must be determined by the full Council (rather than the General Manager or nominated staff member).

Clause 4.6 Request to vary the Minimum Subdivision Lot Size Development Standard

DA2021.0071 is accompanied by a request to vary the required 600m² minimum lot size development standard prescribed within clause 4.1 of the RVLEP. The applicant's written request is contained within Attachment 2 of this report.

Clause 4.6 sets out criteria which are to be met to enable such a variation to be considered and approved. The consent authority must consider and be satisfied with the matters prescribed under clause 4.6 as detailed below.

The proposed development fails to comply with the development standard for minimum lot size. Clause 4.1(3) of RVLEP 2012 stipulates a minimum lot size of 600m² for this site. The proposed development creates two lots below minimum lot size being Lot 1 (increased from 347.7m² to 464m²) and Lot 2 (reduced from 611m² to 500.6m²). The variation represents a variation of 22.6% (reduced from 42%) for proposed Lot 1 and 16.5% (currently meets the Minimum Lot Size) for proposed Lot 2.

Site Address	Current Lot	Existing Area	Proposed Area	Percentage of Variation
36 Mangrove Street	Lot 173	611m ²	500.6m ²	16.5%
38 Mangrove Street	Lot 3	347.8m ²	464m ²	22.6%

The objectives of the minimum lot size development standard set out in clause 4.1(1) of RVLEP 2012 are as follows:

(a) *to ensure that lot sizes have a practical and efficient layout to meet their intended use, and*

Applicants reasons:

- *Each of the proposed lots have sufficient area and dimensions for their intended use being the erection of a dwelling;*
- *The proposal will increase Lot 3 DP 24288 to be over 400m² which will enable an attached dual occupancy to be built on the land if desired in the future in accordance with A2.3 of the DCP. This will increase housing opportunities and densities within the zone which is a direct objective of both the zone objectives and minimum lot size objective*

The proposed development is inconsistent with the objectives of the development standard for the reasons outlined below:

- The applicant's written request fails to demonstrate that creating two lots below the minimum subdivision lot size will result in a practical and efficient layout to meet the future intended use of these lots.
- The proposed development aims to provide compliance with *the Richmond Valley Development Control Plan 2015 (RVDCP)* controls for the existing dwelling on Lot 3. However, compliance with RVDCP is not required as the dwelling is existing and was approved under previous legislation, standards and policies. There is no requirement for existing approved developments to comply with any current Development Control Plan or other Environmental Planning Instrument, and there is no work proposed to the building that would require it to comply with the current provisions.
- While the proposal might enable the construction of an attached dual occupancy on Lot 3, reducing the size of Lot 173 significantly reduces the development potential of that lot. Both lots are within the M2 High-Medium Density area pursuant the RVDCP, which allows for higher density developments above single dwelling houses and dual occupancies. At 600m², Lot 173 currently has the ability to provide a variety of higher density developments subject to design and approval, including residential flat buildings, multi dwelling housing, manor houses and the

like. By reducing the size of Lot 173 to be below the minimum lot size, the ability to provide a more diverse range of housing opportunities and densities is significantly reduced.

The proposed development is located within zone R1 General Residential. The objectives of this zone are as follows:

- (a) *To provide for the housing needs of the community.*
- (b) *To provide for a variety of housing types and densities.*
- (c) *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- (d) *To ensure that housing densities are generally concentrated in locations accessible to public transport, employment, services and facilities.*
- (e) *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

Applicants Justification:

- *The proposal will increase Lot 3 DP 24288 to be over 400m² which will enable an attached dual occupancy to be built on the land if desired in the future in accordance with A2.3 of the DCP. This will increase housing opportunities and densities within the zone which is a direct objective of both the zone objectives and minimum lot size objective*
- *It is noted that each of the resulting lots still meet the objectives of the R1 zone in that they both:*
 - *Provide for the housing needs of the community*
 - *Provide for a variety of housing types and densities*
 - *The lots are within walking distance to public transport, employment, services and facilities; and*
 - *The setback to the existing dwelling is proposed to be increased thus minimising any potential land use conflict.*

The proposed development is considered inconsistent with the objectives of the zone for the reasons outlined below:

- The proposed development is permissible in the R1 General Residential zone. However, the creation of two lots below minimum lot size significantly reduces the ability to provide a variety of housing types and densities and reduces the ability to provide a range of housing to meet the needs of the community.
- While increasing the size of existing Lot 3 may provide the ability to seek consent for an attached dual occupancy, decreasing the size of existing Lot 173 significantly reduces the development potential of the allotment. Existing Lot 3 is already substantially developed and approved as a single dwelling house.
- Both lots are within the M2 High-Medium Density area pursuant the RVDCP which allows for higher density developments above single dwelling houses and dual occupancies. At 600m² Lot 173 currently has the ability to provide a variety of higher density developments subject to design and approval, including residential flat buildings, multi dwelling housing, manor houses and the like. By reducing the size of Lot 173 below the minimum lot size, the ability to provide a more diverse range of housing opportunities and densities is significantly reduced.
- The proposed reduction in the minimum lot size adversely impacts upon the ability to provide a variety of residential accommodation and other facilities and services permitted in the R1 General Residential zone.

Under Clause 4.6, the applicant's written request must demonstrate why compliance with the minimum subdivision lot standard is unreasonable and unnecessary in the circumstance of the

case and that there are sufficient environmental planning grounds to justify the proposed development.

However, the submitted variation request does not adequately address either of these matters for the reasons outlined below:

- As outlined previously, the proposed development does not achieve the minimum subdivision lot size objectives.
- Lot 173 is currently above the minimum lot size with an area of 611m². The proposed subdivision will result in two lots being below the minimum lot size. No compelling planning reason has been provided to increase the size of Lot 3 nor decrease the size of Lot 173.
- The applicant seeks to justify the request based on the lot patterns referred to in Plate 1 of the variation request. However, these lots are the result of historical subdivision patterns dating back to 1951-1952 created under the Local Government Act. The most recent subdivision approved in this locality is DA2009/0232, under which Lot 173 was created. All four lots created by this development consent complied with the minimum lot size standards. Given this subdivision is the most recent subdivision in the area and was assessed under more relevant standards than a 1951-1952 subdivision, the proposed subdivision is not in keeping with the existing or desired character of the locality.
- The variation request states Clause 4.1C of the RVLEP allows the subdivision of land to create allotments of a minimum of 350m². However, this clause is not relevant to the development application, as Clause 4.1C of the RVLEP relates to the subdivision of land where there is an existing approved dual occupancy on the land. There is no approved dual occupancy on either allotments, and the proposal does not involve the subdivision of an existing approved dual occupancy.
- The request also seeks to use the noncompliance of the dwelling on Lot 3 with the setback, building height plane and parking requirements of RVDCP to justify the requested variation. However, this is not considered to provide sufficient environmental planning grounds to justify the variation, as the dwelling has been constructed in accordance with the latest approved plans (DA2002/0333), which permitted the dwelling to be located on a 400mm setback from the side boundary. It is also noted a Final Occupation Certificate has been issued for this consent dated 17 June 2003. Therefore, there is no requirement for the lot boundaries to be relocated to enable the dwelling to comply with the current planning controls.
- Further, while the minimum setback required for a dwelling in accordance with Richmond Valley Development Control Plan (RVDCP) 2015 is 900mm, the proposal seeks to move the boundary by 4.95 metres. A setback of 4.95 metres is considered excessive and unnecessary for a single dwelling.
- It is also noted that the survey plan submitted on 23 November 2020 shows the existing carport and storage shed are located clear of the property boundary and that no part of any building encroaches on the common boundary with lot 173. If required, alternative options, such as an easement for maintenance that could be created over Lot 173 to provide access to the existing building on Lot 3. The maintenance of the buildings on the site does not justify a variation to the minimum subdivision lot size development standard.

In conclusion, the applicant's written request has failed to adequately demonstrate that compliance with the minimum lot size standard is unreasonable or unnecessary in the circumstances of the case. It also fails to demonstrate sufficient environmental planning grounds to justify varying this development standard. Therefore, clause 4.6(4)(a)(i) of the RVLEP does not permit development consent to be granted for the proposed development.

Clause 4.6(4) also requires the consent authority to be satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

For the reasons outlined previously, the proposal is not consistent with the objectives of the minimum subdivision lot size development standard or the Zone R1 General Residential

objectives. Therefore, the proposed development is not considered to be in the public interest and development consent is not recommended to be granted.

In addition, to assume the concurrence of the Planning Secretary, Council must consider

- a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
- b) the public benefit of maintaining the development standard, and
- c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.

Contravention of the development standard does not raise any matter of significance for State or regional environmental planning. However, there is a public benefit in maintaining the development standard as there is insufficient justification for varying the standard in the circumstances of this case and granting such a variation would have the potential to undermine Council's Minimum Subdivision Lot Size development standard by setting an undesirable precedent.

In conclusion, the variation to the minimum lot size development standard fails to satisfy all relevant parts of clause 4.6 and therefore the variation is not supported.

The applicant's written submission fails to demonstrate that compliance with the minimum lot size standard is unreasonable or unnecessary in the circumstances of the case. It also doesn't demonstrate sufficient environmental planning grounds to justify varying this development standard.

The proposed development is not deemed to be in the public interest as the proposal doesn't comply with the objectives for both Clause 4.1 and the R1 zone. In addition, there is no public benefit to non-compliance with the minimum lot size development standard in the circumstances of this case.

Exhibition Period

The development application was placed on public exhibition from 21 September 2020 to 6 October 2020 in accordance with Richmond Valley Council Community Participation Plan 2020. No submissions were received.

External Referrals

No external referrals apply to the proposal.

Internal Referrals

Department	Comment
Development Engineer	Brian Eggins, Senior Administration Officer – Acceptable
Building Certifier	Andrew Clark, Coordinator Building Services – Acceptable

Environmental Planning Considerations

A full assessment under Section 4.15 (1) of the *Environmental Planning and Assessment Act 1979* has been undertaken. The submitted Statement of Environmental Effects and Clause 4.6 Development Standard Variation Report address requirements of the applicable legislation.

The following legislation, planning instruments and policies are relevant to the proposal and their requirements have been considered as part of the assessment process:

- *Environmental Planning & Assessment Act 1979*

- *Environmental Planning & Assessment Regulation 2000*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *State Environmental Planning Policy No. 55 – Remediation of land*
- *Richmond Valley Local Environmental Plan 2012*
- *Richmond Valley Development Control Plan 2015*
- Planning Circular PS 20-002 Variations to Development Standards

Key Issues with the Application

The proposed development relates to the re-subdivision of two existing lots only and does not have any environmental impacts. There are no building works, new lots or dwellings. The proposed re-subdivision aims to provide an increased setback to the existing dwelling on Lot 3.

The matter of significance with the application is that it proposes two lots both being below the minimum lot size standard as required by clause 4.1 of Richmond Valley Local Environmental Plan 2012. Lot 3 has been historically subdivided into a lot smaller than the minimum lot size. The proposed variation exceeds 10% and therefore the application must be determined by Council. This has been addressed and considered by way of the above clause 4.6 variation request and this report.

Detailed assessment report is provided in Attachment 3.

CONCLUSION

DA2021/0071 seeks consent to create two lots both below the minimum lot size of 600m². The proposal involves site amalgamation of two existing lots, Lot 3 being below minimum lot size and Lot 173 being above minimum lot size and re-subdivision of two existing lots. There is an approved existing dwelling located wholly within Lot 3. Lot 173 is currently vacant land.

A detailed assessment has been carried out having regard to the Heads of Consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The proposal fails to comply with the *RVLEP 2012* minimum lot size control of 600m².

The applicant's written Clause 4.6 variation request fails to demonstrate that compliance with the minimum lot size standard is unreasonable or unnecessary in the circumstances of the case. It also fails to demonstrate sufficient environmental planning grounds to justify varying this development standard. The proposed development is not considered to be in the public interest.

The Development Assessment Panel endorsed the draft report and officer's recommendation to refuse the development application at its meeting of 4 February 2021.

Council may determine that the merits of the case do not justify a Clause 4.6 variation to the *Richmond Valley Local Environmental Plan 2012* in relation to the minimum lot size development standard. If the variation is refused, then the current development application before Council will be refused also.

Alternate decision - reasons and conditions

Notwithstanding Council Officer's assessment and recommendation set out in this report, should Council consider the requirements of Clause 4.6 are satisfied on the merits of the case and the information provided by the applicant and therefore approval is to be provided, draft reasons and conditions are provided below.

Reasons for considering supporting the variation of Clause 4.6 could include:

- a) the proposal was publicly exhibited, resulting in no objections,

- b) the proposed lot sizes are consistent with the existing historical subdivision pattern in the vicinity,
- c) given the subdivision pattern and development types in the vicinity of the proposal, it is not considered that the public benefit is compromised, and
- d) the proposed variation does not raise any matter of significance for State or regional environmental planning.

Proposed Draft Conditions of Consent

1. In granting this development consent, Council requires:

- All proposed buildings be constructed in accordance with any amendment or modification outlined in these conditions
- All proposed works be carried out in accordance with any amendment or modification outlined in these conditions
- Any proposed use of buildings or land be in accordance with any amendment or modification outlined in these conditions and be substantially in accordance with the Statement of Environmental Effects, and/or supporting documents submitted with the application, and stamped approved plan(s) No.
- Plan 3 – Proposed Lot Layout REF No. 200344 Rev C dated 12.11.20

A copy/copies of the approved plan is/are attached to this consent.

Reason: *To correctly describe what has been approved. (EPA Act Sec 4.15 (formerly 79C))*

2. The proponent shall submit an application for a Subdivision Certificate for Council certification. Such application shall be accompanied by a Subdivision Certificate fee, as adopted at the time of the relevant payment as indicated in **Council's Revenue Policy**.

If available, the street numbering shall be installed at each property and street numbers for each lot shall be nominated on the Deposited Plan Administration Sheet **prior to release of the Subdivision Certificate**.

Reason: *To comply with environmental planning instrument. (EPA Act Sec 4.15 (formerly 79C(a)))*

3. No approval is implied or granted for any works or associated use on Lot 3 DP 24288 (38 Mangrove Street, Evans Head) other than the existing approved single dwelling and storage shed.

Reason: *To clearly identify what has been approved.*

Alternate decision - recommendation

In addition to the draft conditions, the following alternate recommendation is provided for consideration.

That:

1. Pursuant to clause 4.6 of *Richmond Valley Local Environmental Plan 2012* a variation in respect of clause 4.1 minimum subdivision lot size be approved.
2. Development Application DA2021/0071 be approved in accordance with the proposed conditions of consent as contained in this report.

ATTACHMENT(S)

1. **Proposed plan of subdivision (under separate cover)**
2. **Applicant's request for variation to a development standard (under separate cover)**
3. **Assessment Report (under separate cover)**
4. **Draft Determination Report (under separate cover)**

14.2 PROPOSED ROAD CLOSURE AND SALE OF JABIRU LANE CASINO

Author: Kim Anderson, GIS and Systems Officer

EXECUTIVE SUMMARY

The Casino RSM has approached Council for the closure and sale of Council public roads contained within and adjoining land owned by the RSM.

Council would be required to undertake relevant consultation in accordance with Section 38B of the *Roads Act 1993* to close the public road for disposal.

A land valuation for the roads has been obtained and a further report will be submitted to Council at the end of the consultation period for consideration and determination.

RECOMMENDATION

That:

1. Council undertakes the relevant consultation in accordance with Section 38B of the *Roads Act 1993* to close the public road for disposal.
2. A further report be submitted to Council at the completion of the consultation.

DELIVERY PROGRAM LINKS

Connecting People and Places

PP2: Getting Around

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

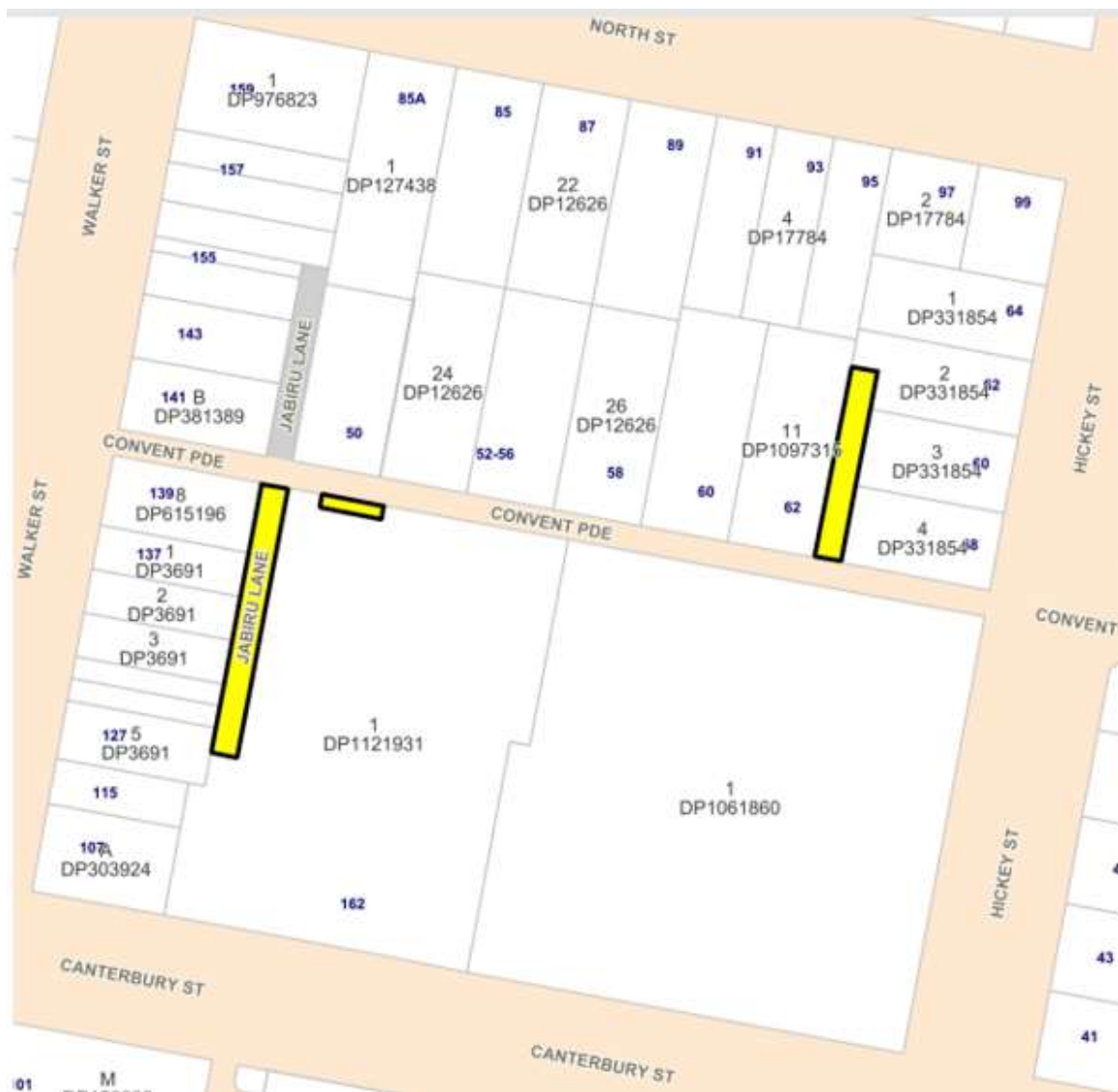
BUDGET IMPLICATIONS

Council has a budget allocation 2020/2021 of \$45,000 to complete works to re-seal and repair Jabiru laneway. Should the sale of the laneway proceed, this funding could be reallocated to other priority road works.

REPORT

Council has been requested from Casino RSM for the road closure and sale of the following roads within Casino being:

- Part Jabiru Lane,
- A section of lane widening along Convent Parade adjoining Lot 1 DP 1121931, and
- An unformed unnamed land adjoining Lot 11 DP1097315 within Casino.



Map 1 – Showing location of proposed road closure for sale.

Jabiru Lane is a bitumen sealed constructed laneway servicing the rear of commercial properties along Walker Street. The last bitumen seal was completed in 1996 and currently is in poor condition which requires renewal. The laneway contains substantial potholes and uneven surfaces. The current budget 2020/2021 has an allocation of \$45,000 to complete works to re-seal and repair the laneway.

The section of lane widening along Convent Parade adjoining Lot 1 DP1121931 is currently used as the driveway entrance to the rear of the RSM Club into the Carpark. This road widening was dedicated as road to Council as part of a subdivision in 1960. This was done as part of planning requirements to widen trafficable laneways within Casino.

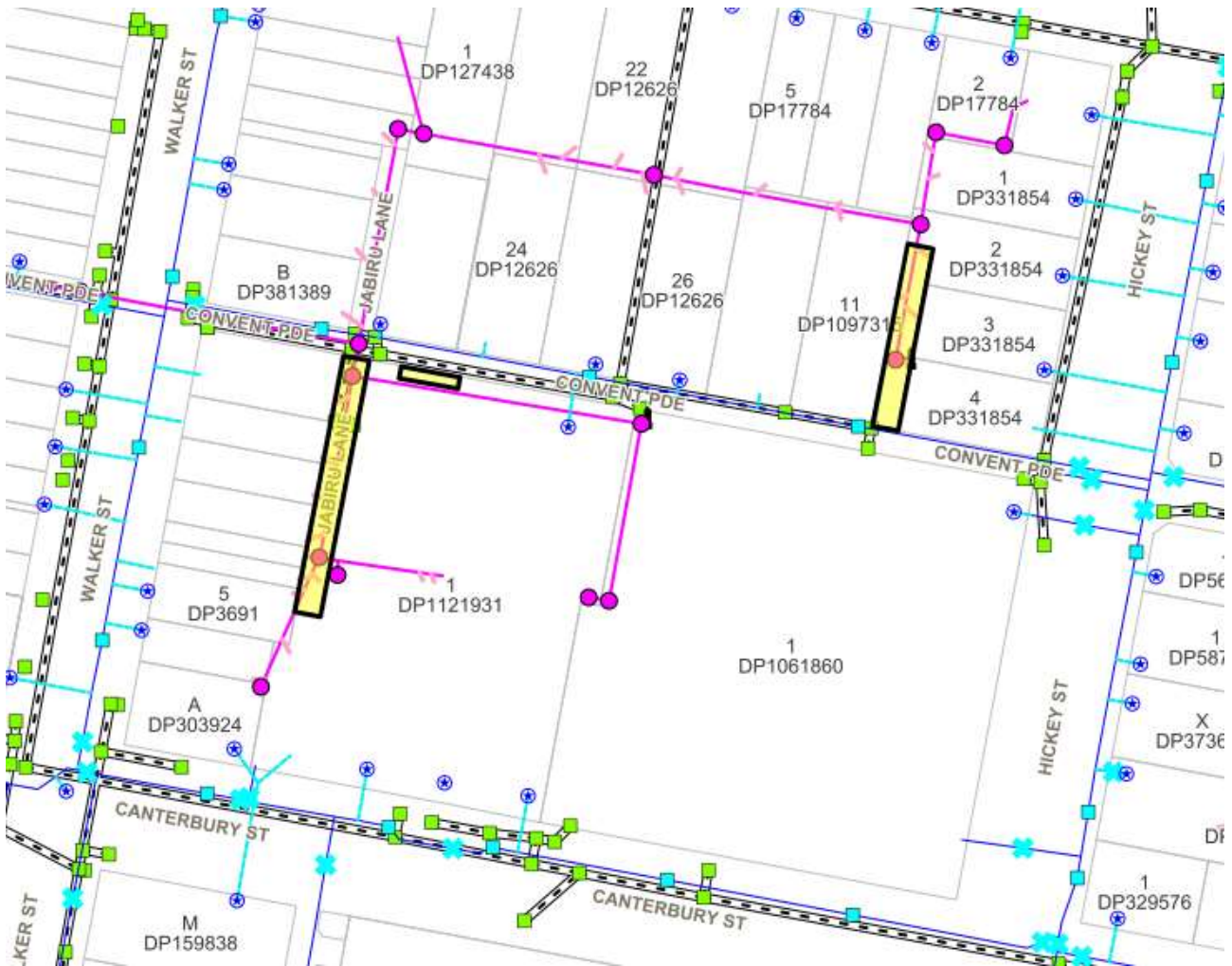
The unnamed, and unformed laneway adjoining Lot 11 DP1097315 adjoins all properties owned by the Casino RSM.

Council has sewerage infrastructure within the two laneways.

Jabiru Lane sewerage infrastructure services properties on the intersection of Walker/Canterbury Street which are under different ownership. Essential Energy infrastructure is also contained within this road reserve.

The unnamed and unformed laneway sewerage infrastructure services properties owned by the RSM.

Initial investigations identify that infrastructure services would need to be protected by an easement for this road closure to proceed for the benefit of Council and Essential Energy.



Map 3 – Showing location of service within proposed road closures.

A valuation was completed by Valuers Australia reporting the current valuation of the land as at 28 February 2021. Should the sale proceed, this valuation will form the basis for the negotiations.

CONSULTATION

Council would be required to undertake the relevant public consultation in accordance with Section 38B of the *Roads Act 1993* to close the public road for disposal. This will include notification to relevant authorities, advertising in a local newspaper, and writing to affected residents and adjoining landholders with a minimum 28 days period for submissions.

CONCLUSION

The Casino RSM has approached Council for the closure and sale of Council public roads contained within and adjoining land owned by the RSM.

Should Council proceed with the sale, it would achieve savings on the current and future maintenance costs associated with the laneway, including the current budget allocation of \$45,000.

A further report will be submitted to Council at the completion of the public consultation for final determination.

ATTACHMENT(S)

Nil

15 FINANCIAL REPORTS**15.1 FINANCIAL ANALYSIS REPORT - FEBRUARY 2021**

Author: Jono Patino, Financial Accountant

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the status and performance of its investment portfolio in accordance with the *Local Government Act 1993* s.625, Local Government (General) Regulation 2005 cl.212, Australian Accounting Standard (AASB 9) and Council's Investment Policy.

The value of Council's Investment Portfolio as at 28 February 2021 is shown below.

Bank Accounts	Term Deposits	Floating Rate Notes	TCorp IM Funds	Total
\$19,477,334	\$24,000,000	\$750,000	\$11,751,034	\$55,978,368

The weighted average rate of return on Council's investments for February 2021 was -0.92% which was below the Bloomberg AusBond Bank Bill Index for February of 0.00%, which is Council's benchmark.

RECOMMENDATION

That Council adopts the Financial Analysis Report detailing investment performance for the month of February 2021.

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 28 February 2021, Council had earned \$292,121 in interest and \$329,908 in fair value gains for total investment revenue of \$622,029 against an annual budget of \$1,003,025 (which equates to 62.02%). Council's Macquarie CMA Account returns dropped on 26 February 2021. The return on funds up to \$10m decreased from 0.45% to 0.35% and the return on funds in excess of \$10m decreased from 0.25% to 0.15% while Council's financial advisor's commission remained the same at 0.05%. Commissions for the 2020/21 financial year to 28 February 2021 total \$2,524.

Future fair value gains or losses will continue to be monitored and reported to Council.

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

The RBA maintained the cash rate at 0.10% per annum at its February meeting.

Rate of Return

The weighted average rate of return on investments in February 2021 was -0.92%, a decrease of 94 basis points from the previous month. The rate of return is 92 basis points below the Bloomberg AusBond Bank Bill Index of 0.00% which is Council's benchmark. Council staff are continually looking for investments within our adopted investment policy that will give Council the most advantageous return. Staff are still waiting on advice from both NSW Treasury Corporation and

Laminar Capital regarding NSW Treasury Corporation's longer term investments that are offering a higher return on investment.

Council's NSW Treasury Corporation IM Funds returned net losses of -\$89,379 during February 2021, reducing the overall gain for the 2020/21 financial year to 28 February 2021 to \$329,908.

Based on advice from Council's financial advisors Laminar Capital, Council withdrew its entire investment of \$10,249,192 in the TCorp IM Cash Facility Trust due to the high risk of this fund losing value and posting negative returns. Some of these funds have been invested into term deposits with the balance being held in higher interest cash accounts, this will enable staff to transfer these funds once further investment advice is received. While the TCorp IM Medium Term Growth Fund has posted losses during January and February 2021 the long-term rates of return on this investment remain strong at 3.90% p.a. for 3 years, 4.57% p.a. for 7 years and 5.38% p.a. for 10 years. It is important to recognise that these are long term investments that are subject to market fluctuations.

Council's Investment Portfolio

The Investment Portfolio balance at 28 February 2021 of \$55,978,368 is made up of Council's Business Online Saver Account (\$8,040,000), Macquarie Cash Management Account (\$10,004,330), Term Deposits (\$24,000,000), Floating Rate Notes (\$750,000), NSW Treasury Corporation Investments (\$11,751,034) and other bank accounts (\$1,433,004).

Council's investment portfolio had maturity dates ranging from same day up to 1,096 days. Term deposits and floating rate notes of \$24,750,000 represented 44.21% of the total portfolio as at 28 February 2021.

Council made the following new investments during February 2021.

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Investment Term
AMP Ltd	Term Deposit	N	\$1,000,000	1 year
ME Bank	Term Deposit	Y	\$1,000,000	3 months
Bank of Sydney	Term Deposit	Y	\$1,000,000	3 months
Bank of Sydney	Term Deposit	Y	\$1,000,000	3 months
Total			\$4,000,000	

Council had the following investment maturities during the month of February 2021.

Banking Institution	Investment Type	Environmentally Sustainable Investment	Amount Invested	Interest Earned
AMP Ltd	Term Deposit	N	\$1,000,000	\$4,986
Total			\$1,000,000	\$4,986

Council had \$11,751,034 in longer term investments being the Medium-Term Growth Fund held with NSW Treasury Corporation as at 28 February 2021. The investment values and fair value returns are shown below.

Investment Holding	Fair Value 28-Feb-2021	Fair Value Gain/(Loss) Feb 2021	Fair Value Gain/(Loss) YTD
Cash Facility Trust	\$0	-\$219	\$31,366
Medium Term Growth Fund	\$11,751,034	-\$89,160	\$298,542

Total	\$11,751,034	-\$89,379	\$329,908
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Future Investment Options

Due to reduced investment returns in the current market Council staff have been exploring alternative options particularly with NSW Treasury Corporation. Council's financial advisors Laminar Capital are researching these investments prior to issuing Council with formal advice and are currently waiting on detailed information from NSW Treasury Corporation on specific investment products.

Environmentally Sustainable Investments (ESIs)

Council's portfolio of \$55,978,368 at 28 February 2021 includes \$30,501,034 or 54.5% with no direct investment in the fossil fuel industry.

These include Council's investments with NSW Treasury Corporation.

NSW Treasury Corporation has a stewardship approach to ESIs which focuses on managing environmental, social and governance (ESG) risks and opportunities, particularly climate change which is expected to impact portfolios over the long term.

CONCLUSION

During the month of February 2021 Council's investments have been made in accordance with the Act, the Regulations and Council's Investment Policy.

As at 28 February 2021 Council's investments totalled \$55,978,368 with \$19,477,334 of this being funds held in bank accounts. The weighted average rate of return was -0.92% for the month of February and total investment revenue equals 62.02% of budgeted revenue for the year to 28 February 2021.

ATTACHMENT(S)

- 1. Investment Report Pack - February 2021**



Concise Investment Report Pack

Richmond Valley Council

1 February 2021 to 28 February 2021



Contents

1. Portfolio Valuation As At 28 February 2021
2. Portfolio Valuation By Categories As At 28 February 2021
3. Investment Revenue Received For 1 February 2021 to 28 February 2021
4. Comparison of Investment Revenue Earned to Original Budget and Investment Portfolio by Month 2020-2021 YTD
5. Environmentally Sustainable Investment Performance Report For Period Ending 28 February 2021 Relative To 31 January 2021



1. Portfolio Valuation As At 28 February 2021

Fixed Interest Security	Rating	ISIN	Original	Factor	Current	Price	Interest	Market Value	Total	Yield	Running
At Call Deposit											
CBA Business Online Saver Acct RVC At Call	S&P ST A1+		8,040,000.00	1.00000000	8,040,000.00	100.000	0.000	8,040,000.00	14.36%	0.20%	
CBA General Fund Bk Acct RVC At Call	S&P ST A1+		1,345,933.75	1.00000000	1,345,933.75	100.000	0.000	1,345,933.75	2.40%	0.00%	
CBA Trust Acct RVC At Call	S&P ST A1+		87,050.17	1.00000000	87,050.17	100.000	0.000	87,050.17	0.16%	0.00%	
MACQ At Call	Moodys A2		10,004,330.15	1.00000000	10,004,330.15	100.000	0.000	10,004,330.15	17.87%	0.40%	
NAB Business Cheque Acct RVC At Call	S&P ST A1+		20.00	1.00000000	20.00	100.000	0.000	20.00	0.00%	0.00%	
			19,477,334.07		19,477,334.07			19,477,334.07	34.75%		0.10%
Term Deposit											
AMP 1 03 Mar 2021 182DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.00%	
AMP 1 8 30 Aug 2021 544DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.80%	
AMP 0 95 30 Nov 2021 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.95%	
AMP 0 95 07 Dec 2021 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.95%	
AMP 0 95 22 Feb 2022 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.95%	
Auswide 1 75 03 Mar 2022 730DAY TD	Moodys Baa2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.75%	
SYD 0 85 04 Mar 2021 90DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.65%	
SYD 0 4 28 May 2021 91DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.40%	
SYD 0 4 28 May 2021 91DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.40%	
SYD 0 72 16 Jun 2021 182DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.72%	
SYD 0 72 16 Jun 2021 182DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.72%	
GB 1 03 Sep 2021 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.00%	
GB 1 03 Sep 2021 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.00%	
GB 0 7 12 Nov 2021 365DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.70%	
GB 0 6 13 Dec 2021 367DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.60%	
ING 1 5 02 Mar 2021 365DAY TD	S&P ST A1		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.50%	
JUDO 1 06 03 Mar 2021 181DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.06%	
JUDO 1 14 Apr 2021 180DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.00%	
JUDO 0 75 31 May 2021 181DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.75%	
JUDO 0 8 07 Jun 2021 180DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.80%	
JUDO 0 82 11 Jun 2021 182DAY TD	Unrated ST		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.82%	
ME Bank 0 4 27 May 2021 90DAY TD	S&P ST A2		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.40%	
MYS 0 85 15 Mar 2021 182DAY TD	Moodys ST P-		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	0.85%	
Warwick CU 1 9 03 Mar 2021 365DAY TD	Unrated ST UR		1,000,000.00	1.00000000	1,000,000.00	100.000	0.000	1,000,000.00	1.79%	1.90%	
			24,000,000.00		24,000,000.00			24,000,000.00	42.87%		0.40%
Floating Rate Note											
Auswide 0 9 06 Nov 2023 FRN	Moodys Baa2	AU3FN0057352	750,000.00	1.00000000	750,000.00	99.998	0.050	750,000.00	1.34%	0.91%	
			750,000.00		750,000.00			750,000.00	1.74%		0.01%



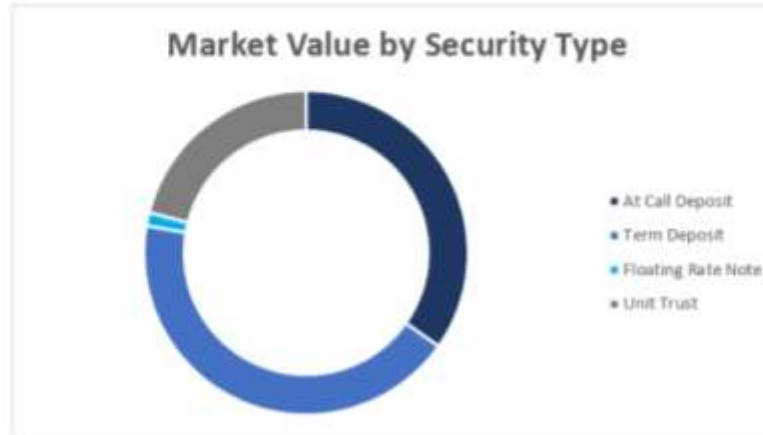
1. Portfolio Valuation As At 28 February 2021

	Fixed Interest Security	Rating	ISIN	Original	Factor	Current	Price	Interest	Market Value	Total	Yield	Running
Unit Trusts												
	NSWTC IM Cash Fund UT			0.00		0.00			0.00	0.00%	0.00%	
	NSWTC Medium Term Growth Fund UT			11,005,029.35		11,005,029.35			11,751,033.88	20.99%	-6.84%	
				11,005,029.35		11,005,029.35			11,751,033.88	20.99%	-1.43%	
FI Total				55,232,363.42		55,232,363.42			55,978,367.95	100.00%	-0.92%	



2. Portfolio Valuation By Categories As At 28 February 2021

Security Type	Market Value	% Total Value
At Call Deposit	19,477,334.07	34.79%
Term Deposit	24,000,000.00	42.87%
Floating Rate Note	750,000.00	1.34%
Unit Trust	11,751,033.88	20.99%
Portfolio Total	55,978,367.95	100.00%





2. Portfolio Valuation By Categories As At 28 February 2021

Issuer	Market Value	% Total Value
AMP Bank Ltd	5,000,000.00	8.93%
Auswide Bank Limited	1,750,000.00	3.13%
Bank of Sydney Ltd	5,000,000.00	8.93%
Commonwealth Bank of Australia Ltd	9,472,983.92	16.92%
Greater Bank Ltd	4,000,000.00	7.15%
ING Bank Australia Limited	1,000,000.00	1.79%
Judo Bank	5,000,000.00	8.93%
Macquarie Bank	10,004,330.15	17.87%
Members Equity Bank Ltd	1,000,000.00	1.79%
MyState Bank Ltd	1,000,000.00	1.79%
National Australia Bank Ltd	20.00	0.00%
NSW Treasury Corporation	11,751,033.88	20.99%
Warwick Credit Union	1,000,000.00	1.79%
Portfolio Total	55,978,367.95	100.00%



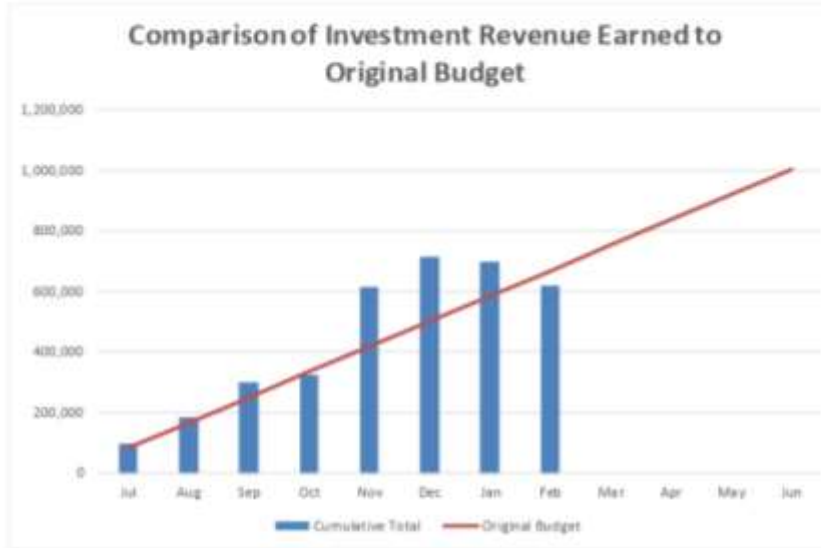


3. Investment Revenue Received For 1 February 2021 to 28 February 2021

Security ISIN	Security	Issuer	Income Expense Code	Settlement Date	Face Value (Basis of Interest Calculation)	Consideration	Income Type	Trading Book
AU3FN0057352	Auswide 0.9 06 Nov 2023 FRN	Auswide Bank Limited	IE1150168	8 Feb 2021	750,000.00	1,779.30	Security Coupon Interest	Richmond Valley Council
	AMP 1 22 Feb 2021 182DAY TD	AMP Bank Ltd	IE1137955	22 Feb 2021	1,000,000.00	4,986.30	Security Coupon Interest	Richmond Valley Council
	CBA BOS Account	CBA	IE1155031	28 Feb 2021		829.37	Bank Interest	Richmond Valley Council
	MACQ At Call	Macquarie Bank	IE1155033	28 Feb 2021		4,338.15	Bank Interest	Richmond Valley Council
						11,925.12		
	NSWTC IM Cash Fund UT					-219.35	Fair Value Gain(Loss)	Richmond Valley Council
	NSWTC Medium Term Growth Fund UT					(89,159.69)	Fair Value Gain(Loss)	Richmond Valley Council
						(89,379.04)		
	TOTAL					(77,453.92)		



4. Comparison of Investment Revenue Earned to Original Budget and Investment Portfolio by Month 2020-2021 YTD

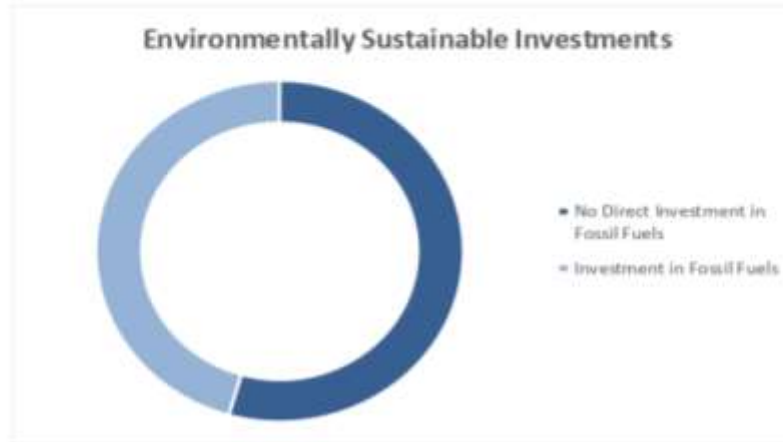




5. Socially Responsible Investment Performance Report For Period Ending 28 February 2021 Relative To 31 January 2021

Portfolio Summary by Environmentally Sustainable Investments

ADI Lending Status	% Total	Current Period	% Total	Prior Period
Investments in Fossil Fuels				
AMP Bank Ltd	8.9%	5,000,000.00	9.0%	5,000,000.00
Commonwealth Bank of Australia Ltd	16.9%	9,472,983.92	7.6%	4,219,006.50
ING Bank Australia Limited	1.8%	1,000,000.00	1.8%	1,000,000.00
Macquarie Bank	17.9%	10,004,330.15	17.5%	9,753,866.50
National Australia Bank Ltd	0.0%	20.00	0.0%	20.00
	45.5%	25,477,334.07	35.9%	19,972,893.00
No Direct Investment in Fossil Fuels				
Auswide Bank Limited	3.1%	1,750,000.00	3.1%	1,750,000.00
Bank of Sydney Ltd	8.9%	5,000,000.00	5.4%	3,000,000.00
Greater Bank Ltd	7.1%	4,000,000.00	7.2%	4,000,000.00
Judo Bank	8.9%	5,000,000.00	9.0%	5,000,000.00
Members Equity Bank Ltd	1.8%	1,000,000.00	0.0%	0.00
MyState Bank Ltd	1.8%	1,000,000.00	1.8%	1,000,000.00
Warwick Credit Union	1.8%	1,000,000.00	1.8%	1,000,000.00
NSWTC IM Cash Fund UT	0.0%	0.00	18.4%	10,249,411.23
NSWTC Medium Term Growth Fund UT	21.0%	11,751,033.88	0.18	9,840,193.57
	54.5%	30,501,033.88	64.2%	35,839,604.80
Total Portfolio		55,978,367.95		55,812,497.80





Concise Investment Report Pack
 Richmond Valley Council
 1 February 2021 to 28 February 2021

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Report Code: TRP010000001 20/20
 Report Description: Concise Investment Report Pack
 Prepared by:
 Trading Entity: Richmond Valley Council
 Trading Book: Richmond Valley Council

16 GENERAL BUSINESS

16.1 DRAFT DEVELOPMENT CONTROL PLAN 2021

Author: Debbie Pinfold, Development Assessment Planner

EXECUTIVE SUMMARY

Over the past six months, Council has undertaken a comprehensive review of its Development Control Plan (DCP) to ensure consistency of development, improve local neighbourhood amenity and strengthen alignment with existing NSW codes and guidelines.

As a result, the *Draft Richmond Valley Development Control Plan 2021* has been prepared and it is proposed to exhibit the Draft Plan from 24 March 2021, with written submissions being received until 6 May 2021. This report seeks Council's endorsement to undertake the community consultation process.

RECOMMENDATION

That Council:

1. Notes the current Development Control Plan (DCP) has been reviewed by Council officers with input from Councillors and frequent users of the DCP, and
2. Approves for public exhibition of the Draft Richmond Valley Development Control Plan 2021 for a minimum period of 28 days.

DELIVERY PROGRAM LINKS

Growing our Economy

EC1: Driving Economic Growth

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

BUDGET IMPLICATIONS

Budget implications are negligible with likely costs relating to advertising the exhibition period. These costs will be funded from existing operational budgets.

REPORT

The Richmond Valley Development Control Plan (DCP) forms an important part of Council's Planning and Development framework. The DCP provides finer detailed and localised planning controls for development permitted under the Richmond Valley Local Environmental Plan 2012.

The DCP was last reviewed in 2015. Regular review is necessary to ensure its provisions remain relevant over time, to incorporate changes arising from new legislation and to address the inevitable issues that arise when the controls are applied to actual development applications.

A review of the Richmond Valley DCP 2015 commenced in June 2020. The aim of the review was to ensure consistency of development, improve local neighbourhood amenity and strengthen alignment with existing NSW codes and guidelines.

Input into the review was initially sought from staff, Councillors and frequent users of the document. A range of planning documents such as the Development Control Plans from nearby councils, State government planning policies, planning guidelines for dual occupancies and various forms of multi dwelling housing were used to inform the changes to the plan. The proposed DCP amendments have been presented in stages to Councillors at the December 2020 and February 2021 Councillor Information Sessions.

Review Summary

A table summarising the amendments made to each part of the DCP is attached to this report.

In summary, substantial amendments have been made to the following DCP Parts:

- Part A – Residential Development
- Part B – Commercial Development
- Part C – Industrial Development

More minor amendments have been made to the following DCP Parts:

- Part G – Subdivision
- Part H – Natural Resources and Hazards
- Part I – Other Considerations (changes to Chapter 3 – Setbacks only)

No changes have been made to the following Parts:

- Part D – Rural Land Uses
- Part E - Visitor Accommodation, Caravan Parks and Manufactured Home Estates
- Part F – Signage

CONSULTATION

The draft Richmond Valley Development Control Plan 2021 is now ready to be placed on public exhibition to seek input from the community and other key stakeholders.

The DCP must be exhibited for a minimum of 28 days, in accordance with Council's Community Participation Plan (CPP).

However, it is proposed to extend the exhibition period to 42 days (6 weeks), to allow for Easter school holiday period and proactively seek input from key external stakeholders such as frequent applicants during this period.

1. As set out in Clause 4.3 (2) of the CPP the following community engagement strategies will be used:

- Published Notice on Council's website (including digital copy of the Draft DCP and links to the LEP) and additionally in the Valley Views – Richmond Valley Council Community Newsletter.
- Social Media post.
- Letters to frequent applicants and meetings on request.
- Written Notice to land owners where changes are proposed to the residential density category identified for their property on the Residential Density Maps.
- Display Notices in Council's Customer Experience Centres including paper copies of the draft DCP.

The proposed timetable is provided below:

Task	Start	Finish
DCP to March Council Meeting for Endorsement to exhibit	16 March	
Public Exhibition Commences – Minimum 28 days extended to 6 weeks to enable full consultation/meetings with stakeholders including frequent users	24 March	6 May
Review of Public submissions and amendments to DCP	6 May	26 May

Task	Start	Finish
arising, and preparation of Report to council and final formatting of document		
Report to Council - Adoption of the DCP (with a possible commencement date of 1 July 2021)		22 June
Publish Notice of Council Decision on Council Website prior to 19 July		19 July
Publish Copy of DCP (if adopted) on NSW Planning Portal shortly after commencement.		19 July

CONCLUSION

A review of Council's Development Control Plan has been undertaken, resulting in production of the *Draft Richmond Valley Development Control Plan 2021*, which has been circulated with this report. It is proposed to place the Draft DCP on public exhibition from 24 March 2021, with written submissions being received until close of business on 6 May 2021.

This report seeks Council's endorsement to exhibit the draft plan. Once this community engagement has been completed a further report on the final DCP version will be presented to Council.

ATTACHMENT(S)

1. **Draft DCP 2021 Summary of Changes**
2. **Draft Development Control Plan (under separate cover)**

Draft Richmond Valley Development Control Plan 2021 Summary of Proposed Changes

Background

The *Draft Richmond Valley Development Control Plan 2021* (the **Draft DCP**) has been compiled from a major review of the *Richmond Valley DCP 2015* (the **2015 DCP**).

Initially, amendments to the 2015 DCP were intended to:

- correct and update the residential development chapter, particularly the dwelling house and dual occupancy provisions and
- provide controls for ancillary development in residential areas including carports, fences, and sheds
- address inconsistencies in the setback controls between Part I and the other chapters.
- Reduce provisions that duplicated other legislation.

However, once the review commenced its scope was also broadened to focus on:

- improving the overall performance and readability of the controls in Part B Commercial Development and Part C Industrial Development.
- updating the tools used to control all forms of residential development contained in Part A, so that a consistent approach was achieved across all types of development, and with the tools currently used to guide development in state wide housing codes and guidelines.
- introducing amenity and design controls to improve the liveability of future developments for occupants and their neighbours.

Once the Draft DCP is adopted by Council it will repeal the 2015 DCP.

Draft Richmond Valley DCP 2021 – Summary of Amendments

The following tables contain a summary of the amendments made to the current Richmond Valley DCP 2015, for each Part of the proposed draft Richmond Valley DCP 2021.

DCP Introduction

Summary of Changes	Reasons
Administrative Sections – Name of Plan, Commencement, Aims, Contents, Amendments to this Plan <ul style="list-style-type: none"> Updated to reference the draft DCP and reflect its contents 	<ul style="list-style-type: none"> Adjusted to cater for the DCP amendments
Section 5 – <ul style="list-style-type: none"> Previously this section was titled Inconsistencies, and is now titled Relationship to Other Plans. It contains the same provisions in relation to resolving inconsistencies between the LEP plans as in the 2015 DCP, but also identifies other plans and legislation which need to be considered in the design of a development. 	<ul style="list-style-type: none"> Expanded section to better explain how the DCP sits in relation to a variety of other relevant plans and legislation.
Section 6 – Departures and Variations - <ul style="list-style-type: none"> Deleted 	<ul style="list-style-type: none"> Specific references to variations have been removed from the DCP controls. The DCP controls function so that design criteria are one way of achieving the objectives of a particular development control and an alternative solution which demonstrates how the objectives are satisfied can be accepted.
Section 11 - Definitions <ul style="list-style-type: none"> section updated, removing references to notification processes now addressed under the Community Consultation Plan, removing terms no longer used in this DCP (eg Building Height Plane). 	<ul style="list-style-type: none"> To address terms used in DCP 2021, but remove redundant terms.

Part A – Residential Development

1. Structure and Format	
Summary of Changes	Reason
<p>Chapter Structure</p> <ul style="list-style-type: none"> The residential chapters for dwelling houses, dual occupancy, and ancillary development have been divided into separate chapters for urban areas and rural areas, to reflect the differing complexity of controls in urban compared to rural areas. The secondary dwelling chapter provisions have been separated from the dual occupancy controls and made into a stand alone chapter, containing controls for all 3 land use zones where secondary dwellings allowed. The secondary dwelling controls need to be read in conjunction with the appropriate dwelling house chapter. 	<ul style="list-style-type: none"> Development pressure is greatest in the urban areas where smaller lots put neighbours closer together. As the demand for housing and the density of development increases in urban areas, more detailed controls become necessary to provide for a livable and attractive environment for both the occupants of new houses, the surrounding neighbours and the wider community. In rural areas – the larger lot sizes and greater distance between houses means that many of potential impacts and neighbour conflicts can be avoided without the need to rely on more detailed development controls. A stand alone secondary dwelling chapter was created as these types of developments are permissible in both urban zones (R1 General Residential & R5 Village) and one rural zone (R5 Large Lot Residential). A secondary dwelling is ancillary to a dwelling house on a lot and that is why the controls need to be read in conjunction with the appropriate dwelling house chapter.
<p>Format</p> <ul style="list-style-type: none"> A table format has been used for the various residential chapters, with planning objectives and design criteria. The design criteria are the main way of meeting the objectives. If the design criteria can't be met on a particular site, but the planning objectives are still achieved, a development satisfies that control. The summary tables at the start of each chapter in DCP2015 have been deleted. Hazards and Constraints Section included in each chapter – identifies a range of possible hazards and constraints that may affect a development 	<ul style="list-style-type: none"> The table approach reflects the layout of state government Housing Codes and Low Rise Housing Diversity Development Application Guidelines. A table format is preferred by Council's building approvals team, as it is similar to the deemed to satisfy/alternative solution approach adopted by the BCA. DCP 2015 summary tables were deleted as they did not provide a full appreciation of the design requirements and were relied upon without reading all the requirements. The controls themselves which are now in table format, act as a checklist. Hazards and constraints sections to prompt applicants up front to identify constraints that may affect the design or viability of the proposed development.
<p>New Residential Ancillary Development Chapters</p> <ul style="list-style-type: none"> New controls for ancillary development (sheds, carports, fences and the like) have been introduced. Separate rural and urban ancillary development chapters have been prepared. 	<ul style="list-style-type: none"> Specific ancillary development controls have been introduced to clearly identify forms of ancillary development supported by Council and where on the land they should be located. The controls seek to provide for reasonable amount of ancillary development on a property while balancing that with impacts on neighbours. Separate rural and urban chapters for ancillary development reflect the different development issues in the rural and urban areas.

Summary of Changes	Reason
2. Amendments to controls in rural areas (RU1 Primary Production, E3 Environmental Management, and R5 Large Lot Residential zones)	
<ul style="list-style-type: none"> • Increase RU1 and E3 side boundary setbacks from 5m to 10m • Retain 5m side setbacks in R5 Large lot residential, to reflect smaller lot sizes in this zone. • Clarification of road setback controls 	<ul style="list-style-type: none"> • The RU1 and E3 side and rear boundary setbacks have increased because it reflects a more typical setback situation which exists on these larger lots. Greater setbacks helps preserve the look and feel of rural areas , and helps to ensure amenity offered by the Rural lifestyle is maintained. It is noted that in many cases, even greater setbacks will be needed to meet bushfire requirements. • Road setback controls have been retained as per DCP 2015, but more clearly set out, eliminating of contradictory requirements between different parts of the DCP.
3. Amendments to controls in urban areas	
3.1 Density Area Maps	
<ul style="list-style-type: none"> • Density descriptions added for the low (L), medium (M1 and M2) and High (H) density areas. • The density areas remain as mapped in DCP 2015 except for the following: <ul style="list-style-type: none"> • Add a density zoning to the Lennox Street Casino Residential rezoning which is nearing completion • Add a density zoning over a closed section of Hotham Street (north of Sheppard Street) Casino • Change the density zoning for properties on Kimberly Place (a new cul-de-sac off Rosewood Avenue Casino) from M1 to L1. This area of M1 was a large lot previously planned for multi-dwelling housing, but this plan changed and the lot was subdivided into 4 smaller lots. The change will make this property's density zoning consistent with that of adjoining land. 	<ul style="list-style-type: none"> • Descriptions to better explain the desired character and preferred forms of development to be encouraged in each of the low (L), medium (M1 and M2) and High (H) density areas. • Additional area included in the maps to reflect recent rezoning. Changes to the density area of a number of small number of lots, to match the density area of surrounding lands.

<p>3.2 Building Envelope – Overview – All Urban Residential Chapters</p> <p>The building envelope for a property is an indication of the maximum size, scale and location possible for development on the site. The DCP now uses a combination of gross floor area controls, setbacks to boundaries and landscaped area to help identify a building envelope that development can fit within. However while this is the maximum building envelope, it may not be fully achieved. The development potential is also influenced by other factors such as including providing adequate privacy and sunlight and outlook, to the proposed development and adjoining properties, as well as sharing of views.</p> <p>A review of recent applications for dwellings and dual occupancies indicates that the proposed GFA, Landscaped Area and side and rear setback controls are consistent with the designs already being built. But as development pressure increases, this combination of controls is intended to help manage the scale and siting of houses so that the character of the Richmond Valley urban areas can be retained.</p> <p>As with the maximum site cover control of DCP 2015, a dwelling approaching the maximum allowable GFA on a site, can only be achieved with a 2 storey dwelling.</p>							
<table border="1"> <thead> <tr> <th>Summary of Changes</th> <th>Reason</th> </tr> </thead> <tbody> <tr> <td> <p><u>Gross Floor Area (GFA) Control</u></p> <ul style="list-style-type: none"> Replace maximum site cover requirements with a gross floor area (GFA) control for dwellings, dual occupancy and multi dwelling housing; The same GFA formula have been adopted for both dwelling houses and dual occupancies in urban areas, with different GFA formulas for multi dwelling housing. The formulas adopted to calculate GFA are those used for dual occupancy development and multi dwelling housing in the state wide Low Rise Housing Diversity Guidelines and dual occupancy Housing Code provisions. </td> <td> <ul style="list-style-type: none"> Use of a GFA control is consistent with the planning approach taken in the state government Housing Codes and residential development planning guidelines. It is a control more widely used in the development industry than the DCP 2015 maximum site cover control. GFA or Floorspace Ration (FSR) controls are usually contained in an LEP, but Richmond Valley LEP does not contain such controls and so the DCP becomes the appropriate location for these controls. The DCP 2012 formerly contained an FSR control. The use of a GFA tool in place of the DCP 2015 maximum site coverage control enables finer grained controls for different housing types to be developed. For example, by allowing a higher GFA for multi dwelling housing on larger lots, and in the higher density areas than is possible for other forms of development, it is intended to encourage multi dwelling housing and housing diversity. See more detail in multi dwelling chapter commentary below. The same GFA formula is used for dwelling houses and dual occupancy, giving the option of a larger dwelling house or two dual occupancy dwellings, still of a substantial size, with the GFA controls helping to establish the desired overall bulk and scale of development on the lot. The GFA control for dwelling houses and dual occupancies allows for an equivalent scale of development to that being constructed under DCP2015. </td> </tr> <tr> <td> <p><u>Landscaped Area Control</u></p> <ul style="list-style-type: none"> Reinstate minimum 30% landscaped area controls from the 2012 DCP for dwelling houses, dual occupancies and multi dwelling housing in the L1 and M1 density areas. In the M2 medium-high density areas, a minimum landscaped area of 20% is required for multi dwelling housing. Require planting of trees and vegetation of an appropriate size and variety for urban areas. Introduce controls on design and amenity for the proposed dwelling and to protect neighbouring amenity and development potential </td> <td> <ul style="list-style-type: none"> The minimum landscaped area of only 10% under the 2015 DCP is far less than required by other Councils or under the state government controls. The draft reinstates the 30% LSA controls of the DCP 2012 for dwelling houses, dual occupancy & multi dwelling in the M1 density area. 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<p><u>Landscaped Area Control</u></p> <ul style="list-style-type: none"> Reinstate minimum 30% landscaped area controls from the 2012 DCP for dwelling houses, dual occupancies and multi dwelling housing in the L1 and M1 density areas. In the M2 medium-high density areas, a minimum landscaped area of 20% is required for multi dwelling housing. Require planting of trees and vegetation of an appropriate size and variety for urban areas. Introduce controls on design and amenity for the proposed dwelling and to protect neighbouring amenity and development potential 	<ul style="list-style-type: none"> The minimum landscaped area of only 10% under the 2015 DCP is far less than required by other Councils or under the state government controls. The draft reinstates the 30% LSA controls of the DCP 2012 for dwelling houses, dual occupancy & multi dwelling in the M1 density area. Reinstatement of the 30% landscaped area requirement is essential to ensure there is opportunity for landscaping to maintain and improve the livability of dwellings, providing some relief from the urban height island effects, and a pleasant visual and living environment. 						

<p><u>Landscaped Area Control - Continued</u></p>	<ul style="list-style-type: none"> • The applicable state housing codes (Exempt and Complying Development SEPP) also apply a 30% landscaped area control to the usual residential lot sizes under the Codes SEPP. So a 30% landscaped area is a requirement builders and developers already design for in other areas, are familiar with and which has been proven to still allow for reasonable development potential. • A 20% minimum landscaped area applies to multi dwelling housing in the M2 medium-high density area, to help encourage this type of development in suitable locations and works with the greater GFA opportunities available for this form of development in the M2 areas. A 20% landscaped area also applies to residential flat developments for the same reason.
<p><u>Side and Rear Boundary Setback Controls</u></p> <ul style="list-style-type: none"> • Replace building height plane in DCP 2015 with side and rear boundary controls which work in combination with the Gross Floor Area, Landscaped Area and setback controls to identify the maximum potential building envelope possible on a site. • Side boundary setback – uses a formula from the Housing Code and Low Rise Housing Diversity Design Guidelines, with the starting point being the 900mm ground floor setback that is currently applied under DCP 2015. • Rear setback – increased to 3m from single storey and 6m for second storey 	<ul style="list-style-type: none"> • Setback formula to side boundaries – replaces the building height plane requirement in the 2015 DCP. It uses a common setback formula from the state Housing Codes, based on a 900mm ground floor setback already used in Richmond Valley, and steps buildings in from the side boundary as their height increases, as the old building height plane control did. • Rear setback – is increased to 3m for a single storey and 6m for the second storey of a dwelling. Most dwellings are already providing a similar single storey rear setback at the moment, but the proposed rear setback control, as well as mirroring that in similar state government controls, is designed for the future where development pressure increases. It seeks to preserve open space and back yard feel of the locality, and maintain adequate privacy between adjoining dwellings and their private open space, as dual occupancy development and higher density development becomes more common.
<p><u>Street Setback Controls</u></p> <ul style="list-style-type: none"> • Setbacks to primary street and articulation zone controls are unchanged from DCP 2015. • Setbacks to secondary or parallel streets- are formally established at 3m, rather than requiring a variation request to be submitted for every application • A 3m front boundary setback between the street-side boundary of a battleaxe lot and the dwelling on that lot is also applied. 	<ul style="list-style-type: none"> • Retain the existing primary street setback requirements for houses and garages in DCP 2015 to continue the streetscape character of our urban areas. • Secondary and Parallel setback distances reflect those generally approved when a variation request was made under DCP 2015, but eliminate the need for a formal variation request for each application to achieve a reduced setback to secondary and parallel streets. • The battleaxe lot front setback is introduced to provide better privacy and amenity between properties and is consistent with the requirements of housing code controls.

Summary of Changes	Reason
<p>3.3 Design and Amenity (livability) Controls – All Urban Residential Chapters</p> <ul style="list-style-type: none"> • Controls including need for ventilation, adequate light, privacy and outlook have been strengthened through provisions of more specific design criteria and objectives. These matters need to be considered in the design stages of the development. • Controls to enhance the presentation and social connection of dwellings to the street, and provide for security through passive observation, such as habitable rooms facing street frontages, limits on the proportion of the frontage that can be occupied by garages. 	<ul style="list-style-type: none"> • To ensure proposed dwellings and neighbouring properties are meeting basic livability standards, providing a pleasant living environment. At present, these basic design matters are often poorly addressed in development applications, particularly for dual occupancy development. Providing basic livability standards is even more important as development pressure increases, and lot sizes decrease. Where there were once smaller houses on larger lots, the space around the houses provided for privacy, sunlight and the like. As houses get larger and lots smaller, or more dwellings are built on the one lot, additional controls are required to ensure dwellings incorporate those features which make for a pleasant and livable houses and neighbourhoods. • Controls largely reflect those minimum standards in the Housing Code and Low Rise Housing Design Guidelines, but sunlight controls and climate control requirements reflect the lower density environment and north coast location. • The streetscape controls are intended to ensure houses don't turn their backs to the street, and provide for an attractive and connected environment, and passive observation of the street.
<p>3.4 Dual Occupancy – Chapter -Urban Areas</p> <ul style="list-style-type: none"> • In addition to the matters discussed above, the controls are based on the NSW Low Rise Housing Diversity Development Assessment Guidelines for Dual Occupancy development, but are adapted when required to meet local Richmond Valley Council circumstances. 	<p>The Low Rise Housing Diversity Guidelines provide a more comprehensive set of controls than the current DCP, necessary for the reasons outlined in the discussion of the building envelope and design and amenity controls above. Up front design standards help to minimise the need for later design changes and delays.</p> <ul style="list-style-type: none"> • The controls tailor the requirements set out in the state guidelines for Richmond Valley Council conditions.
<p>3.5 Multi Dwelling Housing (medium density) and Residential Flat Buildings Chapter – Multi Dwelling Housing Section</p> <ul style="list-style-type: none"> • The multi dwelling controls adopt the Low Rise Housing Diversity Guidelines for Multi Dwelling developments, other than controls which help define the character of our urban areas including street setbacks, private open space areas, parking and view sharing. • They adapt the landscaped area and gross floor area controls for different LEP zones contained in these Guidelines for application to the M1 and M2 and High density areas under the Richmond Valley DCP. • Minimum lot size and width design criteria are established and design guides are if development is proposed on smaller lots, to that a high quality design is still achieved. • Removes DCP 2015 'rule of thumb' density guide for multi dwelling units. 	<ul style="list-style-type: none"> • The draft DCP 2021 introduces sliding gross floor area controls to encourage multi dwelling on larger lots in M1 and M2 density zones and increase housing diversity. The controls are intended as incentives to encourage multi dwelling development in M2 medium-high density areas over lower density forms of housing. • The multi dwelling controls largely adopt the requirements for such housing under the new state government guidelines as they provide for standard terminology and amenity controls that will be familiar to most developers. They also provide good basic amenity controls for both future occupants of the development and neighbours and a better amenity outcome than the current DCP 2015 controls. • The density guide used in DCP 2015 to estimate the number of dwellings possible on a site was removed as it was based only on a 3 bedroom unit and didn't provide design flexibility with different unit sizes.

Summary of Changes	Reason
<p><u>3.6 Residential Flat Buildings (RFB) Section</u></p> <ul style="list-style-type: none"> The residential flat building controls continue to adopt the NSW Department of Planning <i>Apartment Design Guide</i> used under SEPP 65 –<i>Design Quality of Residential Apartments</i> as their starting point. Local building setback controls and floor space controls are included in the draft DCP. Minimum lot dimensions (width and lot size) are included to guide applicants to suitable sites. 	<ul style="list-style-type: none"> There are only a few locations where current LEP height and zoning controls allow 3 storey residential flat buildings. They are in the R1 zone, in the 9.5m height areas at Evans Head (which might allow 3 storey RFB) and 14m height areas in Casino outside of the CBD. Local controls for setbacks, floorspace, minimum lot dimensions are included to guide applicants to suitable sites and ensure development is consistent with the character (look and feel) of the area and to help establish the scale possible based on the Richmond Valley LEP height controls. A FSR control is ratio of floor area to the site area. It is a more common control for residential flats than a GFA control. It helps set the scale of residential flats desired in a locality to fit with the character of the area, while also providing applicants and the community greater certainty about the requirements for a residential flat development for applicants and provides for a scale consistent with the Richmond Valley context.
<p><u>3.7 Seniors Housing and Affordable Housing Chapter</u></p> <ul style="list-style-type: none"> As with DCP 2015, the applicable State Environmental Planning Policies are adopted as the baseline for these types of development. Additional controls requiring setbacks to match the requirements for residential development in the applicable zone have been added and urban design controls in the <i>Seniors Living Policy – Urban Design Guidelines for Infill Development, 2004</i> called up to provide design guidance. 	<ul style="list-style-type: none"> Additional Setback controls are prescribed so that the forms of development are consistent with the desired character (look and feel) of development in the Richmond Valley. Urban design guidelines are referenced to provide potential applicants with a suitable source of design information.
<p><u>3.8 Manor House, Attached and Semi Detached Dwellings</u></p> <ul style="list-style-type: none"> The preamble to Part A – Residential Development adopts the <i>Low Rise Housing Diversity Design Guide for Development Applications</i> prepared by the NSW government to guide these forms of development. 	<ul style="list-style-type: none"> These are forms of development permitted in the R1 zone, but not common in Richmond Valley Council area. Rather than developing planning controls for these uncommon forms of development, reference is made to the state guidelines that have been developed since the DCP 2015 was adopted and provide clear guidance for these forms of development.
<p><u>3.9 Explanatory Notes Section</u></p> <ul style="list-style-type: none"> Diagrams and explanations of the various terms used throughout the DCP – focusing on residential development. 	<ul style="list-style-type: none"> To guide the use of the document and provide information to help interpret the controls. To avoid repetition for example repeating the setback definition in every chapter.

Part B – Commercial Development

Substantial changes have been made to the format and additional contents added as outlined below.

Summary of Changes	Reason
<ul style="list-style-type: none"> Part B has been expanded to apply to commercial precincts in the RU5 Village Zone and its application to commercial premises in other non-commercial zones also clarified. 	<ul style="list-style-type: none"> To ensure controls are in place for development in all commercial centres including rural villages and guide the development of commercial premises of the types allowed outside of these areas by the LEP.
<ul style="list-style-type: none"> Setback controls for common forms of commercial development have been included in the Commercial Development section of the DCP. Numerical setbacks for development in commercial centres are largely unchanged from DCP 2015, except the building height plane for some side and rear setbacks on those sites where a nil boundary setback is not permitted. The Building height plane has been replaced by the common setback formula. 	<ul style="list-style-type: none"> To ensure applicants have the setback information for the most common developments in the Commercial Centres readily available in the Commercial Centres Part of the DCP and avoid duplication with Part I-3 of the DCP. To provide a formula for side and rear setbacks to replace the building height plane controls of DCP 2015 which are no longer used. The formula is used consistently for setback controls across all forms of development.
<ul style="list-style-type: none"> Clarification of design and amenity controls – and separation of these from the character/streetscape controls. Cross reference to applicable DCP parts rather than repeat controls (eg - heritage and shop top housing) 	<ul style="list-style-type: none"> Provide clearer controls, with applicants referred to other DCP Parts (such as Heritage controls in Part I) where these controls are only applicable to some commercial developments. Separate out the character and streetscape controls from those addressing amenity (noise, overshadowing, and the like) which apply more often on the fringe of commercial centres. Consolidate repetitious controls of DCP2015.
<ul style="list-style-type: none"> Controls for Change of Use – <ul style="list-style-type: none"> A table has been added at the start of the Part B, identifying the controls applying to developments which involve building works and those involving only a change of use. A section outlining additional considerations for development of existing buildings and change of use has been added. 	<ul style="list-style-type: none"> Alert applicants to the range of matters they needed to consider in selecting a suitable commercial premises and preparing a development application. Provide applicants with a clearer up front understanding that there are requirements such as the BCA, Food Premises Standards and the like, which could affect the design and cost of their development and need to be considered early in the development process.
<ul style="list-style-type: none"> Additional Controls for Waste management added 	<ul style="list-style-type: none"> To ensure this important issue is not overlooked.
<ul style="list-style-type: none"> Liquid trade waste provisions added 	<ul style="list-style-type: none"> This is an important issue for many developments which is often overlooked. The provisions are intended to prompt applicants to consider these issues early in the process and ensure the premises they are looking to occupy are able to accommodate trade waste facilities.

Part C – Industrial Development

Substantial changes have been made to the format and additional contents added as outlined below.

Summary of Changes	Reason
<ul style="list-style-type: none"> The intent of the controls has been clarified. Part C applies to the range of permitted uses in the IN1 General Industrial Zone. The controls are also intended to guide similar types of development permitted in the RUS Village zone, 	<ul style="list-style-type: none"> Development permitted in the IN1 Industrial zone includes a range of uses such as storage premises, depots, vehicle repair premises which do not fall within the definition of industry. The controls are intended to guide all development in the industrial zone. There are a wide range of industrial type developments are also permitted in the RUS Village zone not previously addressed by the controls.
<ul style="list-style-type: none"> Setback controls – setbacks to secondary and parallel roads have been directly established, so that they are no longer considered 'variations' to the primary street setback, needing a variation request. Secondary and parallel street setbacks adjoining residential areas are set at 3 metres to match the residential streets and 2 metres for industrial areas not adjoining residences. Setbacks for the RUS Village Zone are separately addressed, by referring to Part I-3 of the DCP. The setback controls have been made consistent with those in Part I. The building height plane control has been replaced with the side setback formula used in all zones. Setbacks for Heavy Industrial Storage Establishments – provisions recognize that there may be need for greater separation, particularly from sensitive land uses. 	<ul style="list-style-type: none"> To clearly establish the setback requirements for development in industrial zones. To avoid the need for variation requests to be made for every application with more than one street frontage. To address DCP 2015 issues with inconsistencies of setback information between Part I and Part C. Ensure setback requirements provide an appropriate balance between the needs of industry and the characteristics of the surrounding area. Seek to assist industry consider the suitability of particular sites for developments which are considered more hazardous early in the development process.
<ul style="list-style-type: none"> Changes to the ordering of the parking, building design and amenity controls, but retaining similar provisions to those in DCP 2015. Waste controls clarified. 	<ul style="list-style-type: none"> Improve the clarity of existing controls Strengthen consideration given to waste management as this is an often overlooked issue.
<ul style="list-style-type: none"> New section added – Additional Considerations for Alterations and Additions and Change of Use to An existing Building 	<ul style="list-style-type: none"> To alert applicants to the range of considerations that may apply to development applications involving a change of the current use. Up front information is aimed to ensure that they have a clearer understanding of requirements

Other DCP Parts

DCP Part	Summary of Changes	Reason
Part D – Rural Land Uses	No changes made to current version	No pressing issues arising from this chapter
Part E - Visitor Accommodation, Caravan Parks and Manufactured Home Estates	No changes made to current version	No pressing issues arising from this chapter
Part F – Signage	No changes made to current version	No pressing issues arising from this chapter
Part G – Subdivision	<ul style="list-style-type: none"> Minor changes only: Deletion of material containing interpretation of the LEP controls, but not adding to the design requirements. Link subdivision requirements for dual occupancy back to the dual occupancy controls in Part A 	<ul style="list-style-type: none"> Delete unnecessary material and focus on subdivision layout and design requirements.
Part H – Natural Resources and Hazards	<ul style="list-style-type: none"> Flood chapter reviewed and minor changes made. Only information adding further explanation as to how to address Council's own LEP controls were retained. This means the bush fire section was removed and the Acid Sulfate Soils and Natural Resources chapters retained. 	<ul style="list-style-type: none"> To ensure DCP provisions were consistent with Flood Plain Management Manual. Bushfire provisions were deleted as they controls required by other legislation and their provisions do change from time to time at state level. Acid Sulfate Soils and Natural Resources chapters were retained as they do provide design and assessment information in support of the LEP provisions.
Part I – Other Considerations	<ul style="list-style-type: none"> Changes have been made only to chapter I-3 Setbacks. This chapter has been amended so that it focuses on setback controls for a range of developments which are not covered in the other chapters. It no longer replicates setback controls for development types already addressed in other parts of the DCP. 	<ul style="list-style-type: none"> Part I has been reviewed. However, the provisions are necessary to guide forms of development not addressed in other DCP Parts, or provides detail on issues such as heritage that are too complex to be repeated in every chapter. Therefore the chapter has been retained and unchanged except for the setback controls. Setback controls only for zones or types of developments not covered elsewhere in the DCP, to avoid duplication and inconsistencies between various DCP Parts.

Abbreviations:

GFA – Gross Floor area

LSA – Landscaped Area

FSR – Floorspace Ratio – GFA expressed as ratio to lot size

RFB – Residential Flat Building

16.2 DEBT RECOVERY POLICY REVIEW

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

EXECUTIVE SUMMARY

Council adopted the Debt Recovery Policy in its current form on 16 October 2018. Due to increasing unpaid water accounts, the policy has been reviewed and proposed additions have been made to include the use of water restrictors to improve debt recovery. Should Council adopt these changes, it is proposed to implement them in the new financial year.

RECOMMENDATION

That Council adopts the revised Debt Recovery Policy and notes the proposed timetable for implementation.

DELIVERY PROGRAM LINKS

Making Council Great

CS2 Great Support

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

BUDGET IMPLICATIONS

Nil.

REPORT

Council adopted the Debt Recovery Policy in its current form on 16 October 2018. Although significant effort has been made to reduce overdue debts, unpaid water accounts continue to be a problem for Council, with \$700,912 in current areas. Further adjustments to the policy are proposed in the form of introducing water restrictors to continue to improve the recovery of unpaid accounts. A revised policy has been drafted and is attached to this report. It sets out the relevant legislative requirements and recovery action steps and includes information on payment arrangements and financial hardship provisions.

At present Lismore City Council, Clarence Valley Council and Tweed Shire Council are all utilising this approach as a form of collecting outstanding debts prior to legal action commencing.

A water restrictor device is a steel washer fitted to the water meter that limits the flow of water per minute to a property. According to Water Best Practices, councils must not reduce a flow to less than 0.04 litre per minute. However, reducing the flow to 1 litre per minute may be a more acceptable approach, as it would allow those living at the property basic hygiene standards, albeit at a reduced flow.

Prior to the restriction of water flow, the ratepayer will have been issued with a water notice, water reminder notice, letter of demand notice offering application of a payment arrangement or financial hardship and a notice of intent to restrict the water supply. The only exceptions to water restrictors are:

- Dialysis Patients
- Hospitals
- Schools
- Pre-schools
- Retirement Homes

- Tenanted Properties – occupier must be able to show proof of a Residential Tenancy Agreement, Commercial Property Lease Agreement, or a legal lease of such.

The proposed changes/additions to the policy are as follows:

Implementation of Water Restrictors

A water restrictor device will be installed on a property that has two or more quarterly notices outstanding.

The device will be installed at an initial flow restriction of 1L per minute, this will remain on the property for a period of three (3) months. Should the debt remain unpaid after the three (3) months, the flow will then be restricted to 0.4L per minute.

If a suitable payment arrangement is negotiated, the debt must be paid in the current financial year. At this point the restrictor that is in place will remain whilst the debt is being paid.

Defaulting on agreed payment arrangements may result in a lesser flow or legal action.

Restrictor Fees

It is proposed that fees will apply for the installation of restrictors and other associated matters. These will be presented for Council's consideration in the draft 2021-22 Revenue Policy.

CONSULTATION

Nil.

CONCLUSION

A further review of Council's Debt Recovery Policy has been undertaken. Changes are proposed to include the implementation of water restrictors should a water debt fall two or more quarterly notices behind.

The proposed changes enforce Council's position on the collection of unpaid charges and set a consistent guideline. The overall objective of debt collection remains the same and a copy of the revised policy has been included as an attachment to this report.

ATTACHMENT(S)

1. **Debt Recovery Policy**

Council Policy

Policy Title:	Debt Recovery
Policy Number:	6.5
Focus Area:	Governance and Process
Responsibility:	Finance and Procurement
Meeting Adopted:	Originally Adopted 16/10/2018 – Reviewed 08/03/2021



OBJECTIVE

To provide guidelines to staff, the community and Council to ensure that Council's debt recovery is clear, consistent and fair. To satisfy legislative debt management and debt recovery requirements.

SCOPE

This policy applies to all Council staff, ratepayers, community members and businesses.

LEGISLATION

Local Government Act 1993

Local Government (General) Regulation 2005

RATES and CHARGES

Rates are payable in full by the 31 August or by quarterly instalments. Quarterly instalments are due on the following dates of each year:

31 August

30 November

28 February

31 May

WATER/SEWER

Notices are due within 30 days of date of issue.

Notices will be issued at least 30 days prior to due date.

DEBTORS

Invoices are due 30 days from invoice date.

REMINDER NOTICES

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Reminder notices will be issued when rates and charges, water/sewer and debtors are not paid by the due date.

Reminder notices will be issued on balances that are equal to or greater than \$20 or an account that has two (2) or more instalments/quarters outstanding. The reminder notice is due within fourteen (14) days of issue.

LETTER OF DEMAND

Should the Reminder Notice remain unpaid, a Letter of Demand will be issued on all accounts with a balance that is equal to or greater than \$100 and or an account that has two (2) or more instalments or quarters outstanding. The Letter of Demand will request full payment, or an acceptable payment arrangement be entered into within fourteen (14) days from the letter issue date. The Letter of Demand also states that if the ratepayer does not pay in full or enter a payment arrangement Council may forward the debt to Councils' external solicitors.

A ratepayer may negotiate a payment arrangement or apply for financial hardship at any time during this process.

PAYMENT ARRANGEMENT

Ratepayers who are unable to pay a debt by the due date, may apply for a negotiated payment arrangement. It is Councils intention to have all debt paid within the current financial year. Where the ratepayer fails to adhere to the payment arrangement and has not contacted Council to amend the current arrangement, recovery action will commence.

If legal action has been suspended due to the ratepayer entering into a payment arrangement and the agreement has not been adhered to the legal action will be recommenced at the level where the suspension took place.

Entering a payment arrangement does not negate the charging of interest.

FINANCIAL HARDSHIP

Ratepayers who are financially struggling may apply for financial hardship.

In order for Council to determine eligibility outlined in the Financial Hardship policy, applicants are required to complete Councils' Financial Hardship Application form and provide financial information.

The purpose of the financial hardship is to enter a negotiated payment arrangement. Whilst the negotiated payment arrangement is being adhered to Council will not charge interest for a set period of time and if legal action has been commenced Council will suspend this action.

All applications are treated as confidential.

ACCRUAL OF INTEREST ON OVERDUE RATES and CHARGES, WATER/SEWER

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Interest accrues on rates and charges, water/sewer that remain unpaid after they become due and payable.

Interest accrues daily.

The rate of interest is that set by Council but must not exceed the rate specified by the Minister by notice published in the Gazette.

APPLICATION OF PAYMENTS

Money paid to Council in respect of rates and charges, water/sewer will be applied towards payment of those rates or charges, water/sewer in the order in which they became due.

WATER RESTRICTORS

Should Councils' Reminder Notice and Letter of Demand not be acknowledged then Council may utilise all scenarios available. This may be legal action or the installation of water restrictors and or both.

Where a customer does not pay the water/sewer account by the Letter of Demand due date, Council will issue an Intent to Restrict Water Flow to the ratepayer.

This notice will request full payment, or an acceptable payment arrangement be entered into within fourteen (14) days from the letter issue date. The payment arrangement must have all debt paid in full within the current financial year. This notice will also clearly state that if the ratepayer does not pay in full or enter a negotiated payment arrangement Council will restrict the flow of water from the property meter.

Should a restrictor be installed, the flow will be limited to 1 litre per minute and or 0.4 litre per minute and a water restrictor installation fee will be added to your debt.

Should a payment arrangement be entered into and the agreed arrangement is not adhered to then a restrictor will be installed and not removed until all charges, including the restrictor fee is paid in full.

Should Council restrict the flow to 1 litre per minute and a payment arrangement not be entered into within three (3) months Council will further reduce the water flow to 0.4 litres per minute and a second installation fee will be charged. This 0.4 litres per minute flow will remain in place until all debt is paid.

Should a restrictor be installed, Council will not remove the restrictor until the associated restrictor fees and the full balance of the water/sewer account is paid in full.

The only exceptions to water restrictors are:

- Dialysis Patients
- Hospitals
- Schools
- Pre-schools
- Retirement Homes
- Tenanted Properties – occupier must be able to show proof of a Residential Tenancy Agreement, Commercial Property Lease Agreement, or a legal lease of such.

ANTI-TAMPERING

When Council install a water restrictor Council will also install an anti-tamper device. Should the meter, restrictor or anti-tamper device be damaged or if there is evidence of attempted removal, the owner will be dealt with under Section 636 of the Local Government Act.

RESTRICTOR FEES

All fees in relation to water restrictors are adopted as part of Councils' Annual Revenue Policy.

All fees must be paid in full with the original debt.

LEGAL ACTION

If Council receives no response to the issuing of the Council's Letter of Demand, then Council may forward the debt to Council's external solicitors.

Legal action by the external solicitors will commence with their Letter of Demand, providing fourteen (14) days to make payment in full or enter a negotiated payment arrangement or apply for financial hardship.

If full payment, a negotiated payment arrangement or financial hardship application is not received then a Statement of Claim will be issued for the arrears as at the date of issue and served.

Following expiration of the statutory period, to protect Council's interest in the matter and all available actions to recover the amount outstanding, if the debt is not paid in full, a Notice of Motion for Default Judgement will be lodged in the Courts.

Thereafter, recovery actions that will be considered include, but not limited to:

- Garnishee of income (bank/wages)
- Service of Rent Order where property is tenanted
- Writ of Execution on goods and chattels
- Examination Summons
- Statutory Demand

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Adopted: Date

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- Sale of Land for Unpaid Rates in Accordance with Section 713 of the Local Government Act 1993

All legal costs and expenses incurred in recovering outstanding rates and charges will be charged against the property.

All legal costs and expenses incurred in recovering outstanding debtors will be charged against the debtor.

If Judgement is obtained this will be reported to Equifax Australia and listed on your credit file. The Judgement remains on your file for 5 years and Richmond Valley Council will not remove this from your file.

SALE OF LAND

In accordance with the Local Government Act 1993 Section 713 to 726 Council may sell land to recover unpaid rates and charges.

For the purposes of this Division, a rate or charge is overdue if:

- in the case of vacant land, it has remained unpaid for more than one year, or
- in the case of any other land, it has remained unpaid for more than 5 years, from the date on which it became payable.

A council may, in accordance with this Division

- sell any land (including vacant land) on which any rate or charge has remained unpaid for more than 5 years from the date on which it became payable, and
- sell any vacant land on which any rate or charge has remained unpaid for more than one year but not more than 5 years from the date on which it became payable, but only if
 - (i) the council obtains a valuation of the land from the Valuer-General, and
 - (ii) the total amount of unpaid rates or charges on the land exceeds the valuation, and
 - (iii) the council sells the land within 6 months after the date when the council received the valuation.

The council must not sell any such land unless the general manager or the public officer certifies in writing

- what rates and charges (including overdue rates and charges) are payable on the land, and
- when each of those rates and charges was made and how it was levied, and
- when each of those rates and charges became payable, and
- what amounts are payable by way of overdue rates and charges on the land, and
- what amounts are payable by way of rates and charges (other than overdue rates and charges) on the land.

The council may, in the case of adjoining parcels of land (whether in the same or different ownerships) each of which may be sold under this Division

- sell them separately or as a single parcel and under whatever conditions of sale it considers proper, and
- do such things as it considers appropriate for the purpose of selling the land at its full value.

REVIEW

This policy will be reviewed by Council at the time of any relevant legislative changes, compliance requirements or once yearly

Version Number	Date	Reason / Comments
4	08/03/2021	Review

16.3 DRAFT NSW WATER STRATEGY

Author: Jenna Hazelwood, Strategy Manager

EXECUTIVE SUMMARY

The NSW Government has developed a Draft NSW Water Strategy to guide its priorities and actions on water quality and security issues over the next 20 years. The Draft Strategy is currently on public exhibition and Council has been invited to make a submission. The issues raised in the Draft Strategy are very relevant to the Richmond Valley and will impact on Council's long-term water planning and service delivery. Of key concern are the predicted impacts of climate change and the need to identify alternative water sources.

RECOMMENDATION

That Council

1. Notes the issues raised in the Draft NSW Water Strategy regarding water quality and long-term security
2. Authorises the General Manager to make a submission on Council's behalf to the Draft Strategy public consultation.

DELIVERY PROGRAM LINKS

Looking after our Environment

EH1: Managing our Waste and Water

EH1.7: Provide services which protect and enhance our natural and built environment

REPORT

The NSW Government is moving to a more comprehensive view of strategic water management within NSW, developing 12 Regional Water Strategies and a new over-arching plan for the entire State. Council has been involved in developing the Regional Water Strategy for the Northern Rivers, in consultation with the Department of Planning, Industry and Environment, and it now has the opportunity to comment on the proposed State-wide strategy for water management.

The Draft NSW Water Strategy, released for public consultation this month, includes seven key priorities and 41 actions to guide water management in NSW for the next 20 years. Many of the priorities and actions are relevant to the Richmond Valley, including the need to increase resilience to changes in water availability in the future due to climate change and to explore alternative sources of supply.

The Draft Strategy outlines the NSW Government's new approach to climate change modelling, which will provide more accurate data on future water availability. The new modelling approach combines paleo-climate data and knowledge of key climate drivers in Australia to provide an insight on patterns of climate variability over the past 10,000 years. This is then considered against new climate change projections to predict how water security may be affected in the future.

The overall message from the new modelling is that water supplies in NSW could be less secure than we originally believed. Based on the new data, NSW may experience longer droughts, higher temperatures and less rainfall in the future, leading to reduced river flows. As an example, the Draft Strategy highlights predicted in-flows for the Richmond River estuary and notes that there could be an increase in the number of years in which a cease-to-flow event occurs.

The Draft Strategy emphasises the need to 'do more with less' and make our water resources go further in the future. This includes reducing water usage and improving efficiency as well as exploring options to diversify water sources and invest in appropriate infrastructure.

Future water security is a key concern for the Richmond Valley and Council is currently undertaking a water security study for the Casino water supply. The study will help to identify how our water supply might be affected by future reduced in-flows to the Richmond River and whether there are alternative water sources to explore. It is expected that connection to the Rous Water system will be identified as a future option. Council resolved at its February meeting to write to Rous County Council reiterating its position regarding future investigations into the Dunoon Dam proposal. Council further resolved to make representations to the Federal and NSW Governments regarding the need for future water security for the entire Northern Rivers region.

The Draft NSW Water Strategy emphasises the need to provide greater certainty to regional businesses that rely on secure access to water, to invest in research and development to improve water productivity in industries and to identify suitable infrastructure options for each region of NSW. This is particularly relevant for the Richmond Valley as Council explores the opportunities around our area's recent designation as a Regional Jobs Precinct.

The Draft Strategy also identifies the need to improve river and catchment health throughout NSW. This is a welcome outcome for Council, considering the current challenges it faces with water source quality in the Richmond River catchment.

The NSW Government plans to exhibit the Draft Strategy for public comment until 28 March 2021. Council may wish to make a submission based on the concerns it has previously raised regarding water quality and security.

CONCLUSION

The Draft NSW Water Strategy raises a number of issues that are of key concern to future water management in the Richmond Valley. While the Strategy's proposals to improve catchment health, support town water security and streamline regulation are encouraging, the predicted effects of climate change on water availability over the next 20 years may have impacts on Council's future water supply options.

ATTACHMENT(S)

Nil

17 MATTERS FOR INFORMATION**RECOMMENDATION**

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

17.1 GRANT APPLICATION INFORMATION REPORT - FEBRUARY 2021

Author: Jono Patino, Financial Accountant

RECOMMENDATION

That Council receives and notes the Grant Application Information Report for the month of February 2021.

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 February 2021.

During the reporting period five grants were approved and funding was received for five grants totalling \$1,179,871. Council wasn't notified as being unsuccessful with any grant applications and no grants were applied for.

Grants that have been approved

Summerland Way Shared Path Connection	
Project ID	10350
Funding Body	Transport for NSW
Funding Name	Active Transport Program - 2020/21 Walking and Cycling Program
Government Level	State
Project Value (excl GST)	\$181,832
Grant Funding (excl GST)	\$143,332
Council Funding (excl GST)	\$ 38,500
Date Application Submitted	25 February 2020
Date Approved	5 February 2021
Comment (if required)	This section of the Summerland Way pathway is from Eccles Street to Light Street.
Elliots Rd Timber Bridge Replacement	
Project ID	10385
Funding Body	Transport for NSW
Funding Name	Fixing Country Bridges Round One 2020
Government Level	State
Project Value (excl GST)	\$315,942
Grant Funding (excl GST)	\$315,942

Council Funding (excl GST)	\$ 0
Date Application Submitted	2 October 2020
Date Approved	24 February 2021
Comment (if required)	N/A
Willox Bridge MR145 Redhill Section	
Project ID	10386
Funding Body	Transport for NSW
Funding Name	Fixing Country Bridges Round One 2020
Government Level	State
Project Value (excl GST)	\$482,988
Grant Funding (excl GST)	\$482,988
Council Funding (excl GST)	\$ 0
Date Application Submitted	2 October 2020
Date Approved	24 February 2021
Comment (if required)	N/A
Assessment of Bushfire Affected Green Waste	
Project ID	10412
Funding Body	NSW Environment Protection Authority
Funding Name	Fund Stream A - Data Collection Initiative - Bushfire-Generated Green Waste Clean-Up and Processing Program
Government Level	State
Project Value (excl GST)	\$10,000
Grant Funding (excl GST)	\$10,000
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Approved	3 February 2021
Comment (if required)	N/A
Traffic Route Lighting Subsidy 2020/2021	
Project ID	N/A
Funding Body	Roads and Maritime Services
Funding Name	Traffic Route Lighting Subsidy 2020/2021
Government Level	State
Project Value (excl GST)	\$92,000
Grant Funding (excl GST)	\$92,000
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Approved	24 February 2021

Comment (if required)	N/A
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Grants that have been received

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 (excl GST)	\$228,044
Grant Funding (excl GST)	\$208,172
Council Funding (excl GST)	\$19,872
Date Application Submitted	20 September 2018
Date Received	\$20,731 received 12 February 2021
Total Funds Received to Date	\$95,731
Comment (if required)	N/A

MR145 Woodburn-Coraki Road Major Upgrade	
Project ID	10382
Funding Body	Transport for NSW
Funding Name	N/A
Government Level	State
Project Value (excl GST)	\$10,000,000
Grant Funding (excl GST)	\$10,000,000
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$19,387 received 25 February 2021
Total Funds Received to Date	\$19,387
Comment (if required)	N/A

NSW Bushfires 31 August 2019 Onwards - Essential Public Asset Reconstruction Works	
Project ID	10391
Funding Body	Transport for NSW
Funding Name	Disaster Recovery Funding Arrangements (DRFA)
Government Level	State

Project Value (excl GST)	\$2,178,500
Grant Funding (excl GST)	\$2,178,500
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$22,520 received 25 February 2021
Total Funds Received to Date	\$59,479
Comment (if required)	N/A

NSW Storms and Floods 15 January 2020 Onwards - Essential Public Asset Reconstruction Works

Project ID	10392
Funding Body	Transport for NSW
Funding Name	Disaster Recovery Funding Arrangements (DRFA)
Government Level	State
Project Value (excl GST)	\$1,540,000
Grant Funding (excl GST)	\$1,540,000
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$484,937 received 25 February 2021
Total Funds Received to Date	\$484,937
Comment (if required)	N/A

Financial Assistance Grant 2020/2021

Project ID	N/A
Funding Body	N/A
Funding Name	NSW Local Government Grants Commission
Government Level	Federal
Project Value (excl GST)	\$5,241,584
Grant Funding (excl GST)	\$5,241,584
Council Funding (excl GST)	\$ 0
Date Application Submitted	N/A
Date Received	\$632,296 received 16 February 2021 (General Purpose Component \$433,843, Local Roads Component \$198,453)
Total Funds Received to date	\$4,609,288
Comment (if required)	N/A

17.2 DEVELOPMENT APPLICATIONS DETERMINED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT FOR THE PERIOD 1 FEBRUARY 2021 TO 28 FEBRUARY 2021

Author: Andy Edwards, Manager Development and Environment

RECOMMENDATION

That Council receives and notes the Development Application report for the period 1 February 2021 to 28 February 2021.

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 4.55 approvals, applications which were refused and withdrawn, and applications with no development value, such as subdivisions.

Council receives a fortnightly summary of the status of applications (including all received) and notifications of all determinations of Development Applications are included in the Community Newsletter on a monthly basis.

The total number of Development Applications and Complying Development Applications determined within the Local Government area for the period 1 February 2021 to 28 February 2021 was 37 with a total value of \$10,780,253.

The graph below shows the number of development applications processed by Council over five financial years.

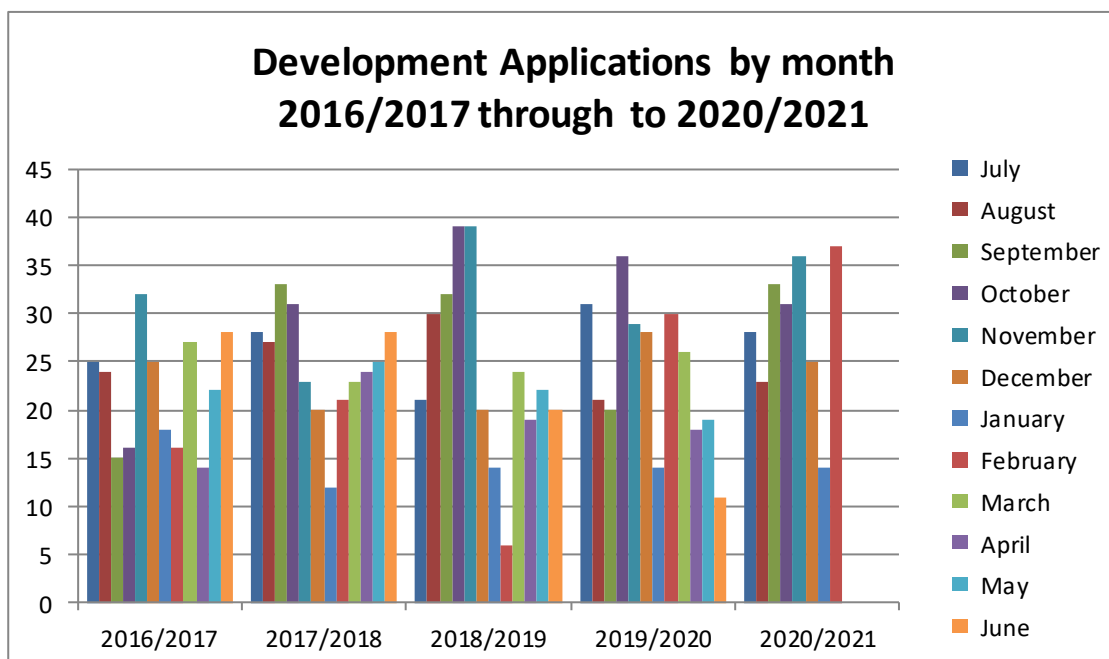


Figure 1: Monthly number of development applications processed by Council over five financial years.

Figure 2 graph provides the annual value of Development Consents issued by Council over five financial years and Figure 3 provides a detailed review of the value for the reporting month of February 2021.

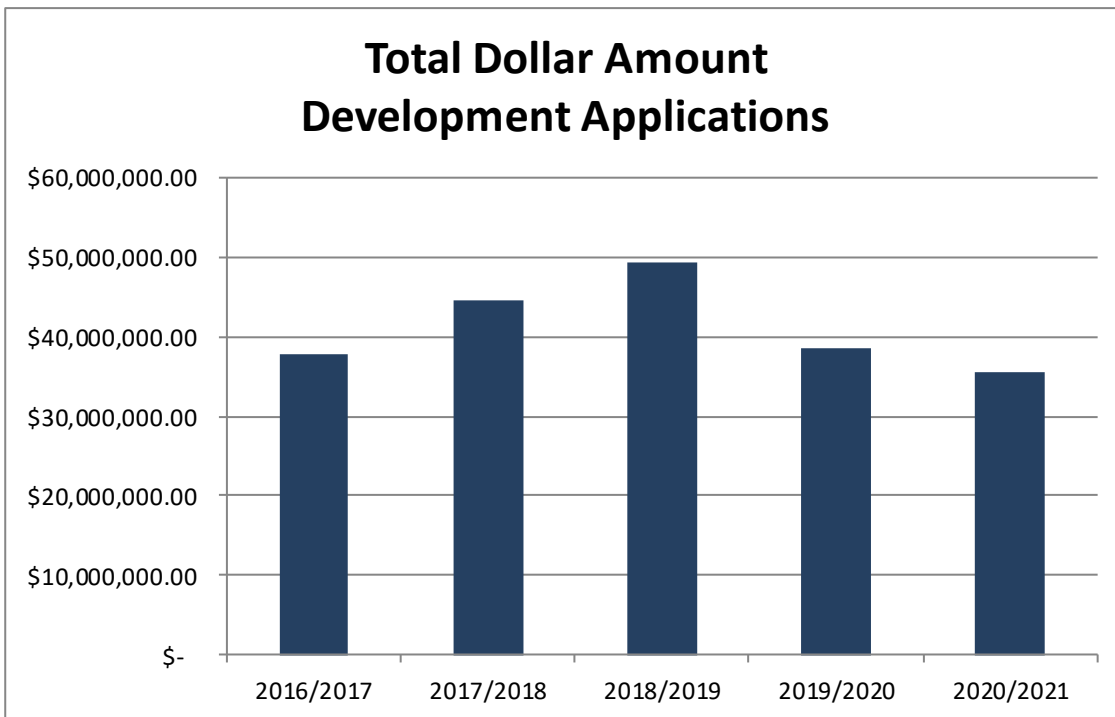


Figure 2: Annual value of development.

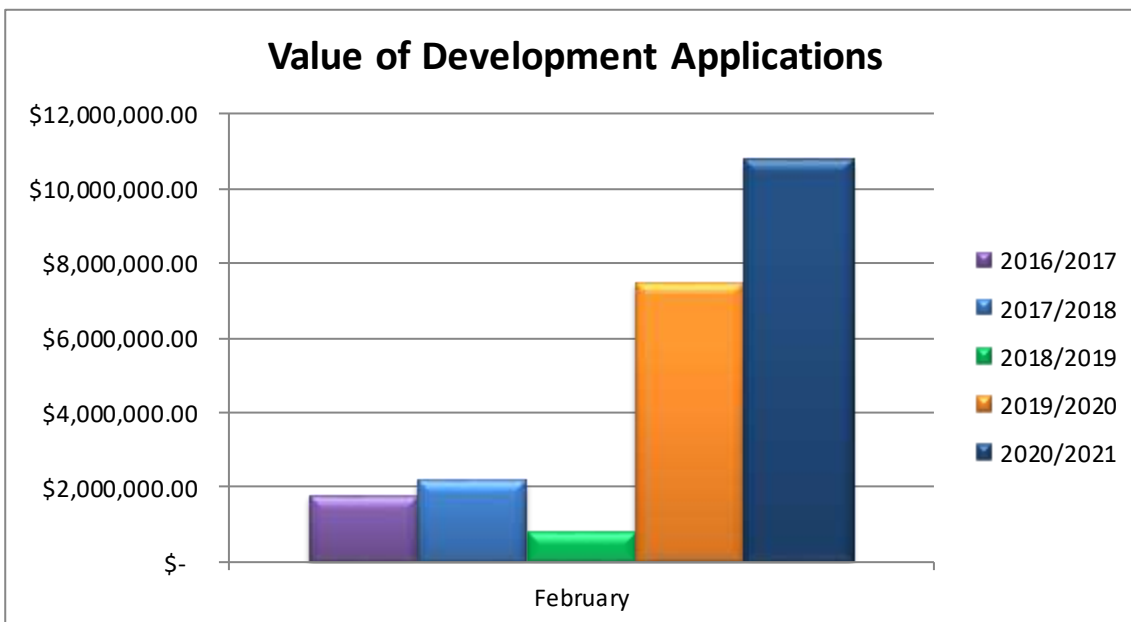


Figure 3: Value of development for the month of February.

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 detail the number of applications determined by Council over the past five years.

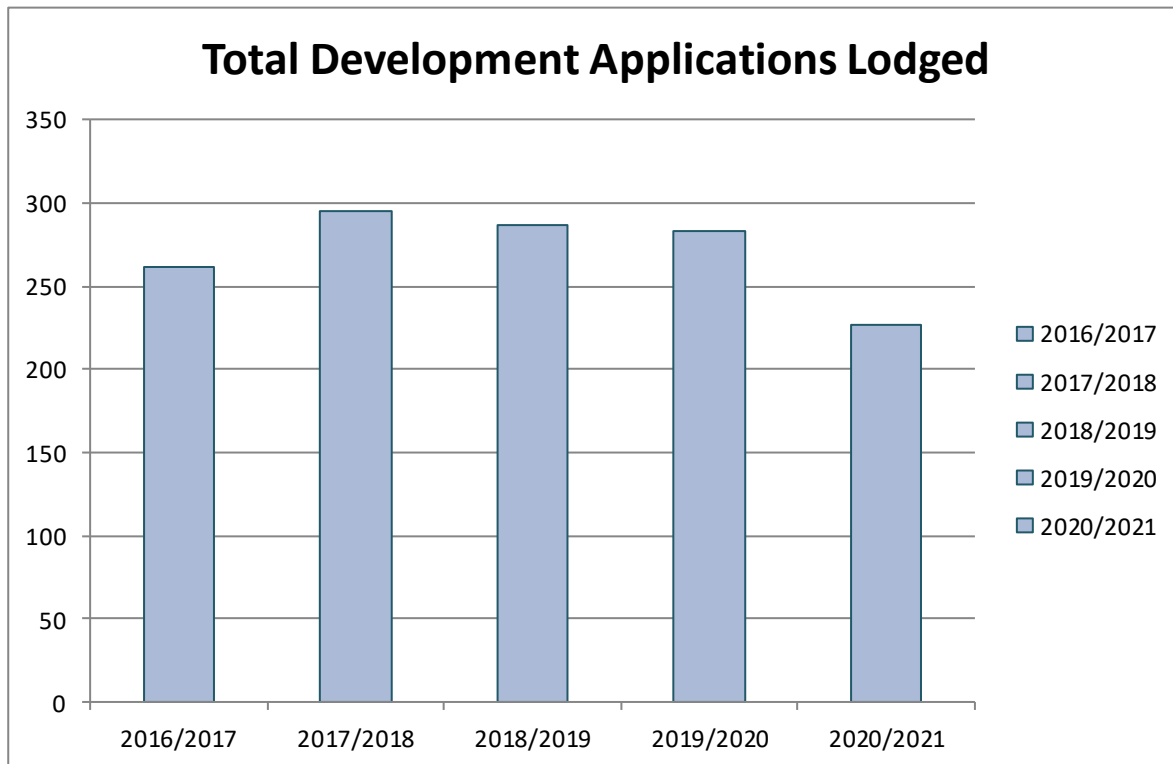


Figure 4: Number of Development Applications per month over five financial years.

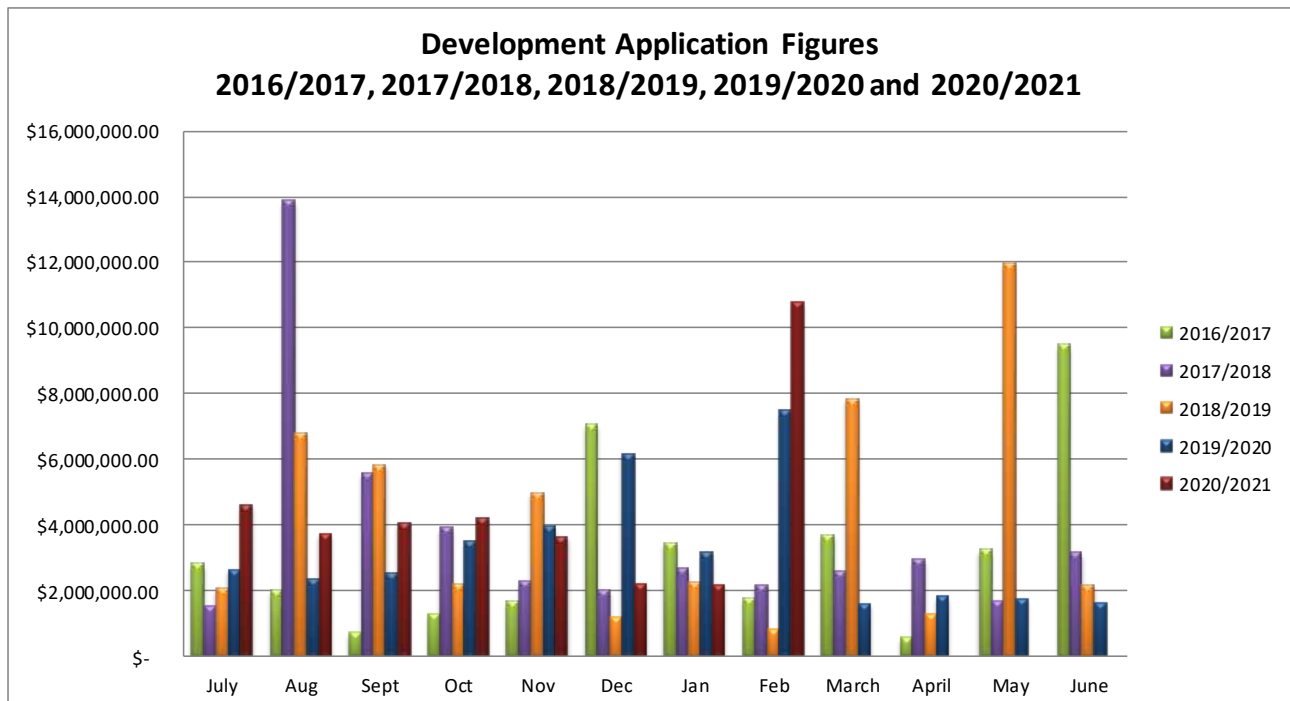


Figure 5: Value of development applications per month over five financial years.

Activity for the month of February 2021

General Approvals (excluding Subdivisions, Section 96s)	32
Section 4.55 amendments to original consent	4
Subdivision	1
Refused	
Withdrawn	
Complying Development (Private Certifier Approved)	
TOTAL	37

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 determined under the Environmental Planning and Assessment Act for the period 1 February 2021 to 28 February 2021							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2021/0129	Figtree Building & Design	BJ & AE Dyki	35 Bells Road, Rileys Hill	Extension to create new living area, new location of kitchen, demolition of single detached garage, alterations to existing dwelling to move main bedroom and add ensuite. Stage 2 is enclosing the carport to create a garage.	3/11/2020	22/02/2021	\$ 160,000.00
DA2020/0111.01	Newton Denny Chapelle	Logalex Pty Ltd	57-61 Dyraaba Street, Casino	Modification to approved Vehicle repair premises - tyre fitting and repairs, dry mechanical repairs and fitting of accessories	20/11/2020	11/02/2021	\$ -
DA2021/0144	O'Connor Sawmilling Rappville	LJ Anschau	95 Carwong Road, Rappville	Construction of an open shed (30x12) for air drying timber with one end bay (12 x 6) enclosed to house timber moulding machines. Located next to this will be a prefabricated modular solar timber drying kiln	23/11/2020	25/02/2021	\$ 200,940.00
DA2021/0147	Northern Co-Operative Meat Co Ltd	Northern Co-Operative Meat Co Ltd	10615 Summerland Way, Casino	Construction of a new building to prepare retail ready products in association with the existing livestock processing facility, signage and associated works	25/11/2020	16/02/2021	\$ 4,960,224.00
DA2021/0148	SC Thorpe	SR & SC Thorpe	796 Ellangowan Road, Yorklea	Dwelling	25/11/2020	5/02/2021	\$ 220,000.00
DA2021/0149	KS Valence	KS Valence	540 Johnsons Road, Yorklea	Dwelling	1/12/2020	18/02/2021	\$ 250,000.00
DA2021/0152	Dixonbuild Pty Ltd	Lennox Future Pty Ltd	57 Canning Drive, Casino	Construction of two (2) single storey dwellings, each with an attached double garage to create a detached dual occupancy development and associated works	2/12/2020	23/02/2021	\$ 467,841.00
DA2021/0162	M Finlayson	M Finlayson & DM Rice-Finlayson	13 Adams Street, Coraki	Resited dwelling to create an attached secondary dwelling, demolition of existing deck and construction of rear deck addition to existing dwelling	15/12/2020	4/02/2021	\$ 170,000.00
DA2021/0163	Senica Consultancy Group	JE Gill & LRJ Duncan	5 Dyraaba Street, Casino	Dwelling	15/12/2020	8/02/2021	\$ 269,035.00
DA2021/0169	SC Pickett	A & SC Pickett	936 Old Tenterfield Road, Camira	Carport	22/12/2020	3/02/2021	\$ 7,000.00
DA2021/0170	Professional Planning Group - PPlan for Coral Homes Pty Ltd	CL O'Neill	1 Verulam View, Spring Grove	Dwelling	22/12/2020	8/02/2021	\$ 297,363.00
DA2021/0172	BAJ Building & Construction Pty Ltd	BT Kirkness & LA Henderson	2 Sharon Court, Casino	Two (2) x relocated single storey dwellings to create a detached dual occupancy	23/12/2020	18/02/2021	\$ 300,000.00
DA2021/0173	Richmond Valley Council	Richmond Valley Council	44 Reynolds Road, Casino	Earthworks to fill a vacant area of the site for future operational capacity of the Cemetery.	23/12/2020	4/02/2021	\$ 99,000.00
DA2021/0174	Metricon Homes QLD Pty Ltd	SE Lambeth-Mackney & TJ Felsch	54 Shannonbrook Road, Shannon Brook	Dwelling	4/01/2021	8/02/2021	\$ 302,983.00

Summary of Development Applications determined under the Environmental Planning and Assessment Act for the period 1 February 2021 to 28 February 2021							
Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2021/0176	Metricon Homes QLD Pty Ltd	M T & KPW Stokes	2 Wallum Drive, Doonbah	Dwelling	4/01/2021	19/02/2021	\$ 489,621.00
DA2021/0177	MD Rennie	MD Rennie	20 Simpson Parade, Casino	As Built - 6 x 6 Shed with 6 x 3 Awning and 4.9 x 6.7 patio	4/01/2021	16/02/2021	\$ 12,000.00
DA2020/0127.01	M Wood	Walter Corp Pty Ltd	11-13 Park Street, Evans Head	Section 4.55 (1A) Modification of approved mixed-used development for subdivision, kiosk, boarding house and multi dwelling housing seeking amendments to Conditions 4 and 5 related to vegetation and street trees	4/01/2021	2/02/2021	\$ -
DA2021/0179	Hayes Building Consultancy	MJ Johnston	63 River Street (Pacific Hwy), Woodburn	Building alterations & additions including carport & deck	5/01/2021	2/02/2021	\$ 150,000.00
DA2021/0181	M Mager & DP Benn	DP Benn & M Mager	29 Ivory Circuit, Casino	Installation of an inground fibreglass swimming pool & associated fencing	5/01/2021	2/02/2021	\$ 93,544.00
DA2021/0182	Logan Architecture	SG & DM Bryant	44 Johnston Street, Casino	New two storey dwelling	5/01/2021	10/02/2021	\$ 352,260.00
DA2021/0074.01	A Mohammed	A & JM Mohammed	66 Currajong Street, Evans Head	S4.55 (1A) Modification of the approved detached shed with toilet, shower facilities and attached awning seeking to add a roller door to rear of the shed	5/01/2021	16/02/2021	\$ -
DA2019/0151.01	Newton Denny Chapelle	PE & EL Creighton	8845 Pacific Highway, Woodburn	Section 4.55 (1A) modification to approved boundary adjustment to create 5 Lots seeking amendments to lot areas of Proposed Lot 4 (141.5 ha) and Lot 5 (66.8) and amend Condition 5 relating to right of carriageway	7/01/2021	23/02/2021	\$ -
DA2021/0184	Hayes Building Consultancy	GN & JM Wray	41 Cassia Street, Evans Head	Strata Subdivision of two existing 3 bedroom attached units/duplex building that share a separating wall and common service lines	12/01/2021	23/02/2021	\$ -
DA2021/0185	Perry Homes (Aust) Pty Ltd	JG Crowther & RJ Rizzardini	2C Fletcher Street, Broadwater	New two storey dwelling	20/01/2021	19/02/2021	\$ 480,060.00
DA2021/0186	Profile Pools and Landscaping	IS & FL Fields	37 Sunderland Street, Evans Head	Swimming pool & associated fencing & patio	20/01/2021	16/02/2021	\$ 66,600.00
DA2021/0187	Professional Planning Group - PPlan for Coral Homes Pty Ltd	WM Santin	42 Llewellyns Road, Casino	Dwelling	20/01/2021	8/02/2021	\$ 327,716.00
DA2021/0190	LC Vidler	LC & JE Vidler	150 North Street, Casino	Demolition of existing dwelling and shed	25/01/2021	16/02/2021	\$ 28,700.00
DA2021/0192	AA & PT Wright	AA & PT Wright	8 Farley Street, Casino	Colorbond Gable Shed	27/01/2021	18/02/2021	\$ 22,680.00
DA2021/0194	Richmond Valley Council	Richmond Valley Council	9 Pearse Street, Rappville	Rappville Rural Fire Station and 2 rainwater harvesting tanks	28/01/2021	25/02/2021	\$ 340,406.00

**Summary of Development Applications determined under the Environmental Planning and Assessment Act
for the period 1 February 2021 to 28 February 2021**

Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2021/0195	Professional Planning Group - PPlan for Coral Homes Pty Ltd	MA Andrews & NJ Taylor	59 Canning Drive, Casino	Single storey dwelling house with attached double garage and retaining walls.	1/02/2021	24/02/2021	\$ 268,682.00
DA2021/0196	HD O'Leary	HD O'Leary	25A Frederick Street, Casino	In ground fibre glass pool and associated fencing	2/02/2021	17/02/2021	\$ 41,850.00
DA2021/0197	AJ House	AJ House	194 Emu Park Road, Ellangowan	Installation of a fibreglass composite inground swimming pool with associated fencing	2/02/2021	10/02/2021	\$ 45,000.00
DA2021/0199	Eagle Rock Construction	Invocare Australia Pty Ltd	60-62 West Street, Casino	Decommission swimming pool and remediate site	3/02/2021	24/02/2021	\$ 20,000.00
DA2021/0200	DS & TM Coggan	TM & DS Coggan	7 Wills Place, Casino	Colorbond carport	4/02/2021	24/02/2021	\$ 10,125.00
DA2021/0202	Evoke Pools	MP & PJ Pattison	51 Flatley Place, North Casino	Installation of in ground fibreglass swimming pool & associated fencing	5/02/2021	25/02/2021	\$ 31,172.00
DA2021/0204	Sarwood Sheds & Garages	GJ Short	97 Casuarina Drive, Swan Bay	Construction of a colorbond shed on cement slab	8/02/2021	24/02/2021	\$ 36,500.00

**Summary of Development Applications for Bushfire Affected Properties determined under the Environmental Planning and Assessment Act
for the period 1 February 2021 to 28 February 2021**

Application ID	Applicant	Owners	Location	Development	Date Lodged	Determination Date	Estimated Cost
DA2021/0215	Professional Planning Group - PPlan for Coral Homes Pty Ltd	RNA Collier & TK Hag	4 Lyons Street, Rappville	Dwelling	18/02/2021	22/02/2021	\$ 258,951.00

ATTACHMENT(S)

Nil

17.3 WOMEN'S TRY A TRADE PROGRAM

Author: Caroline Redwood, Manager People and Culture

RECOMMENDATION

That Council receives and notes the information provided in the Women's Try a Trade program report.

REPORT

Over the past three years, Richmond Valley Council has been working to improve employment opportunities for local women throughout the organisation. This has included a successful Try a Trade program, which encourages young women to gain experience in non-traditional roles. The first program, developed by Council's People and Culture Team, was held in 2018 and a number of participants were successful in gaining traineeships or progressing to further study. The latest Try a Trade program commenced in February 2021, with three groups of women scheduled to take part over the coming months. Support from the NSW Government has allowed the program to be expanded this year to include women over 25. Following the success of the Richmond Valley program, other councils are now seeking advice on how to implement the model.

The program is being funded by the NSW Government's Investing in Women Program, with support in kind from Richmond Valley Council.

Richmond Valley Council's first Try-a-Trade program commenced in 2018, with support from the NSW Government. The aim was to give ten young women at school an opportunity to work in non-traditional roles. To establish the program, Council's People and Culture team liaised with NSW TAFE to provide General Construction Induction (White Card). Once the participants had completed their foundation studies and induction, Council supplied the women with Personal Protective Equipment (PPE) including work boots and hi-vis clothing and provided work experience opportunities in various trades.

The 2018 program was so successful that a number of participants gained employment as trainees and others went on to pursue further study. Other councils have expressed an interest in delivering a similar program and sought advice from Council in this regard.

In 2020, further funding became available under the Investing in Women Program and Council successfully applied for a grant to complete another Try and Trade program in 2021. The \$40,000 program includes funding for training and personal protective equipment, with Council providing \$10,000 of in-kind support via the work experience program.

This year, the program will include three rounds of training:

- Group One - targeted at women over 25. Council worked with local employment agencies to help identify suitable participants, including local indigenous women. The group will begin work experience later this month.
- Group Two – targeted at women aged 18-25. This group will commence in May.
- Group Three – targeted at 15-18-year-old school students. This group will undertake a shorter program, including White Card and a week's work experience, planning to commence in May/June.

Council staff have been very supportive of the program, offering work experience opportunities in roads construction, traffic control and parks and garden maintenance. It is hoped to offer other trade experience, such as workshop or surveying, depending on interest from the group.

Richmond Valley Council is leading the way in providing opportunities for local women to gain employment in non-traditional roles. The current Try a Trade program is built on the successful model piloted in 2018 and has been expanded this year, with funding from the NSW Government's Investing in Women Program, to offer more places to older women.

17.4 CORRESPONDENCE - CENTRE STREET TRAFFIC ISSUES

Author: Vaughan Macdonald, General Manager

RECOMMENDATION

That Council receives and notes the correspondence provided to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP reiterating the community's serious concerns with traffic and pedestrian safety along Centre Street, Casino.

SUMMARY OF CORRESPONDENCE

Council at its Ordinary meeting held 16 February 2021, resolved;

That Council writes to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP to reiterate the community's serious concerns with traffic and pedestrian safety along Centre Street (Bruxner Highway) at the Richmond and Canterbury Street intersections, and request that roundabouts be provided at these two intersections, and a safer pedestrian crossing facility at the Centre/Barker Street intersection, as a matter of urgency.

The following letters have been provided following the resolution.

ATTACHMENT(S)

1. **The Hon. Paul Toole MP**
2. **Mr Kevin Hogan MP**
3. **Mr Chris Gulaptis MP**



8 March 2021

The Hon. Paul Toole MP
GPO Box 5341
SYDNEY NSW 2001

10 Graham Place Casino NSW 2470
Postal: Locked Bag 10 Casino NSW 2470
t: 02 6660 0300 f: 02 6660 1300

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

Dear Minister

Council at its February 2021 meeting resolved to write to you regarding concerns for public safety when travelling along the Bruxner Highway/Summerland Way (Centre Street) in Casino.

Council's resolution, following Cr Morrisey's Notice of motion is as follows;
"That Council writes to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP to reiterate the community's serious concerns with traffic and pedestrian safety along Centre Street (Bruxner Highway) at the Richmond and Canterbury Street intersections, and request that roundabouts be provided at these two intersections, and a safer pedestrian crossing facility at the Centre/Barker Street intersection, as a matter of urgency."

This section of Centre Street includes the three intersections of Richmond, Barker and Canterbury Streets. Richmond and Canterbury Streets have had eight reported crashes in the past 5 years, while the Barker street intersection which consists of a small roundabout has had three. Also, of major concern is the proximity of a pedestrian crossing immediately south of the Barker Street intersection, which can be hazardous for foot traffic due to being adjacent to the intersection.

Council has requested the former RMS, and now TfNSW to address these three intersections in the past, however we have not been able to advance any commitment from the State road agency.

Centre Street is major freight route where the Bruxner Highway and the Summerland Way converge and become one for a stretch of 1445m through Casino with the section of road containing the three intersections along a 500m stretch adjacent to the Casino CBD. It carries B and A double freight vehicles. Associated with the risk of the two uncontrolled intersections, and the pedestrian crossing, is the congestion of traffic at peak times, with all local school buses using the intersections to gain access to schools which are located in the immediate proximity. The delays to through traffic as well as local traffic is substantial at these times. Also adding to the traffic issues, are the locations of two major fast food outlets within this 500m section.

We again request that these intersections be considered for roundabout and pedestrian upgrades to reduce the hazards for our community.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R Mustow", written over a light blue horizontal line.

Clr Robert Mustow
Mayor

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8 March 2021

Kevin Hogan MP
Federal Member of Parliament
Email: kevin.hogan.mp@aph.gov.au

10 Graham Place Casino NSW 2470
Postal: Locked Bag 10 Casino NSW 2470
t: 02 6660 0300 f: 02 6660 1300

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

Dear Kevin

Council at its February 2021 meeting resolved to write to you regarding concerns for public safety when travelling along the Bruxner Highway/Summerland Way (Centre Street) in Casino.

Council's resolution, following Cr Morrisey's Notice of motion is as follows;
"That Council writes to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP to reiterate the community's serious concerns with traffic and pedestrian safety along Centre Street (Bruxner Highway) at the Richmond and Canterbury Street intersections, and request that roundabouts be provided at these two intersections, and a safer pedestrian crossing facility at the Centre/Barker Street intersection, as a matter of urgency."

This section of Centre Street includes the three intersections of Richmond, Barker and Canterbury Streets. Richmond and Canterbury Streets have had eight reported crashes in the past 5 years, while the Barker street intersection which consists of a small roundabout has had three. Also, of major concern is the proximity of a pedestrian crossing immediately south of the Barker Street intersection, which can be hazardous for foot traffic due to being adjacent to the intersection.

Council has requested the former RMS, and now TfNSW to address these three intersections in the past, however we have not been able to advance any commitment from the State road agency.

Centre Street is major freight route where the Bruxner Highway and the Summerland Way converge and become one for a stretch of 1445m through Casino with the section of road containing the three intersections along a 500m stretch adjacent to the Casino CBD. It carries B and A double freight vehicles. Associated with the risk of the two uncontrolled intersections, and the pedestrian crossing, is the congestion of traffic at peak times, with all local school buses using the intersections to gain access to schools which are located in the immediate proximity. The delays to through traffic as well as local traffic is substantial at these times. Also adding to the traffic issues, are the locations of two major fast food outlets within this 500m section.

We again request that these intersections be considered for roundabout and pedestrian upgrades to reduce the hazards for our community.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R Mustow", written over a light blue horizontal line.

Clr Robert Mustow
Mayor

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8 March 2021

Mr Chris Gulaptis MP
Via email: clarence@parliament.nsw.gov.au

10 Graham Place Casino NSW 2470
Postal: Locked Bag 10 Casino NSW 2470
t: 02 6660 0300 f: 02 6660 1300

council@richmondvalley.nsw.gov.au
www.richmondvalley.nsw.gov.au

ABN 54 145 907 009

Dear Chris

Council at its February 2021 meeting resolved to write to you regarding concerns for public safety when travelling along the Bruxner Highway/Summerland Way (Centre Street) in Casino.

Council's resolution, following Cr Morrissey's Notice of motion is as follows;

"That Council writes to the Minister for Regional Transport and Roads the Hon. Paul Toole MP, State Member Chris Gulaptis MP and Federal Member Kevin Hogan MP to reiterate the community's serious concerns with traffic and pedestrian safety along Centre Street (Bruxner Highway) at the Richmond and Canterbury Street intersections, and request that roundabouts be provided at these two intersections, and a safer pedestrian crossing facility at the Centre/Barker Street intersection, as a matter of urgency."

This section of Centre Street includes the three intersections of Richmond, Barker and Canterbury Streets. Richmond and Canterbury Streets have had eight reported crashes in the past 5 years, while the Barker street intersection which consists of a small roundabout has had three. Also, of major concern is the proximity of a pedestrian crossing immediately south of the Barker Street intersection, which can be hazardous for foot traffic due to being adjacent to the intersection.

Council has requested the former RMS, and now TfNSW to address these three intersections in the past, however we have not been able to advance any commitment from the State road agency.

Centre Street is major freight route where the Bruxner Highway and the Summerland Way converge and become one for a stretch of 1445m through Casino with the section of road containing the three intersections along a 500m stretch adjacent to the Casino CBD. It carries B and A double freight vehicles. Associated with the risk of the two uncontrolled intersections, and the pedestrian crossing, is the congestion of traffic at peak times, with all local school buses using the intersections to gain access to schools which are located in the immediate proximity. The delays to through traffic as well as local traffic is substantial at these times. Also adding to the traffic issues, are the locations of two major fast food outlets within this 500m section.

We again request that these intersections be considered for roundabout and pedestrian upgrades to reduce the hazards for our community.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R Mustow", written over a light blue horizontal line.

Clr Robert Mustow
Mayor

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18 QUESTIONS ON NOTICE**18.1 QUESTION ON NOTICE - CR SIMPSON - PACIFIC HIGHWAY/RIVER STREET WOODBURN - STATUS UPDATE AND PEDESTRIAN CROSSING****Author: Andrew Leach, Manager Asset Planning**

The following question on notice was received from Councillor Simpson.

Question

Could the General Manager please outline where we are at with the handback of what was the Pacific Highway/River Street, Woodburn and comment on the process required to obtain a pedestrian crossing in Woodburn?

Response

Advice received from Transport for NSW (TfNSW) is that the reclassification process is not yet finalised, and a further update will be provided in July. Until the NSW Government agrees to re-classify the road, it will remain under the control of TfNSW. Therefore, a crossing at Woodburn is a matter for TfNSW and responsibility for streetscaping is yet to be resolved.

RECOMMENDATION

That the response to the question regarding Pacific Highway/River Street Woodburn, Status update and pedestrian crossing, raised by Councillor Simpson be received and noted.

ATTACHMENT(S)

Nil

19 QUESTIONS FOR NEXT MEETING (IN WRITING)

20 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:

20.1 Tender – Construct Bridge, Crown Road Busbys Flat

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

20.2 Tender – Canning Drive Stage 2 Civil Works

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

20.3 Proposed Purchase of Casino Bowling Club Land

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

20.4 General Manager's Annual Performance Review - February 2021

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).

21 RESOLUTIONS OF CLOSED COUNCIL